

**SPECIAL AGREEMENT ESTABLISHING THE TERMS OF ABORIGINAL INITIATIVES
FUND II**

Between

**THE GOVERNMENT OF QUÉBEC,
hereinafter referred to as "Québec,"
represented by the Minister for Aboriginal Affairs;
and**

**THE COUNCIL OF KAHNAWAKE,
hereinafter referred to as the "Council,"
represented by the Grand Chief.**

WHEREAS Québec announced the creation of the Aboriginal Initiatives Fund (AIF) at the First Nations Socioeconomic Forum held in Mashteuiatsh in October 2006;

WHEREAS, on May 2, 2012, the Government of Québec made Order-in-Council 428-2012 approving the renewal of and increases to AIF under the name of Aboriginal Initiatives Fund II (AIF II);

WHEREAS the AIF includes, among other things, a budget aimed at supporting economic development projects;

WHEREAS economic development is an essential element for the socioeconomic progress of Kahnawake and the well-being of its population;

WHEREAS the Parties wish to combine their efforts to stimulate economic development and support local projects that rally the community;

AND WHEREAS the Parties wish to favour partnerships between themselves when required;

CONSEQUENTLY, the Parties agree to the following:

PURPOSE OF THE AGREEMENT

1. The purpose of this Agreement is to establish the general commitments of the Parties in order to promote the economic development of Kahnawake and the creation and consolidation of jobs for the members of the Community of Kahnawake.
2. This Agreement is not a treaty within the meaning of section 35 of the *Constitution Act, 1982* and must not in any way be construed as having the effect of an abrogation, a derogation, a negation or a recognition of an Aboriginal right, a treaty right or any other right.
3. The preamble and the schedule form an integral part of this Agreement.
4. By way of AIF II and according to the priorities established by the Council, Québec has made a budget of \$ 4 680 000 over 5 years available to the Council, earmarked for funding economic development projects.
5. If the Council wants the remaining funds reserved under the economic development component of AIF to be transferred to AIF II, it can request to do so. Then, the initial agreement will be terminated. Whether it is for the economic development or community infrastructure component, all new projects that are submitted will be evaluated under the applicable AIF II criteria. Funding can be from the AIF (if the community is eligible and the amounts are still available) or AIF II, as the case may be. The other AIF components ended on March 31, 2012.

6. To access the "community infrastructure" budget of AIF II, the Council must have, among other things, signed this Agreement.
7. The Parties acknowledge the need to cooperate and combine their efforts in order to achieve the goals of this Agreement, in their common interest.

APPLICATION FRAMEWORK

8. The Parties will ensure that project authorization is dealt with promptly and in compliance with the laws, regulations and standards in force in Québec. For this purpose, the *Secrétariat aux affaires autochtones* will ensure, when required, the necessary inter-ministerial coordination and cooperation.
9. The projects must be funded on a priority basis by way of the federal government's existing programs or by those of Québec's departments and agencies, from their respective appropriations. AIF budgets must only be used to fund projects for which there is no program that can meet the specific requirements thereof and, as the case may be, projects that will require financial assistance over and above what existing programs can offer, whether federal, provincial or other-sourced.
10. The Parties have appended a socioeconomic profile of the community based on recent data provided by Statistics Canada. This portrait may, as needed, be replaced by a new one based on data that are more recent and complete than those currently available.

ELIGIBILITY OF PROJECTS

11. The Council will submit economic development projects deemed to be a priority and which can be funded under the budget identified in section 4 of this Agreement. Each project must be accompanied by a detailed description that meets SAA requirements for project presentation.
12. In order for a project to be funded by Québec, applications must comply with the rules of application of the AIF's "economic development" budget. All projects must also comply with the laws, regulations, and standards in force in Québec.
13. The community infrastructure projects submitted by the Council must comply with the specific rules of application governing access to the "community infrastructure" budget of AIF II. Furthermore, all projects must also comply with the laws, regulations, and standards in force in Québec.
14. On the basis of the projects submitted, the Parties agree that each of the authorized projects will be subject to a funding agreement between the eligible organization and Québec. This funding agreement will define the activities of the project, the conditions for the payment of funding and the obligations and commitments of the Parties. It will also provide for a reporting process, among other things.

GENERAL PROVISIONS

15. This Agreement will take effect on the date of its signing by both Parties and will remain in effect for a period of five years, subject to its provisions.
16. The Parties may, by common consent expressed in writing, amend this Agreement through an exchange of letters or enter into complementary agreements as to the terms for the application of this Agreement that are not already provided for herein.
17. Should a court of competent jurisdiction declare any provision of this Agreement null or invalid, the Parties agree to rectify the impediments as soon as possible so that the objectives sought by this Agreement are achieved.

18. In cases of non-compliance with clauses of this Agreement by either Party, it will be cancelled upon expiration of the sixty days following the date of transmission, by either Party, of a written notice of cancellation, unless the Parties agree to different provisions prior to this deadline.

IN WITNESS WHEREOF, the parties have signed on the 11th day of January 2013.

**FOR THE BAND COUNCIL OF
KAHNAWAKE,**

**FOR THE GOVERNMENT
OF QUÉBEC,**

Mike Delisle Jr.
Grand Chief

Élizabeth Larouche
Minister for Aboriginal Affairs

SOCIOECONOMIC PROFILE

Community of Kahnawake Mohawk Nation

Key socioeconomic indicators

Total population*: **10 053** including **7 696** residents

Administrative region: *Montérégie*

Labour market:

- labour force participation rate: **not available**
- unemployment rate: **not available**
- employment rate: **not available**

Income:

- % of income from transfers: **not available**
- mean income of individuals: **not available**

*Register of Aboriginal Affairs and Northern Development Canada (2011)

General objective

Reduce the difference in development between Aboriginal communities and Québec as a whole

The Community Well-Being Index (CWB) incorporates four components: schooling, active population, income and housing. The values may range from 0 to 1, one being the highest value.

In 2006 :

- the Community Well-Being Index was not available
- the Index of other Québec communities was **0.75**

Specific objectives

Put in place conditions promoting economic development initiatives:

- the percentage of sums devoted to economic development at the end of the Aboriginal Initiative Fund (AIF) was **16 %**
 - the target to be achieved at the end of the AIF II is **M\$4,68**

Create and develop businesses:

- the number of businesses created or consolidated at the end of the AIF was **4**

Create and consolidate jobs:

- the number of jobs created or consolidated at the end of the AIF was **26**

Foster the emergence of entrepreneurship among women and young people:

the percentage of economic development projects in which women and young people took part at the end of the AIF is not available.

Initiales des parties _____

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À mettre en bas de page dans la version anglaise :

1. The participation rate is the ratio between labor force (those who are either employed or unemployed) and total population in working age (ie persons who are at least 15 years old).

2. The unemployment rate is the ratio between unemployed population and labor force. Note that to be considered "unemployed", a person must be at least 15 years old, do not have a job and actively search for one.

3. The employment rate shows the ratio between employed population and population in working age (persons who are at least 15 years old).

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