

**AN ACT TO ESTABLISH AN EDUCATIONAL, RESEARCH,  
PUBLISHING, LIBRARY, ARCHIVAL, AND  
CULTURAL/ARTISTIC DEVELOPMENT INSTITUTE TO  
SERVE THE NEEDS OF THE METIS NATION OF ONTARIO,  
ITS CITIZENS, AND THE HISTORIC METIS COMMUNITIES  
IT REPRESENTS**

**ALSO KNOWN AS “THE POWLEY INSTITUTE ACT”**

**Summary:** This Act provides for the establishment of the Powley Institute, an educational institution of the Métis Nation of Ontario, which is the Métis government and Indigenous governing body of its Citizens and the Métis Communities in Ontario comprised of its Citizens.

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## **Preamble**

**WHEREAS**, beginning in the late 1700s distinct Métis communities emerged along the fur trade routes and waterways in some parts of what would ultimately be recognized as the province of Ontario, and before Canada became Canada;

**WHEREAS**, these Métis communities and peoples (often described or known as “Halfbreeds” in the historic record) developed their own group identities, culture, way of life, collective assertions and were inter-connected to each other as well as to other Métis communities that emerged in the North-West which together form the Métis Nation today;

**WHEREAS**, despite being historically acknowledged and recognized as distinct Indigenous communities by other Indigenous peoples, the Crown, outsiders, and settlers, Métis communities in Ontario were largely excluded from the historic treaty-making process, with the exception of the “Halfbreeds of Rainy River and Lake” collectively adhering to Treaty 3 in 1875;

**WHEREAS**, the history of Métis in Ontario—and the impacts of the Crown’s failure to recognize these Métis communities and their unique rights and interests—has often been ignored, misunderstood, disparaged, or denied as a part of the process of colonization in Canada;

**WHEREAS**, despite successive Crown governments denying the very existence of Métis in Ontario, these distinct Métis communities—with their own unique histories, identities, culture, and way of life—have persevered to ensure colonization, ignorance, and the power of Canadian law to deny, control, destroy, and exterminate Indigenous communities does not succeed and make Métis in Ontario a mere fact of history;

**WHEREAS**, these Métis communities joined with other Indigenous peoples, including non-status Indians in the mid 1900s, to push for recognition through pan-Aboriginal organizations that ultimately led to the Métis being included—as a distinct Aboriginal people—in section 35 of the *Constitution Act, 1982* (“**Section 35**”);

**WHEREAS**, despite express Métis inclusion in Section 35, the subsequent constitutional conferences held in the 1980s, as well as the Charlottetown Accord constitutional process—which led to the negotiation of the Métis Nation Accord in 1992—ultimately ended in failure;

**WHEREAS**, despite the findings and recommendations of the Royal Commission on Aboriginal Peoples and the facts of history that confirm the existence of Métis in Ontario, the Ontario Government denied the very existence of Métis communities in Ontario—and any Métis rights “whatsoever” in the province in the 1990s;

**WHEREAS**, a distinct group of Métis in Ontario and their communities, along with other Métis from western Canada who now make Ontario home, came together in 1993 to create the Métis Nation of Ontario (“**MNO**”)—as a distinct Métis government—with its upmost priority being the advancement of its citizens and communities, including implementing the inherent Métis right to self-determination and self-government;

**WHEREAS**, within the MNO Statement of Prime Purpose—that has guided the MNO’s development and evolution as a Métis government over the last 30 years—the following objectives are identified as priorities:

- to research, publish, and promote the genealogical documentation of the Métis, and to establish and maintain a registry of the Métis Citizens of Ontario;
- to promote the history, values, culture, languages, and traditions of the Métis Nation and to create an awareness of our proud heritage;
- to ensure that Métis can exercise their Aboriginal and Treaty rights and freedoms and in so doing, act in a spirit of cooperation with other Aboriginal and non-Aboriginal people;
- to establish good relations and maintain our historic alliances with all Aboriginal peoples for the pursuit of our common interests and goals;

**WHEREAS**, the Ontario Government’s denial of all Métis in the province required the MNO to advance the *R. v. Powley* (“**Powley**”) case—as a Métis rights test case—for all Métis in Ontario (as well as the entire Métis Nation) all the way to the Supreme Court of Canada;

**WHEREAS**, during the *Powley* decision’s decade long litigation battle—that culminated in a unanimous Supreme Court of Canada decision being rendered on September 19, 2003—the facts of Métis history at Sault Ste Marie and the Upper Great Lakes began to be better understood and shared, including with Crown governments, the public-at-large, and First Nations;

