

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

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

**October 2016**

This examination consists of 20 questions on 2 pages.

<b>Q. No</b>	<b>Time: 3 hours</b>	<b>Marks</b>	
		<b>Value</b>	<b>Earned</b>
1.	List three powers of the federal government and three powers of the provincial governments, found in which legislation.	6	
2.	What are the key differences between the provinces and the territories?	4	
3.	What is Section 35 of the Constitution Act, 1982 and describe its significance.	5	
4.	Describe the legislative branch of the federal government.	6	
5.	What is the role of the Senate in Canada's parliamentary system and what are its general responsibilities and powers?	6	
6.	Canada has a number of Acts forming part of the historical development of its Constitution. What are they and how did they come about?	6	
7.	Describe the historical creation of the Numbered Treaties in Canada and identify three features that are common to them.	5	
8.	How are municipal governments formed and their typical functions? How do they differ from provincial and federal governments?	4	
9.	Define Aboriginal Title and how it differs from each of the following: a) Reserve lands b) Traditional territory c) Treaty lands d) Fee simple title	7	
10.	Define the following terms: a) Comprehensive claim b) Specific claim c) Treaty Land Entitlement e) Numbered Treaties f) Peace and Friendship Treaties g) Bill C-31	7	
11.	Describe the difference between Aboriginal rights, Aboriginal interests, and treaty rights.	6	
12.	What is the Crown's Duty to Consult and when is it triggered?	6	

13.	The <i>First Nations Land Management Act</i> enables First Nations to participate in the First Nation Land Management regime. Describe the key features of this regime, and discuss two benefits of this regime for First Nations.	6	
14.	Describe the significance of one of the following court decisions: a) <i>Calder v. British Columbia</i> [1973] b) <i>R. v. Sparrow</i> [1990] c) <i>R. v. Powley</i> [2003]	3	
15.	Choose two of the following three modern treaties and describe what makes them unique in Canada: a) <i>Council for Yukon Indians Umbrella Final Agreement</i> [1993] b) <i>Nunavut Land Claims Agreement</i> [1993] c) <i>Nisga'a Final Agreement</i> [2000]	4	
16.	The B.C. Treaty Commission was established in 1992 but there are only eight modern treaties concluded. Describe why (provide at least two reasons) there are such a low number of treaties concluded through the treaty negotiation process and provide two suggestions for ways to improve the process.	4	
17.	Describe the purpose and functions of the Indian Lands Registry System and one limitation of this system.	4	
18.	How are administrative tribunals distinct from the Canadian justice system?	3	
19.	How are Crown corporations different from other corporations and what purposes do they serve?	4	
20.	Provide two suggestions for measures the federal government should take to improve the conditions for Aboriginal peoples living in Canada in order to achieve the goal of reconciliation.	4	
	<b>Total Marks:</b>	100	