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**Sent:** November 29, 2018 15:24

**To:** Designated Officer / Responsables Désignés (NRCAN/RNCAN) <[nrcan.designatedofficer-responsablesdesignes.rncan@canada.ca](mailto:nrcan.designatedofficer-responsablesdesignes.rncan@canada.ca)>

**Subject:** MNBC Comments

MNBC has the following comments with respect to proposed designated officers in the CER Act.

1. On page 2 there is reference to the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the Constitution Act, 1982. This also relates to question 3 and the use of Indigenous groups as one of the potential circumstances a matter is referred to the Commission. We would like to ensure clarity around definitions. The Constitution Act speaks to Aboriginal peoples not indigenous, of which Métis, Indians and Inuit are included. Further, case law speaks to Indigenous peoples including non section 35 rights bearing peoples. As such we would want to ensure there is no ambiguity here.

Kind regards,

Chris

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