**WHEREAS**, the United Nations Declaration on the Rights of Indigenous Peoples (“**UNDRIP**”) acknowledges the rights of Indigenous peoples:

- to maintain, control, protect, and develop their cultural heritage, traditional knowledge, and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games, and visual and performing arts, and to maintain, control, protect, and develop their intellectual property over such cultural heritage, traditional knowledge, and traditions (Art. 31(1));
- Indigenous families and communities to retain shared responsibility for the upbringing, training, education, and well-being of their children, consistent with the rights of the child (preamble);
- to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health, and social security, without discrimination of any kind (Art. 21(1));

**WHEREAS**, there have been multiple resolutions throughout the history of the MNO calling for the creation of an educational institute, including:

- the 2017 Annual General Assembly Resolution AGA17-14 that mandated the MNO “to explore the possibility of creating a Métis controlled, educational and publishing institute” with goals including the renewal and development of Métis culture through research, materials development, and distribution, and the design, development, and delivery of Métis-specific educational programs and services in French, English, and Michif;
- the 2024 Annual General Assembly Resolution 230819-03 that identified building an Ontario Métis Educational Institute as a priority and directed the MNO to “work with governments to secure funding for the establishment of a Métis educational institute (i.e., The Powley Institute: A Centre of Excellence for Ontario Métis) like what Métis governments in Manitoba, Saskatchewan, and Alberta have in order to research, publish, and promote Ontario Métis history”;
- the 2024 Provisional Council of the Métis Nation of Ontario Resolution PC240613-03 that provided direction for MNO to “establish the Powley Institute as the MNO’s education arm to research, support and publish the histories of Métis communities in Ontario”;

**WHEREAS**, the 2017 MNO Annual General Assembly adopted the name the “Powley Institute” for this MNO educational institute, in homage to the *Powley* decision, but also as an important recognition that, despite challenges, if Métis in Ontario root our cause in the facts of history, and choose to be both strategic and relentless, we shall prevail;

**WHEREAS**, pursuant to the above direction and authority, the MNO has secured a building at 160 Spring Street in Sault Ste. Marie which will house and be the head office for the Powley Institute;

**WHEREAS**, the MNO *Métis Self-Government Recognition and Implementation Agreement*, signed with Canada on February 24, 2023, immediately recognizes the MNO as a Métis government and the Section 35 self-government rights of the Métis Communities Represented by the MNO, including the jurisdiction and authority to establish institutions and manage their own internal affairs; and

**NOW THEREFORE**, the MNO Annual General Assembly, gathered at this place at the heart of the historic Sault Ste. Marie Métis river lots, a site of profound importance to the Métis communities in Ontario, does invoke our inherent and recognized authority by adopting the following Act:

## **Interpretation**

### *Definitions*

- 1 (1) The following definitions apply in this Act:

“**Citizen**” has the same meaning as set out in the MNO Secretariat Bylaws;

“**Constitution**” means the future constitution to be adopted through a province-wide vote of the Métis Communities and Citizens which will, once adopted, be their highest Métis law;

“**Métis Communities**” means one or more of the historic Section 35 rights-holding Métis communities in Ontario;

“**MNO**” means the Métis Nation of Ontario, which is the Métis government and Indigenous governing body of its Citizens and the Métis Communities in Ontario;

“**MNO President**” has the same meaning as set out in the MNO Secretariat Bylaws;

“**MNO Secretariat**” means the not-for-profit corporation recognized in the *Métis Nation of Ontario Secretariat Act*, which has been incorporated to be the legal and administrative arm of the MNO;

“**MNO Secretariat Bylaws**” means the bylaws of the MNO Secretariat, as amended from time to time;

“**PCMNO**” means the Provisional Council of the Métis Nation of Ontario;

“**Provincial Secretary**” has the same meaning as set out in the MNO Secretariat Bylaws;

“**Powley Institute**” means the Métis educational institute established pursuant to this Act and which will be incorporated as a not-for-profit corporation under the laws of Ontario.

### Short Title

- (2) This Act will be known as the “Powley Institute Act.”

### Constitution Prevails

- (3) In the event of inconsistency or conflict between this Act and the MNO Secretariat Bylaws or Constitution, the MNO Secretariat Bylaws or Constitution prevail.

### **Establishment**

- 2 (1) An institute to be known as the “Powley Institute” in English and “L’institut de Powley” in French is hereby established.

