



Le 7 octobre 2022

October 7, 2022

ORDONNANCE

ORDER

**PROCUREUR GÉNÉRAL DU QUÉBEC c.
PROCUREUR GÉNÉRAL DU CANADA,
ASSEMBLÉE DES PREMIÈRES NATIONS
QUÉBEC-LABRADOR, COMMISSION DE
LA SANTÉ ET DES SERVICES SOCIAUX
DES PREMIÈRES NATIONS DU QUÉBEC
ET DU LABRADOR, SOCIÉTÉ MAKIVIK,
ASSEMBLÉE DES PREMIÈRES
NATIONS, ASENIWUCHE WINEWAK
NATION OF CANADA ET SOCIÉTÉ DE
SOUTIEN À L'ENFANCE ET À LA
FAMILLE DES PREMIÈRES NATIONS
DU CANADA**

**ATTORNEY GENERAL OF QUEBEC v.
ATTORNEY GENERAL OF CANADA,
ASSEMBLY OF FIRST NATIONS
QUEBEC-LABRADOR, FIRST NATIONS
OF QUEBEC AND LABRADOR HEALTH
AND SOCIAL SERVICES COMMISSION,
MAKIVIK CORPORATION, ASSEMBLY
OF FIRST NATIONS, ASENIWUCHE
WINEWAK NATION OF CANADA AND
FIRST NATIONS CHILD AND FAMILY
CARING SOCIETY OF CANADA**

-et entre-

-and between-

**PROCUREUR GÉNÉRAL DU CANADA c.
PROCUREUR GÉNÉRAL DU QUÉBEC
(Qc) (40061)**

**ATTORNEY GENERAL OF CANADA v.
ATTORNEY GENERAL OF QUEBEC
(Qc) (40061)**

LA JUGE CÔTÉ :

CÔTÉ J.:

À LA SUITE DES DEMANDES présentées par le procureur général des Territoires du Nord-Ouest en vue d'obtenir la prorogation du délai de signification et de dépôt de leur avis d'intervention de plein droit sur une question constitutionnelle, et par Zagime Anishinabek et Tsleil-Waututh Nation en vue d'obtenir la prorogation du délai de signification et de dépôt de leurs requêtes en autorisation d'intervention;

UPON APPLICATIONS by the Attorney General of the Northwest Territories for an order extending the time to serve and file their notice of intervention with respect to a constitutional question, and by Zagime Anishinabek and Tsleil-Waututh Nation for an order extending the time to serve and file their motions for leave to intervene;

ET À LA SUITE DES DEMANDES présentées par Grand Council of Treaty #3; Kitchenuhmaykoosib Inninuwug First Nation; Innu Takuaikan Uashat Mak Mani-Utenam (ITUM), agissant comme bande traditionnelle et

AND UPON APPLICATIONS by Grand Council of Treaty #3; Kitchenuhmaykoosib Inninuwug First Nation; Innu Takuaikan Uashat Mak Mani-Utenam (ITUM), acting as a traditional band and on behalf of the Innu of

au nom des Innus de Uashat Mak Mani-Utenam; South Island Indigenous Authority Society; Federation of Sovereign Indigenous Nations; Peguis Child and Family Services; Cowessess First Nation; Gwa'sala-'Nakwaxda'Xw Nations; Louis Bull Tribe; Association des femmes autochtones du Canada; Council of Yukon First Nations; Indigenous Bar Association; Chiefs of Ontario; Inuvialuit Regional Corporation; Splitsin; Inuit Tapiriit Kanatami, Nunatsiavut Government et Nunavut Tunngavik Incorporated (conjointement); NunatuKavut Community Council; Conseil consultatif des terres; Ralliement national des Métis, Métis Nation — Saskatchewan, Métis Nation of Alberta, Métis Nation Colombie-Britannique, Nation métisse de l'Ontario et Les Femmes Michif Otipemisiwak (conjointement); Listuguj Mi'Gmaq Government; Congrès des peuples autochtones; First Nations Family Advocate Office; Assemblée des chefs du Manitoba; First Nations of the Maa-Nulth Treaty Society; Sts'ailes; Tribal Chiefs Ventures Inc.; Union of British Columbia Indian Chiefs, First Nations Summit of British Columbia et British Columbia Assembly of First Nations (conjointement); David Asper Centre for Constitutional Rights; Regroupement Petapan; Canadian Constitution Foundation; Mohawk Council of Kahnawà:ke; Carrier Sekani Family Services Society, Cheslatta Carrier Nation, Nadleh Whuten, Saik'uz First Nation et Stelat'en First Nation (conjointement); Conseil des Atikamekw d'Opitciwan; Vancouver Aboriginal Child and Family Services Society; Nishnawbe Aski Nation; Zagime Anishinabek et Tsleil-Waututh Nation en vue d'obtenir la permission d'intervenir dans les appels;

ET APRÈS EXAMEN des documents déposés;

IL EST ORDONNÉ CE QUI SUIT :

Les trois (3) requêtes en prorogation du délai sont accueillies.

