

VOLUNTARY DECLARATION OF OCCUPANCY AS AN EXERCISE OF AN ABORIGINAL OR TREATY RIGHT

PURPOSE OF THIS FORM

The Department of Lands is providing an opportunity for cabin owners to voluntarily declare that their untenured occupancy is ancillary to the exercise of an established or asserted Aboriginal or Treaty right and, as such, their untenured structure(s) should be considered a 'potential rights-based cabin(s)'. **Cabins confirmed to be a potential rights-based cabins will not be subject to further enforcement action at this time.**

All untenured occupancies, including potential rights based cabins, are being evaluated on a case-by-case basis, and some may be eligible for a standard GNWT cabin lease. If your cabin is not confirmed as a potential rights-based cabin, and tenure, such as a lease, is not in place, you may be subject to standard trespass proceedings as an unauthorized occupant.

INSTRUCTIONS

Completion of this form is voluntary. There are two options for completing this document in order to identify your occupancy as a potential rights-based cabin:

OPTION 1: You can complete the document and return it directly to the Department of Lands (Lands). Lands will then contact the Indigenous Government or Organization you have identified to complete section D which confirms the information provided.

OPTION 2: You can complete the document and return it to your Indigenous Government or Organization. They will then complete section D, which confirms the information in the form, and forward the document to the Department of Lands.

Completed forms can be dropped off at your Regional office, emailed to NWTCabin@gov.nt.ca or sent by mail to:

Department of Lands
Government of the Northwest Territories
4923 - 52 Street
P.O. Box 1320
Yellowknife, NT X1A 2L9

SECTION A: DECLARATION

Please fill out this section completely.

1. Please provide your full name.
2. Please initial in the space provided to confirm your membership in a specific Indigenous Government or Organization, and write the name of your Indigenous Government or Organization on the line below.
3. Please initial in the space provided to confirm that you are an Indigenous person with Aboriginal or Treaty rights in this part of the Northwest Territories.
4. Please choose A or B to clarify cabin ownership and initial each sub-section:
 - A. If the specified cabin is a communal cabin owned by your Indigenous Government or Organization, please initial in this space to confirm that ownership.
 - i. Please initial in the space provided to confirm that your cabin is in the asserted or established territory of your Indigenous Government
 - OR
 - B. If you own the specified cabin, please initial in the space provided to confirm your ownership.
 - i. Please initial if you have receipts or proof of ownership of this cabin.
 - ii. Please initial if you are willing to sign a legal document attesting that you are the owner of this cabin, if requested.
5. Please provide the GPS coordinates for the location of the cabin on the line below.
 - a) The GPS coordinates of your cabin are written on your posting notice.
 - b) If you do not have your GPS coordinates, please contact the Department of Lands toll-free at 1-855-NWT-LAND (1-855-698-5263).
6. Please initial in the space provided to confirm that you use the cabin to exercise your traditional rights.

SECTION B: CONSENT TO RELEASE OF INFORMATION

Please review the options described above in the Introduction section:

If you chose OPTION 1 above, please initial beside items 7 and 8.

If you chose OPTION 2 above, please initial beside item 9.

SECTION C: SIGNATURE

Please sign and date this form to confirm your declaration.

10. Printed name.

* Si vous voulez ces informations dans une autre langue officielle, contactez-nous 1-855-698-5263.

11. Signature.
12. Date you signed the document.
13. Location where the document was signed.

SECTION D: VERIFICATION (p.2)

To be completed by an authorized representative of your Indigenous Government or Organization. You can work directly with your Indigenous Government or organization to complete this section, or you can send the form to the Department of Lands with this section blank, and the Department of Lands will follow up with the Indigenous Government or organization identified in Section A. line 2.

14. Name of representative.
15. Signature of same.
16. Date that the information is verified by IGO.

Completed forms can be dropped off at your Department of Lands Regional Office, emailed to NWTCabin@gov.nt.ca or can be mailed to the address identified in the Instructions section of this Form.

VOLUNTARY DECLARATION OF OCCUPANCY AS AN EXERCISE OF AN ABORIGINAL OR TREATY RIGHT

The GNWT Department of Lands is requesting confirmation of your asserted or established Aboriginal and Treaty rights, in order to confirm that your cabin is a potential rights-based cabin. This allows the Department to distinguish potential rights-based cabins from unauthorized occupants and support land management with respect to this occupancy of public land. The personal information you provide in this document is being collected under the authority of section 40(c)(ii) of the *Access to Information and Protection of Privacy Act (ATIPPA)*. Your personal information is also subject to the protection and disclosure provisions of ATIPPA, and may be used or disclosed in accordance with the provisions of that Act. If you have any questions about the collection of your personal information, please contact the Manager of Sustainability, Department of Lands, P.O. Box 1320, Yellowknife, NT X1A 2L9, 1-855-NWT-LANDS (1-855-698-5263).