### Articles of Incorporation

- (2) The MNO Provincial Secretary responsible for establishing the Powley Institute and initial individuals appointed to the board of directors are hereby authorized to prepare articles of incorporation for the Powley Institute, including to prepare any other documents or do any other things that are required in order to effect the incorporation

of the Powley Institute as a not-for-profit entity without share capital under Ontario law, consistent with this Act.

*Relationship with the MNO*

- (3) The Powley Institute is an institution of the MNO and operates as the MNO's education and research arm, however, it is incorporated as a separate and distinct legal entity from the MNO Secretariat and as such will have all the powers vested in a corporate entity, including autonomy over its internal administration, operations, and governance, subject only to such limits set out in this Act.
- (4) The PCMNO may, from time to time, make recommendations, provide directions, or request information from the Powley Institute regarding its operations, governance, or other matters related to advancing their shared education or research goals. The board of directors of the Powley Institute will consider any recommendations, directions, or requests from the MNO and work cooperatively with the MNO to advance these recommendations or fulfill these directions or requests, consistent with its purpose and functions and with upholding any contractual, ethical, or legal obligations.
- (5) The MNO may, from time to time, delegate certain functions, activities, or initiatives to the Powley Institute, as its education and research arm. Any such delegation will be set out in a duly passed PCMNO resolution and confirmed through a written agreement between the MNO and the Powley Institute.

**Purpose and Functions**

*Purpose*

- 3 (1) The overall purpose of the Powley Institute is to support Métis Communities, Citizens, and the MNO to research, promote, and publish the histories, stories, and experiences of Métis Communities and Citizens and, in so doing, to assist in preserving Métis ways of life, ways of knowing, culture, and traditions.

*Functions*

- (2) In advancing its purpose, the Powley Institute will:
  - a. serve as the educational and research arm of the MNO, including by conducting research on Métis history, culture, way of life, and supporting Métis Communities, Citizens, and the MNO to advance their research needs or goals, including related to self-government and self-determination, administration, lands and resources, climate change, health and wellness, education and training, justice, economic and social development, housing, arts, and culture, or other contemporary issues of importance to the Metis Nation;

- b. provide library and archival services for the MNO, including housing (with consent) Métis cultural heritage, material objects, and items of cultural or historic significance to Métis Communities, Citizens, or the MNO;
  - c. support Métis Communities, Citizens, and the MNO to advance their goals of preserving, revitalizing, and sharing Métis culture, languages, way of life, and knowledge systems, including traditional material cultural practices, music, visual arts, literature, and fashion;
  - d. design, deliver, and disseminate Métis educational programming, in conjunction with or on behalf of the MNO, including developing Métis educational materials, curriculum, and public programming for all Canadians to understand the rich history, culture, way of life, traditions, and future aspirations of Métis Communities and Citizens; and
  - e. uphold highest standards of research ethics, practices, and procedures in undertaking the above functions and objectives.
- (3) Consistent with the above objectives, the Powley Institute may establish a museum, art gallery, or performance venue, and a store or digital marketplace, to support Métis arts, artists, and artisans and to assist in carrying out its functions and offsetting its operational costs.
- (4) Consistent with the above objectives, the Powley Institute may take the necessary steps to become an accredited institution with the ability to grant certificates, diplomas, degrees, or other such recognition, independently or in collaboration with other educational bodies or learning institutions.

*Métis Communities*

- (5) For greater certainty, nothing in this Act is to be construed as authorizing the Powley Institute to act on behalf of, represent the interests of, or speak on behalf of, any of the Métis Communities without their prior consent.

*May Enter Into Agreements*

- (6) The Powley Institute may enter into agreements with any of the Métis Communities, Citizens, or the MNO to undertake or deliver specific research, educational programs, or services, consistent with its purpose.

## **Board of Directors**

### Composition

- 4 (1) The Powley Institute will have a board of directors that will be composed of a minimum of five and maximum of twelve directors.

### Appointments

- (2) The board of directors will include:
- a. one director who is also a director of the PCMNO and the Provincial Secretary responsible for the Powley Institute; and
  - b. such other number of directors as are nominated by the MNO President and Provincial Secretary responsible for the Powley Institute and appointed by the PCMNO from time to time.

### Term

- (3) The directors will be appointed for the following initial term, and may be subsequently re-appointed for further such terms at the discretion of the PCMNO:
- a. the director who is also the Provincial Secretary responsible for the Powley Institute will be appointed for three years or such other term commensurate with their appointment as the Provincial Secretary responsible for the Powley Institute; and
  - b. the other directors will each be appointed for three years.