Les requêtes en autorisation d'intervenir déposées par Kitchenuhmaykoosib Inninywug First Nation; South Island Indigenous Authority

Uashat Mak Mani-Utenam; South Island Indigenous Authority Society; Federation of Sovereign Indigenous Nations; Peguis Child and Family Services; Cowessess First Nation; Gwa'sala-'Nakwaxda'Xw Nations; Louis Bull Tribe; Native Women's Association of Canada; Council of Yukon First Nations; Indigenous Bar Association; Chiefs of Ontario; Inuvialuit Regional Corporation; Splitsin; Inuit Tapiriit Kanatami, Nunatsiavut Government and Nunavut Tunngavik Incorporated (jointly); NunatuKavut Community Council; Lands Advisory Board; Métis National Council, Métis Nation — Saskatchewan, Métis Nation of Alberta, Métis Nation British Columbia, Métis Nation of Ontario and Les Femmes Michif Otipemisiwak (jointly); Listuguj Mi'Gmaq Government; Congress of Aboriginal Peoples; First Nations Family Advocate Office; Assembly of Manitoba Chiefs; First Nations of the Maa-Nulth Treaty Society; Sts'ailes; Tribal Chiefs Ventures Inc.; Union of British Columbia Indian Chiefs, First Nations Summit of British Columbia and British Columbia Assembly of First Nations (jointly); David Asper Centre for Constitutional Rights; Regroupement Petapan; Canadian Constitution Foundation; Mohawk Council of Kahnawà:ke; Carrier Sekani Family Services Society, Cheslatta Carrier Nation, Nadleh Whuten, Saik'uz First Nation and Stelat'en First Nation (jointly); Council of Atikamekw of Opitciwan; Vancouver Aboriginal Child and Family Services Society; Nishnawbe Aski Nation; Zagime Anishinabek and Tsleil-Waututh Nation for leave to intervene in the above appeals;

AND THE MATERIAL FILED having been read;

IT IS HEREBY ORDERED THAT:

The three (3) motions for an extension of time are granted.

The motions for leave to intervene filed by Kitchenuhmaykoosib Inninywug First Nation; South Island Indigenous Authority Society;

Society; Cowessess First Nation; Gwa'sala-'Nakwaxda'Xw Nations; Louis Bull Tribe; Splatsin; Sts'ailes; Mohawk Council of Kahnawà:ke; Zagime Anishinabek et Tsleil-Waututh Nation sont rejetées.

Les requêtes en autorisation d'intervenir déposées par Grand Council of Treaty #3; Innu Takuaikan Uashat Mak Mani-Utenam (ITUM), agissant comme bande traditionnelle et au nom des Innus de Uashat Mak Mani-Utenam; Federation of Sovereign Indigenous Nations; Peguis Child and Family Services; Association des femmes autochtones du Canada; Council of Yukon First Nations; Indigenous Bar Association; Chiefs of Ontario; Inuvialuit Regional Corporation; Inuit Tapiriit Kanatami, Nunatsiavut Government et Nunavut Tunngavik Incorporated (conjointement); NunatuKavut Community Council; Conseil consultatif des terres; Ralliement national des Métis, Métis Nation — Saskatchewan, Métis Nation of Alberta, Métis Nation Colombie-Britannique, Nation métisse de l'Ontario et Les femmes Michif Otipemisiwak (conjointement); Listuguj Mi'Gmaq Government; Congrès des peuples autochtones; First Nations Family Advocate Office; Assemblée des chefs du Manitoba; First Nations of the Maa-Nulth Treaty Society; Tribal Chiefs Ventures Inc.; Union of British Columbia Indian Chiefs, First Nations Summit of British Columbia et British Columbia Assembly of First Nations (conjointement); David Asper Centre for Constitutional Rights; Regroupement Petapan; Canadian Constitution Foundation; Carrier Sekani Family Services Society, Cheslatta Carrier Nation, Nadleh Whuten, Saik'uz First Nation et Stelat'en First Nation (conjointement); Conseil des Atikamekw d'Opitciwan; Vancouver Aboriginal Child and Family Services Society et Nishnawbe Aski Nation sont accueillies et les vingt-sept (27) intervenants ou groupes d'intervenants pourront chacun signifier et déposer un mémoire d'au plus dix (10) pages au plus tard le 14 novembre 2022.

