

## ASSEMBLY OF MANITOBA CHIEFS



*In a press release on March 9, 2021, Grand Chief Dumas called upon the Government of Manitoba to remove limitation periods for First Nations claims and to ban the continued use of limitation periods in Manitoba on First Nations historical claims against the Crown.*

### Bill 51 - The Limitations Act

Sponsored by the Honourable Mr. Friesen, Minister of Justice and Attorney General

First Reading: November 2, 2020

No Update

Royal Assent: May 20, 2021

#### About the bill

- Bill 51 imposes an ultimate 30-year limitation period for a proceeding respecting existing Aboriginal and Treaty rights that are recognized and affirmed in the *Constitution Act, 1982*, or an equitable claim by an Aboriginal people against the Crown.
- This bill also bars any claim from proceeding, where the limitation period expired under former limitations period legislation.

#### How the bill affects First Nations

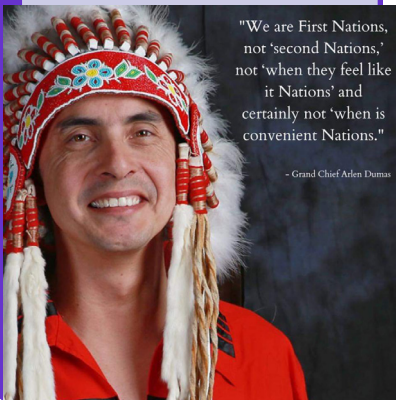
- This bill limits the ability of First Nations to bring an action against the Crown.
- This means that for most First Nations, historical claims arising before the coming into force of Bill 51 have expired due to the 6-year limitation period in former legislation.

#### AMC's position on the bill

- The AMC ECC opposed this bill as part of the current suite of legislation because of the lack of consultation and the effects on First Nations and their rights.
- Bill 51 does not consider that First Nations were not allowed to bring lawsuits against the Crown until the *Indian Act* was amended in 1951.
- The tabling of this bill is also contrary to the Truth and Reconciliation Commission's Call to Action 26, which calls upon "the federal, provincial, and territorial governments to review and amend their respective statutes of limitations to ensure that they conform to the principle that governments and other entities cannot rely on limitation defences to defend legal actions of historical abuse brought by Aboriginal people."

#### AMC activities on the bill

- In a press release on March 9, 2021, Grand Chief Dumas called upon the Government of Manitoba to remove limitation periods for First Nations claims and to ban the continued use of limitation periods in Manitoba on First Nations historical claims against the Crown.



"We are First Nations, not 'second Nations,' not 'when they feel like it Nations' and certainly not 'when is convenient Nations.'"

- Grand Chief Arden Dumas

