

**ASSOCIATION OF CANADA LANDS SURVEYORS
BOARD OF EXAMINERS**

**EXAMINATION P3
GOVERNMENT STRUCTURES & ABORIGINAL POLICY ISSUES**

March 2016

This examination consists of 18 questions on 2 pages.

<u>Q. No</u>			<u>Marks</u>	
			<u>Value</u>	<u>Earned</u>
1.	Discuss why the inclusion of the <i>Canadian Charter of Rights and Freedoms</i> in the <i>Constitution Act, 1982</i> was a significant step for increasing the protection of rights and freedoms in Canada.	5		
2.	What are the major functions performed by the federal Cabinet in Canada's political system?	5		
3.	Identify two federal Cabinet positions that you think will be the most important to Canada in 2016, and explain why.	8		
4.	In 2015, the federal Liberal Party of Canada won an elected majority. Describe two benefits of a majority government situation versus a minority government situation.	4		
5.	Do you agree with the process in Canada of the federal government having the exclusive power to appoint judges to the Supreme Court of Canada? Explain why or why not.	4		
6.	Describe how municipal governments are formed, and some of their typical functions that are distinct from the provincial and federal governments.	4		
7.	What is the constitutional distinction between provinces and territories?	2		
8.	Describe the principle of judicial independence and describe what measures are in place to protect it in Canada.	4		
9.	The federal Liberal Party has proposed to reform the electoral process in Canada. Describe the current electoral process and two ways in which this process could be improved.	6		
10.	Describe what makes Crown Corporations distinct from other corporations, and some of the typical functions they serve.	4		
11.	Define Aboriginal title, and describe how it is distinct from each of the following: a) traditional territory; b) treaty lands; and c) fee simple ownership.	9		
12.	Some Aboriginal groups in British Columbia are reconsidering their approach to the BC treaty negotiation process, particularly following the Supreme Court of Canada's recognition of Aboriginal title in the 2014 decision, <i>Tsilhqotin v. British Columbia</i> . From an Aboriginal perspective, what are two benefits and two drawbacks of modern treaties?	8		

13.	Describe three main topics of negotiation that are common to the modern treaties that are being negotiated in the BC Treaty negotiation process.	3	
14.	In 2015, the Truth and Reconciliation Commission released a report and recommendations for achieving reconciliation with Aboriginal peoples as a result of the Indian residential school system. Describe the government's historical motivations for the residential schools and how the residential school system affected Aboriginal communities.	6	
15.	Describe the key features of: a) the <i>Numbered Treaties</i> (1871 – 1921) and b) the <i>Peace and Friendship Treaties</i> (1725 – 1779), and the main difference between them in relation to Aboriginal land rights.	5	
16.	What was the significance of the Supreme Court of Canada's decisions in a) <i>Haida Nation v. British Columbia</i> (2004) and b) <i>Mikisew Cree First Nation v. Canada (Minister of Canadian Heritage)</i> (2005) in respect of the Crown's duty to consult?	4	
17.	Describe the main purposes of the <i>First Nations Land Management Act</i> and how this Act is beneficial to First Nations in Canada.	4	
18.	Describe each of the following terms as they pertain to First Nations in Canada: a) Specific Claims; b) Comprehensive Claims; c) Status Indians; d) reserve lands; and e) reconciliation.	3 3 3 3 3	
	Total Marks:	100	