

Indigenous

Success in Indigenous law demands a mastery of this specialized legal and regulatory environment, a thorough understanding of the cultural and historical context informing each client's circumstances, and sensitivity to political and multi-jurisdictional concerns. With experience that includes acting for Indigenous Nation clients, public and private sector project proponents and government, the Aird & Berlis Indigenous Law Group delivers strategic advice and practical solutions to the stakeholders navigating this complex area.

For many years, Aird & Berlis has provided a broad range of legal services to Indigenous Nations and Indigenous-owned businesses/organizations in areas such as negotiations and agreements, sustainable economic development on Reserve lands and Traditional Territories, consultation and accommodation requirements and Indigenous governance issues. Members of the group have served as general corporate counsel to Indigenous Nations and have acted for Indigenous Nations in negotiations with resource companies and federal, provincial and municipal governments regarding Aboriginal and Treaty rights. We have also advised Indigenous Nations and Indigenous-owned companies on energy projects in Ontario, and on establishing electric utilities.

Other representative work includes advising various public and private sector clients on consultations, negotiations and partnerships with Indigenous Nations, particularly in the areas of energy, natural resources, real estate and infrastructure development projects. In the context of development projects, including electrical transmission facilities, pipelines and highways, our Indigenous Law Group members have helped clients to forge mutually-beneficial relationships through thoughtful consideration of Aboriginal and Treaty rights and a united commitment to sustainable economic development.

Services for Indigenous Nations and Businesses

- Establishing business organizations and structures
- Advising on corporate transactions such as mergers and acquisitions, corporate restructurings and joint ventures
- Advising on taxation matters and planning
- Corporate governance and charitable status applications
- Advising on employment matters and jurisdictional issues
- Advising on Indigenous governance, legal and territorial systems, including election and membership issues, policing and law enforcement, drafting by-laws and legislation, conflict of interest issues, on-reserve housing matters and water and wastewater contracting
- Negotiating funding arrangements and bilateral and multilateral agreements
- Drafting and negotiating tender documents
- Advising on consultations and negotiations with government and industry regarding land claims and land usage
- Advising on recognition and enforcement of Aboriginal and Treaty rights
- Advising on development projects
- Advising on the applicability and transferability of Energy Tax Credits and Canadian Renewable and Conservation Expenses for renewable projects

Services for Public and Private Sector Businesses

- › Advising on consultation and accommodation requirements with Indigenous Nations in connection with project development
- › Conducting due diligence regarding Indigenous issues
- › Negotiating joint ventures, commercial agreements, and various other business transactions with Indigenous Nations
- › Negotiating land use, project participation and co-operation agreements with Indigenous Nations
- › Advising on environmental assessments, permitting, agreements and regulatory approvals
- › Advising major financial institutions on addressing security issues on-reserve
- › Advising on avoidance and determination of conflicts with Indigenous Nations
- › Resolving Aboriginal and Treaty rights issues related to business operations

Whether advising on Aboriginal and Treaty rights and governance, partnerships and joint ventures among Indigenous-owned businesses and the private sector or development projects, our professionals are committed to providing sound advice rooted in a clear understanding of and appreciation for the unique legal considerations that affect Indigenous Nations.

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