

An Act respecting **First Nations, Inuit** and **Métis** children, youth and families



Sections

1: definitions

defines terms used in the act, including “family” and “Indigenous governing body”.

2: rights of Indigenous peoples

States that the act is to be construed as upholding the rights of Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act, 1982*.

3: conflict with existing agreement

Provides that agreements, which are legally binding, prevail over the act in the case of conflict or inconsistency if they predate the coming into force of the act.

4: minimum standards

Confirms that the act creates minimum standards respecting child and family services provided in relation to Indigenous children.

5: Nunavut Act

Respects the legislative powers of the legislature for Nunavut.

7: Her Majesty

Provides that the act is binding on Canada and the provinces and territories.

8 and 9: purpose and principles

Establishes the purposes of the act and the principles according to which the act is to be interpreted and administered.



6: designation of minister

Authorizes the Governor in Council to designate a federal minister for the purposes of the act.

10: best interests of Indigenous child

Explains how the principle of the best interests of the child should be understood and applied in the context of the act.

11 to 15: provision of child and family services

Sets out certain requirements and rights related to the provision of child and family services to an Indigenous child.



16 and 17: placement of Indigenous child

Sets out certain requirements respecting the placement of an Indigenous child.

18: jurisdiction, child and family services

Affirms the jurisdiction of Indigenous peoples in relation to child and family services.

19: application of Canadian Charter of Rights and Freedoms

Addresses the application of the *Canadian Charter of Rights and Freedoms*.

20 to 24: coordination and application

Addresses the exercise of jurisdiction in relation to child and family services as well as the application and coordination of laws of Indigenous groups, communities or peoples.

25 and 26: publication and accessibility

Sets out requirements respecting the publication and accessibility of certain information.

27 to 30: information

Sets out certain powers respecting the gathering and use of information respecting child and family services provided to Indigenous children and information about individuals in relation to whom those services are provided.

31: five-year review and report

Requires that the act be reviewed periodically and that a report be tabled in Parliament.

32: regulations

Sets out authority for the making of regulations.



33 and 34: transitional provisions

Describes how transitional matters arising from the coming into force of the act are handled.

35: coming into force

Specifies that the provisions of the act come into force on a day or days to be fixed by order of the Governor in Council.

This document provides an overview of the act and should be read in conjunction with the act. The act can be accessed at: <https://www.parl.ca/DocumentViewer/en/42-1/bill/C-92/royal-assent>

