



## The Saskatchewan Treaty Land Entitlement Framework Agreement: Willing Buyer, Willing Seller

Although the Equity Formula was a solution to finding a cut-off date for First Nations population numbers, the question of where to find land to fulfill the Treaty debts remained. The federal government had no plans to

amount of money for each acre owed (determined by the Equity Formula), based on the average price of an acre of land. However, this money would not be a cash settlement in place of land. Instead this money would be put in a special trust fund and only be used to purchase land, until at least the amount of land that was owed based on adjusted population as of the first survey was acquired. This allows First Nations to choose the land they want and to purchase the land from willing sellers for the market price, hence the phrase “Willing

parks, ecological reserves, and provincial highways.

The “Willing Seller” part of the Agreement means that only land that people or the government want to sell can be bought. For provincial community pastures, at least 75% of occupants must consent to the sale. For other Crown lands, all occupants must consent to the sale. Occupants are those individuals with existing leases and/or licences from Saskatchewan.

For the transfer of provincial roads and undeveloped road allowances, the Entitlement First Nation must enter into an agreement with the Province, Canada, and the affected Rural Municipality.

The Entitlement First Nation must deal with all interests in the property and taxes on the property must be paid. Sometimes people who have been using the land (e.g. pasture patrons, trappers, etc.) may negotiate agreements with First Nations to use the land in the same manner as when it was provincial or federal Crown land.

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purchase land to fulfill these debts and there was not enough productive Crown land left in the province to fulfill the Treaty promises in a meaningful way. However, land for their exclusive use was viewed by First Nations as fundamental to their existence. For First Nations money could not make up for the loss of land promised under the Treaties.

Keeping these factors in mind the OTC recommended that First Nations be given a certain

Buyer, Willing Seller.”

“Willing Buyer, Willing Seller,” along

with the Equity formula are two fundamental parts of The Saskatchewan Treaty Land Entitlement Framework Agreement. Entitlement First Nations can buy private land or federal or provincial Crown land on a “Willing Buyer, Willing Seller” basis. Some provincial Crown land is not generally available, although it could be sold in exceptional circumstances. This includes heritage property, parks, recreation sites, historic

### Questions for Consideration

1. What were the problems with The Saskatchewan (1976) Agreement for Treaty Land Entitlement regarding the land available to fulfill the Treaty land debt?
2. How did the Treaty Commissioner’s proposal of “Willing Buyer, Willing Seller” address the problem of a lack of Crown land available to settle Treaty Land Entitlement?
3. What kinds of land can be purchased under The Saskatchewan Treaty Land Entitlement Framework Agreement?