Differences between Self-Governing First Nations and Indian Act Bands

Many of Canada’s First Nation communities are still governed by the Indian Act, and are referred to as Bands. This means that their reserve lands, monies, other resources and governance structure are managed by the provisions in the Indian Act. In the Yukon however, the majority of First Nations are self-governing. Self-Governing Yukon First Nations direct their own affairs, and for the most part, the Indian Act no longer applies to them, their Citizens, or to settlement land. The following is a brief comparison of the differences between Indian Act Bands and Self-Governing Yukon First Nations.

Indian Act Bands:

- Only three Yukon First Nations remain under the Indian Act.
- The Indian Act applies to members of a Band, who have “status.”
- Land that is provided for use and benefit of the Band cannot be owned by the Band or individual members.
- Core funding for the Band is determined by the Department of Indian Affairs and Northern Development.
- The Band government is accountable to the Minister of Indian Affairs and Northern Development.

Self-Governing Yukon First Nations

- There are eleven Self-Governing Yukon First Nations.
- The Indian Act no longer applies to the First Nation or its Citizens (although individual citizens may still be entitled to “status” under the Act).
- The First Nation’s land is owned and managed by the First Nation government.
- The First Nation sets its own priorities and its election process is defined by its Constitution.
- The First Nation has the ability to tax its Citizens and other residents.

The Self-Governing Yukon First Nations are: Vuntut Gwitchin First Nation, Champagne and Aishihik First Nations, First Nation of Nacho Nyak Dun, Teslin Tlingit Council, Selkirk First Nation, Little Salmon/Carmacks First Nation, Tr’ondëk Hwëch’in, Ta’an Kwach’an Council, Kluane First Nation, Kwanlin Dün First Nation, Carcross/Tagish First Nation

The Indian Act Bands in the Yukon are: White River First Nation, Ross River Dena Council and Liard First Nation.