### Diversity of Directors

- (3) The board of directors will, to the extent possible, include individuals who have a diversity of perspectives, including considering regional location, age, and gender diversity, however skillset and knowledge or experience in research, publishing, education, and the other functions and purpose of the Powley Institute will be the primary consideration for appointments to the board.

### Métis Citizens

- (4) All directors must be Citizens of the MNO or citizens of the Métis Nation.

### Conduct

- (5) All directors will exercise their powers and carry out their duties diligently, honestly, in good faith, in the best interests of the Powley Institute, and consistent with upholding the MNO Statement of Prime Purpose, MNO code of conduct, MNO



conflict of interest policy, any MNO laws or policies applicable to institutions, and any other criteria established by the board of directors from time to time.

### **Powers**

- 5 (1) The board of directors has all the powers necessary and incidental to advance the purpose and carry out the functions of the Powley Institute.
- (2) For greater certainty, the board of directors has the power to:
- a. determine and publish the mission, vision, and values of the Powley Institute, consistent with the purpose and functions set out in this Act;
  - b. hire and set the remuneration for its staff, including hiring an executive director, special advisor, chief executive officer, or other staff;
  - c. establish committees and assign or delegate to those committees such duties and responsibilities as may be authorized by the board of directors from time to time;
  - d. approve an annual budget;
  - e. establish and collect fees, apply for grants, and do other such fundraising or initiatives to advance its purpose and carry out its functions;
  - f. enter into agreements with Métis Communities, Citizens, the MNO, the Government of Ontario, the Government of Canada, and other organizations or institutions including Universities, Colleges, or other research or educational bodies or learning institutions, consistent with its purpose;
  - g. work collaboratively with the MNO to comply with any directions, fulfill any recommendations, and conduct regular reviews as contemplated by this Act; and
  - h. enact policies, rules, and procedures for the good governance, administration, and internal operation or conduct of the Powley Institute, consistent with this Act.

## **Reports and Review of this Act**

### Reports

- 7 (1) The Powley Institute will submit an annual report to the MNO, within four months after March 31 of each year, or such other time as the MNO may provide, in a form acceptable to the MNO that sets out:
- a. a summary of the activities, initiatives, or actions undertaken by the Powley Institute related to advancing its purpose and carrying out its functions for the previous year;
  - b. any recommendations for how the MNO can support the Powley Institute to advance its purpose or carry out its functions; and
  - c. a copy of the financial statements or audit of the Powley Institute.

### Review

- 8 (1) The MNO Provincial Secretary responsible for the Powley Institute, or the PCMNO, will conduct a review of this Act within two years after it comes into force and may make recommendations regarding any amendments or other measures that, in their view, would support the Powley Institute in advancing its purpose or carrying out its functions. This review will consider, among other things, the effectiveness of the Powley Institute in fulfilling the purpose and objectives of this Act, its mandate, mission, and operational alignment including fiscal efficiency.
- (2) Following the first review set out in 8(1), the MNO Provincial Secretary responsible for the Powley Institute, or the PCMNO, will conduct a review of this Act at least every five years.
- (3) The Powley Institute will fully cooperate in the review set out in 8(1) and any subsequent reviews carried out under this Act. For greater certainty, this includes cooperating with the MNO to implement any recommendations that aim to increase the Powley Institutes effectiveness, operational alignment, or fiscal efficiency.
- (4) The reviews and any recommendations contemplated in 8(1) and (2) will be provided to PCMNO and to the Powley Institute and presented at the next MNO Annual General Assembly following the completion of the review.
- (5) The reviews and any recommendations contemplated in 8(1) and (2) will be posted publicly on the MNO website and any website that may be established and maintained by the Powley Institute from time to time.

## **Coming Into Force**

- 9 (1) This Act comes into force upon approval by the MNO Annual General Assembly.

### **Regulations**

- 10 (1) The PCMNO may make regulations under this Act to support the Powley Institute in advancing its purpose or carrying out its objectives, including to provide directions on ways to increase operational alignment with the MNO.

### **Publication**

- 11 (1) The MNO and the Powley Institute will publish this Act, and any regulations made under it, by posting it publicly on the MNO website and any website that may be established and maintained by the Powley Institute from time to time.

### **Amendments**

- 12 (1) This Act may be amended in accordance with the process set out for approving amendments the MNO Secretariat Bylaws or by the process set out in a future Constitution or Métis law.

This Act was adopted by the Métis Nation of Ontario Annual Assembly on: August 16, 2025.