



MANITOBA ORDER IN COUNCIL

DATE: **March 24, 2026**

ORDER IN COUNCIL NO.: **58/2026**

RECOMMENDED BY: **Minister of Natural Resources and Indigenous
Futures**

ORDER

1. The administration and control of all interests held by His Majesty the King in right of Manitoba, including:
 - (a) all mines and minerals (precious and base) and sand and gravel;
 - (b) all interests impliedly reserved to the Crown under *The Crown Lands Act*;
 - (c) all subsisting reservations to the Crown contained in the original grant from the Crown; and
 - (d) all rights, title and interests which Manitoba may have under the constitution of Canada or the common law

in the following described land is transferred to His Majesty the King in right of Canada:

Site 4-11

In the Province of Manitoba and being:

Parcels A, B, C, and D which parcels are shown on a plan of survey of part of Outer Two Mile Lots 113 to 115, both inclusive, in Parish of St. Paul, filed in the Winnipeg Land Titles Office as Plan Number 75991 and recorded in the Canada Lands Surveys Records as Number 114761; including all Crown mines and minerals (precious and base) and royalties derived therefrom and all other estates, rights and interests of the Crown impliedly reserved to the Crown under *The Crown Lands Act* (Manitoba); said described land containing 58.193 hectares (143.80 acres), more or less.

2. The Minister of Natural Resources and Indigenous Futures may execute any documents necessary to give effect to this Order.

AUTHORITY

Paragraph 11 of a Memorandum of Agreement dated the 14th day of December, 1929 between THE GOVERNMENT OF THE DOMINION OF CANADA and THE GOVERNMENT OF THE PROVINCE OF MANITOBA, set out in the Schedule to the *Constitution Act, 1930* (“the Natural Resources Transfer Agreement”), and which, by virtue of section 1 thereof, has the force of law as therein provided, states:

... the Province will from time to time, upon the request of the Superintendent General of Indian Affairs, set aside, out of the unoccupied Crown lands hereby transferred to its administration, such further areas as the said Superintendent General may, in agreement with the Minister of Mines and Natural Resources of the Province, select as necessary to enable Canada to fulfil its obligations under the treaties with the Indians of the Province, and such areas shall thereafter be administered by Canada in the same way in all respects as if they had never passed to the Province under the provisions hereof;

The Crown Lands Act, C.C.S.M. c. C340, states:

Powers of L. G. in C.

5(1) The Lieutenant Governor in Council may

...

(d) set aside...such areas as the Superintendent General of Indian Affairs, in agreement with the minister, selects as necessary to enable Canada to fulfil its obligations under the treaties with the Indians of the province;

...

BACKGROUND

1. Brokenhead Ojibway Nation, as signatories, adherents or successors to signatories or adherents to Treaty No. 1, became entitled to the setting apart of lands as reserves.
2. Under an agreement dated May 29, 1997, between Treaty Land Entitlement Committee of Manitoba Inc., as general partner on behalf of TLEC Limited Partnership, His Majesty the King in Right of Canada ("Canada") and His Majesty the King in Right of Manitoba ("Manitoba") ("the Framework Agreement - Treaty Land Entitlement"), Brokenhead Ojibway Nation became entitled to acquire land and Manitoba agreed to transfer to Canada all interests held by Manitoba in lands acquired by Brokenhead Ojibway Nation to fulfil Canada's obligation under Treaty No. 1 to the Brokenhead Ojibway Nation.
3. An agreement dated September 9, 1998, was executed by the Brokenhead Ojibway Nation, the Treaty Land Entitlement Committee of Manitoba Inc., as general partner on behalf of TLEC Limited Partnership, His Majesty the King in Right of Canada and His Majesty the King in Right of Manitoba ("the Treaty Entitlement Agreement") in accordance with Articles 29 and 30 of the Framework Agreement Treaty Land Entitlement.
4. Brokenhead Ojibway Nation has acquired fee simple title to the land described above in accordance with the Treaty Entitlement Agreement and Canada and Manitoba have confirmed that the land is eligible to be set apart as Reserve in accordance with the Principles for Land Selection and Acquisition set out in the Framework Agreement Treaty Land Entitlement.