SECTION A: DECLARATION

1.	I,		, do declare the following:
		<small>(First and Last - Please Print)</small>	
	<small>Initial</small>		
2.		I am a member of the following Indigenous Government or Organization:	
3.		I am an Indigenous person with asserted or established Aboriginal and/or Treaty rights in this part of the Northwest Territories.	
4.A		This cabin at the location indicated in (5.) is communally owned by the Indigenous Government or Organization identified above, and can be communally occupied by any member of my Indigenous Government or Organization	
	OR		
4.B		I am the owner of a cabin and/or outbuildings at the location indicated in (5.).	
	And,		
		i. I can provide proof of ownership of this cabin, OR	
		ii. I am willing to sign a Statutory Declaration that I am the owner of this cabin, if requested.	
5.	Cabin GPS Coordinates (and File # indicated on the Notice, if known):		
6.		The cabin described in (5.) is located in the asserted or established territory/claim area of the Indigenous Government or Organization identified above.	
6.		I use the cabin identified in (5.) in the exercise of my asserted or established Aboriginal or Treaty rights.	

SECTION B: CONSENT TO RELEASE OF INFORMATION

	<small>Initial</small>		
7.		I give consent to the Department of Lands to use this information internally for the purpose described above, and to release this information to the Indigenous Government or Organization I specified in (2.) for the purpose of confirming the information.	
8.		I give consent to the Indigenous Government or Organization I specified in (2.) to verify all of the information above and provide confirmation to the Department of Lands.	
9.		I give consent to the Indigenous Government or Organization I specified in (2.) to transmit this form to the Department of Lands.	

SECTION C: SIGNATURE

10. _____ <small>Printed Name</small>	11. _____ <small>Signature</small>
12. _____ <small>Date of Signing</small>	13. _____ <small>Location (Community or Nearest Community) of Signing</small>

* Si vous voulez ces informations dans une autre langue officielle, contactez-nous 1-855-698-5263.

SECTION D: VERIFICATION (to be completed by the Indigenous Government or Organization identified in (2.))

14. I, _____, of the organization referenced above, confirm the information provided has been verified and is true.	
15. _____ <i>Signature</i>	16. _____ <i>Date of Signing</i>

For GNWT Office Use Only:	File #: _____
Form completed by:	Name: _____
The individual named above provided appropriate identification	Yes / No
Proof of ownership was provided	Yes / No
Date recorded in tracking sheet:	Date: _____
Follow up with IGO required:	Yes / No
Information confirmed by IGO listed: <input type="checkbox"/>	Date: _____
Information refuted by IGO listed: <input type="checkbox"/>	Date: _____
IGO unable to confirm information: <input type="checkbox"/>	Date: _____
Recommended Action:	
Action Completed:	Date: _____

Access to Information and Protection of Privacy Act

40. No personal information may be collected by or for a public body unless

- (a) the collection of the information is expressly authorized by an enactment;
- (b) the information is collected for the purposes of law enforcement; or
- (c) the information relates directly to and is necessary for
 - (i) an existing program or activity of the public body, or
 - (ii) a proposed program or activity where collection of the information has been authorized by the head with the approval of the Executive Council.

41. (1) A public body must, where reasonably possible, collect personal information directly from the individual the information relates to unless

(a) another method of collection is authorized by that individual or by an enactment;

(2) A public body that collects personal information directly from the individual the information is about shall inform the individual of

- (a) the purpose for which the information is collected,
- (b) the specific legal authority for the collection, and
- (c) the title, business address and business telephone number of an officer or employee of the public body who can answer questions about the collection, unless the regulations provide that this subsection does not apply to that type of information.

42. The head of a public body shall protect personal information by making reasonable security arrangements against such risks as unauthorized access, collection, use, disclosure or disposal.

43. A public body may use personal information only

(...)

(b) if the individual the information is about has identified the information and consented, in the prescribed manner, to the use;

(...)

48. A public body may disclose personal information

(...)

(b) where the individual the information relates to has identified the information and consented, in the prescribed manner, to its disclosure;

(...)

Access to Information and Protection of Privacy Regulations

5. The consent of an individual to a public body's use or disclosure of his or her personal information under paragraphs 23(4)(a), 43(b) and 48(b) of the Act

- (a) must be in writing; and
- (b) must specify to whom the personal information may be disclosed or how the personal information may be used.

* Si vous voulez ces informations dans une autre langue officielle, contactez-nous 1-855-698-5263.