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beni comuni, proprietà collettive e diritto demaniale

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## Legislazione statale

### Canada Constitutional Act 1982

#### PART II

#### RIGHTS OF THE ABORIGINAL PEOPLES OF CANADA

##### *Recognition of existing aboriginal and treaty rights*

**35.** (1) The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.

##### *Definition of “aboriginal peoples of Canada”*

(2) In this Act, “aboriginal peoples of Canada” includes the Indian, Inuit and Métis peoples of Canada.

##### *Land claims agreements*

(3) For greater certainty, in subsection (1) “treaty rights” includes rights that now exist by way of land claims agreements or may be so acquired.

##### *Aboriginal and treaty rights are guaranteed equally to both sexes*

(4) Notwithstanding any other provision of this Act, the aboriginal and treaty rights referred to in subsection (1) are guaranteed equally to male and female persons.

Marginal note: Commitment to participation in constitutional conference

**35.1** The government of Canada and the provincial governments are committed to the principle that, before any amendment is made to Class 24 of section 91 of the “Constitution Act, 1867”, to section 25 of this Act or to this Part,

- (a) a constitutional conference that includes in its agenda an item relating to the proposed amendment, composed of the Prime Minister of Canada and the first ministers of the provinces, will be convened by the Prime Minister of Canada; and
- (b) the Prime Minister of Canada will invite representatives of the aboriginal peoples of Canada to participate in the discussions on that item.