Cowessess First Nation; Gwa'sala-'Nakwaxda'Xw Nations; Louis Bull Tribe; Splatsin; Sts'ailes; Mohawk Council of Kahnawà:ke; Zagime Anishinabek and Tsleil-Waututh Nation are dismissed.

The motions for leave to intervene filed by Grand Council of Treaty #3; Innu Takuaikan Uashat Mak Mani-Utenam (ITUM), acting as a traditional band and on behalf of the Innu of Uashat Mak Mani-Utenam; Federation of Sovereign Indigenous Nations; Peguis Child and Family Services; Native Women's Association of Canada; Council of Yukon First Nations; Indigenous Bar Association; Chiefs of Ontario; Inuvialuit Regional Corporation; Inuit Tapiriit Kanatami, Nunatsiavut Government and Nunavut Tunngavik Incorporated (jointly); NunatuKavut Community Council; Lands Advisory Board; Métis National Council, Métis Nation-Saskatchewan, Métis Nation of Alberta, Métis Nation British Columbia, Métis Nation of Ontario and Les femmes Michif Otipemisiwak (jointly); Listuguj Mi'Gmaq Government; Congress of Aboriginal Peoples; First Nations Family Advocate Office; Assembly of Manitoba Chiefs; First Nations of the Maa-Nulth Treaty Society; Tribal Chiefs Ventures Inc.; Union of British Columbia Indian Chiefs, First Nations Summit of British Columbia and British Columbia Assembly of First Nations (jointly); David Asper Centre for Constitutional Rights; Regroupement Petapan; Canadian Constitution Foundation; Carrier Sekani Family Services Society, Cheslatta Carrier Nation, Nadleh Whuten, Saik'uz First Nation and Stelat'en First Nation (jointly); Council of Atikamekw of Opitciwan; Vancouver Aboriginal Child and Family Services Society et Nishnawbe Aski Nation are granted and the twenty-seven (27) interveners or groups of interveners shall each be entitled to serve and file a factum not to exceed ten (10) pages in length on or before November 14, 2022.

Les vingt-sept (27) intervenants ou groupes d'intervenants auront chacun le droit de présenter une plaidoirie orale d'au plus cinq (5) minutes lors de l'audition des appels.

Les intervenants ou groupes d'intervenants n'ont pas le droit de soulever de nouvelles questions, de produire d'autres éléments de preuve ni de compléter de quelque autre façon le dossier des parties.

Les procureurs généraux du Manitoba, de la Colombie-Britannique, de l'Alberta et des Territoires du Nord-Ouest, intervenants de plein droit sur une question constitutionnelle dans l'appel du procureur général du Québec, auront chacun le droit de présenter une plaidoirie orale d'au plus dix (10) minutes lors de l'audition des appels.

Le procureur général du Québec et le procureur général du Canada auront chacun la permission de signifier et déposer un seul mémoire en réplique aux mémoires des procureurs généraux intervenants, d'au plus dix (10) pages au plus tard le 4 novembre 2022.

Conformément à l'alinéa 59(1)a) des *Règles de la Cour suprême du Canada*, les intervenants ou groupes d'intervenants paieront aux appelants et aux intimés tous débours supplémentaires résultant de leurs interventions.

The twenty-seven (27) interveners or groups of interveners are each granted permission to present oral argument not exceeding five (5) minutes at the hearing of the appeals.

The interveners or groups of interveners are not entitled to raise new issues or to adduce further evidence or otherwise to supplement the record of the parties.

The Attorneys General of Manitoba, British Columbia, Alberta and the Northwest Territories, intervening on a constitutional question in the appeal by the Attorney General for Quebec, are each granted permission to present oral argument not exceeding ten (10) minutes at the hearing of the appeals.

The Attorney General for Quebec and the Attorney General of Canada are each permitted to serve and file a single factum in reply to the factums by the intervener Attorneys General, not to exceed ten (10) pages in length on or before November 4, 2022.

Pursuant to Rule 59(1)(a) of the *Rules of the Supreme Court of Canada*, the interveners or groups of interveners shall pay to the appellants and the respondents any additional disbursements resulting from their interventions.



J.C.S.C.
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