

Ministre des  
Relations Couronne-Autochtones



Minister of  
Crown-Indigenous Relations

Ottawa, Canada K1A 0H4

I, Minister of Crown-Indigenous Relations, HEREBY APPROVE, pursuant to section 83 of the *Indian Act*, the following by-law made by the Athabasca Chipewyan First Nation, in the Province of Alberta, at a meeting held on the 28th day of September 2018.

- **Athabasca Chipewyan First Nation  
Agricultural Benefits Settlement Trust Revenue  
Account By-law**

Dated at Ottawa, Ontario, this 29 day of November 2018.

A handwritten signature in blue ink that reads "Carolyn Bennett".

Hon. Carolyn Bennett, M.D., P.C., M.P.

**ATHABASCA CHIPEWYAN FIRST NATION AGRICULTURAL BENEFITS  
SETTLEMENT TRUST REVENUE ACCOUNT BY-LAW**

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**WHEREAS:**

- A. Pursuant to section 83 of the *Indian Act*, R.S.C. 1985, c. I-5, the Chief and Council of the Athabasca Chipewyan First Nation (the "First Nation") may, subject to the approval of the Minister of Indian Affairs and Northern Development Canada, enact by-laws for the appropriation and expenditure of moneys of the First Nation and matters arising out of or ancillary thereto.
- B. The First Nation entered into the Athabasca Chipewyan First Nation Agricultural Benefits Settlement Trust (the "Trust") dated as of the 30 day of August, 2017 between the First Nation, as Settlor, and BMO Trust Company (the "Trustee"), as Trustee.
- C. Pursuant to the terms of the Trust, the First Nation has established the Trust Revenue Account to receive Annual Return generated from the Heritage Savings Account.
- D. Pursuant to the terms of the Trust, Annual Return generated from the Heritage Savings Account shall be deposited by the Trustee into the Trust Revenue Account within sixty (60) days of the end of each Fiscal Year or as soon as possible thereafter and the Trustee shall advise the Council of the amount of Annual Return paid from the Heritage Savings Account.
- E. The Council of the First Nation wish to enact the following by-law to govern the use, expenditure and accounting of Annual Return paid to the Trust Revenue Account.

**SHORT TITLE**

- 1. This by-law shall be known as the Athabasca Chipewyan First Nation Agricultural Benefits Settlement Trust Revenue Account By-Law (the "By-Law").

**PERMITTED PURPOSES OF THE ANNUAL RETURN**

- 2. Annual Return generated from the Heritage Savings Account shall be deposited into the Trust Revenue Account for such completed Fiscal Year and shall be allocated as follows:

- (i) Sixty percent (60%) of the Annual Return will be used for an annual PCD starting in 2019 after the invested funds have earned revenue; and
- (ii) Forty percent (40%) of the Annual Return will be used for education, health, and other programs and services. None of these funds will be used for Chief and Council or executive costs.

### **ADMINISTRATION AND ENFORCEMENT**

- 3. The Council shall ensure that any person responsible for the receipt and administration of funds from the Trust Revenue Account adheres to the provisions of this By-Law.

### **FINANCIAL REPORTING**

- 4. By April 30 of the following Fiscal Year, the auditors of the First Nation shall provide a financial statement which shall be made available to the Members of the First Nation, accounting for the use and expenditure of all the Annual Return from the Trust Revenue Account paid during the previous Fiscal Year and that all funds have been expended in accordance with this By-Law.

### **GENERAL**

- 5. (a) Headings form no part of this By-Law but shall be construed as being inserted for convenience of reference only.  
  
(b) A finding by a court of competent jurisdiction that a section or provision of this By-Law is void or invalid shall not affect or bear upon the validity or invalidity of any other section or part of this By-Law or this By-Law as a whole.  
  
(c) In this By-Law, words in the singular include the plural, and words in the plural include the singular.  
  
(d) Any of the terms not defined in this By-Law shall have the same meaning as set out in the Trust Agreement.


### **COMING INTO FORCE**


- 6. This By-Law shall come into force immediately upon being approved by the Minister of Indian Affairs and Northern Development Canada.


THIS BY-LAW IS HEREBY PASSED BY BAND COUNCIL RESOLUTION OF THE  
ATHABASCA CHIPEWYAN FIRST NATION AT A DULY CONVENEED MEETING  
HELD ON THE 28 DAY OF September, 2018, A QUORUM  
EXISTING.

  
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Witness

  
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Chief

  
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Councillor

  
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