

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

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

October 2014

This examination consists of 23 questions on 2 pages.

<u>Q. No</u>			<u>Marks</u>	
			<u>Value</u>	<u>Earned</u>
1.	Describe two functions of the Senate and explain why each function is important.	4		
2.	Describe two methods through which special interest groups lobby government.	2		
3.	In 2014, it was reported that there was a renewed interest by some politicians to encourage the Turks and Caicos to join Canada. Describe the key differences between provinces and territories in Canada, and explain whether you think it would be better for Turks and Caicos to join as a province or as a territory, and why.	6		
4.	Explain how the <i>Canadian Bill of Rights</i> (1960) is limited in its effectiveness in comparison to the <i>Constitution Act, 1982</i> .	3		
5.	Provide two arguments in either support of or against the appointment process of judges to the Supreme Court of Canada by the executive level of the federal government.	4		
6.	Describe how municipal governments are formed, how they pass laws, and two of their typical functions.	6		
7.	Provide two specific examples of how minority rights are constitutionally protected in Canada.	2		
8.	How are administrative tribunals distinct from the Canadian court system?	3		
9.	Describe how Crown Corporations are created, and list two unique characteristics of Crown corporations.	3		
10.	Describe the significance of two of the following three sections of the Constitution: a) section 91(24), <i>Constitution Act, 1867</i> , b) section 25 of the <i>Charter</i> , and c) section 35, <i>Constitution Act, 1982</i> .	4		
11.	In June 2014, the Supreme Court of Canada overturned the BC Court of Appeal decision in <i>William v. British Columbia</i> , and declared Aboriginal title over a tract of land in BC. Describe what makes Aboriginal title a unique form of land right in Canada, and how it compares with fee simple ownership.	4		
12.	Describe the significance of the <i>Royal Proclamation of 1763</i> as it relates to the rights of Aboriginal peoples in Canada.	3		
13.	Describe a) who is a status Indian, and b) two benefits a status Indian may receive under the <i>Indian Act</i> that non-Status Indians cannot receive.	4		

14.	Briefly describe three of the following four modern treaties, providing at least one significant feature of each treaty: a) <i>Nunavut Land Claims Agreement</i> , b) <i>Council for Yukon Indians Umbrella Final Agreement</i> , c) <i>Tsawwassen First Nation Final Agreement</i> , and d) <i>Eeyou Marine Region Land Claims Agreement</i> .	9	
15.	Describe the key features of a) the <i>Peace and Friendship Treaties</i> (1725 – 1779) and b) the <i>Numbered Treaties</i> (1871 – 1921), and the main difference between them in respect to Aboriginal land rights.	6	
16.	Describe the “Idle No More” movement of Aboriginal peoples in Canada and provide two examples of issues or concerns behind this movement.	4	
17.	Describe a) the constitutional basis of the Crown’s duty to consult, b) when the duty to consult is triggered, and c) what role project proponents play in respect of the duty to consult.	6	
18.	Describe two rights/benefits that Indian reserves provide to Aboriginal peoples, and two challenges/drawbacks of the Indian reserve system in Canada.	4	
19.	What are Specific Claims? Through what methods are Specific Claims resolved?	4	
20.	Describe the federal government’s policies in respect of Aboriginal self-government. How is Aboriginal self-government achieved and implemented in Canada?	5	
21.	How is the <i>Sechelt Indian Band Self-Government Act</i> unique in Canada?	3	
22.	What is the Indian Lands Registry System? List two specific types of information that can be searched on the Indian Lands Registry System.	3	
23.	List the six stages of the BC Treaty negotiation process. Discuss one way in which you believe the BC Treaty negotiation process could be improved.	8	
	Total Marks:	100	