



Indigenous Law

DLA Piper's Indigenous Law practice has almost 40 years of experience in this important sector. We represent First Nations, Tribal Councils and Aboriginal nonprofit organizations, businesses and individuals in British Columbia, the Yukon, the Northwest Territories, Nunavut and Alberta.

We regularly assist First Nations clients with land development, the structuring of business organizations, establishment of trusts, taxation issues, employment matters, issues relating to financing and numerous other aspects of economic development projects.

We provide land claims counsel to a number of First Nations in BC and the North, and we represent First Nations at all court levels on a variety of issues of national importance.

Stay on Top of Emerging Issues in Indigenous Law

We provide strategic yet practical counsel to First Nations clients in matters that continue to increase in importance:

- Indigenous governance, including the governance of bands, organizations and companies
- Management of health services for First Nations, including advise in respect of British Columbia's First Nations Health Authority
- Indigenous fishing rights
- Sophisticated structuring of business organizations

EXPERIENCE

- Represented Fiera Axium Infrastructure in purchase of GE Energy interests in Toba Montrose and Dokie 1 Facilities
- Acted for the Nanaimo Port Authority in connection with the new \$22 million cruise ship facility and terminal in the Port of Nanaimo

Publications

Cumulative effects - The impact of "a tide of change" on Indigenous treaty rights

RELATED SERVICES

- Projects, Energy and Infrastructure
- Litigation, Arbitration and Investigations
- Real Estate

- Forestry
- Health Law
- Mining

16 August 2021

For sometime now, an uncertainty has existed as to how the cumulative environmental effects of industrial development should be evaluated in relation to a potential infringement on Aboriginal or Treaty rights. For the first time, a court has carried out a deep dive into this issue and considered whether there has been an infringement of a First Nations' Treaty right due to the cumulative environmental impacts of industrial development. The British Columbia Supreme Court decision in *Yahey v British Columbia* analyzes the cumulative impacts of industrial development in treaty territory finding the government's conduct "frustrates the essential promise of the Treaty".

Protection provided for *bona fide* purchaser for value without notice in transaction involving First Nation lands

12 February 2021

Courts have long protected the interests of *bona fide* purchasers for value without notice in land transactions. However, seeking this protection can become far more complicated in land transactions where First Nations communities assert an interest and where such lands are held in trust. Despite these complexities, a recent decision from the Alberta Court of Queen's Bench has confirmed that the interests of a *bona fide* purchaser for value without notice of a breach of trust should be protected.

The landmark Tsilhqot'in Nation decision: What it means for project developers in Canada

03 Jul 2014

On June 26, 2014, the Supreme Court of Canada (the "Court") issued a landmark ruling in the area of aboriginal law with its decision in *Tsilhqot'in Nation v British Columbia*, 2014 SCC 44 (the "Decision"). The Court declared that the Tsilhqot'in Nation, a semi-nomadic Aboriginal group, hold Aboriginal title over certain lands in central interior British Columbia, the first declaration of its kind in judicial history.

Canadian mining industry calls for mandatory disclosure of payments to governments

17 Jan 2014

Canada's two largest mining industry groups, the Mining Association of Canada ("MAC") and the Prospectors and Developers Association of Canada ("PDAC"), joined by two civil society transparency groups (together, the "Working Group") released their final report (the "Report") yesterday calling for mandatory disclosure by mining companies that are reporting issuers of their payments to host governments for developing mineral resources.

NEWS

DLA Piper Canada recommended in 2022 edition of *Chambers Canada*

10 September 2021

DLA Piper (Canada) LLP and its lawyers have been recognized across 15 practice areas in the 2022 edition of *Chambers Canada*.

DLA Piper (Canada) LLP recognized by *Chambers Global 2021*

19 February 2021

DLA Piper (Canada) LLP and nine of its practitioners have been recognized in the 2021 edition of *Chambers Global*.

DLA Piper (Canada) LLP recognized by *Chambers Canada 2021*

10 September 2020

DLA Piper (Canada) LLP is pleased to see 25 of our lawyers recognized across 16 practice areas in the 2021 edition of *Chambers Canada*.

DLA Piper Canada increases rankings in 2021 edition of *Best Lawyers in Canada*

28 AUG 2020

DLA Piper (Canada) LLP is pleased to see 79 of our lawyers across 35 practice areas recognized in the 2021 *Best Lawyers in Canada* guide, resulting in our best showing with the guide since its inception.

In Canada

- Recognized Practitioner, Chambers Canada, 2016-2020