

Ministre des Affaires indiennes et
du Nord canadien et interlocuteur fédéral
auprès des Métis et des Indiens non inscrits



Minister of Indian Affairs and
Northern Development and Federal Interlocutor
for Métis and Non-Status Indians

Ottawa, Canada K1A 0H4

I, the Minister of Indian Affairs and Northern Development, 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 16th day of May 2008.

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

A handwritten signature in blue ink, appearing to read "Chuck Hill".

Dated at Ottawa, Ontario, this 10th day of October 2008.

ATHABASCA CHIPEWYAN FIRST NATION
SETTLEMENT TRUST REVENUE ACCOUNT BY-LAW

WHEREAS:

- A.** Pursuant to section 83 of the *Indian Act*, R.S.C. 1985, c. I-5, the Council of a First Nation may, subject to the approval of the Minister of Indian Affairs and Northern Development, enact by-laws for the appropriation and expenditure of moneys of the band to defray band expenses and matters arising out of or ancillary thereto;
- B.** The Athabasca Chipewyan First Nation ("**ACFN**") has entered into a Trust Agreement (the "**Trust Agreement**") dated as of the 16th day of July, 2003 between ACFN, as Settlor, and Royal Trust Corporation of Canada (the "**Trustee**"), as Trustee, establishing the Athabasca Chipewyan Trust (the "**Trust**");
- C.** Pursuant to the terms of the Trust Agreement, funds are to be paid to the Trustee and deposited by the Trustee into:
- (a) a Heritage Account (the "**Heritage Account**");
 - (b) an Infra-Structure Account (the "**Infra-Structure Account**"); and
 - (c) a Business Account (the "**Business Account**"),
- (collectively, the "**Trust Accounts**");
- D.** Pursuant to the terms of the Trust Agreement, funds received and held by the Trustee in the Trust Accounts may be invested in Authorized Investments which will generate an Annual Income;
- E.** Pursuant to Section 8.2 of the Trust Agreement, the Annual Income of the Trust which is generated on Authorized Investments made from the capital of the Trust Accounts (collectively, the "**Revenue**") is to be paid by the Trustee within ninety (90) days of the end of each Fiscal Year (as defined in the Trust Agreement) to an account (the "**ACFN Settlement Trust Revenue Account**") established by the Council for the purpose of receiving such Revenue; and
- F.** Council of the ACFN wish to enact the following by-law to govern the expenditure of Revenue paid to the ACFN Settlement Trust Revenue Account.

SHORT TITLE

1. (a) This by-law shall be known as the *Athabasca Chipewyan First Nation Settlement Trust Revenue Account By-law* (the "By-law").
- (b) Any of the terms not defined in this By-law shall have the same meaning as set out in the Trust Agreement.

INFRA-STRUCTURE ACCOUNT INCOME

2. Upon the completion of each Fiscal Year, the Council shall make a per capita distribution to all Members of the Revenue from the Infra-Structure Account paid into the ACFN Settlement Trust Revenue Account for such completed Fiscal Year. The amount and date of the per capita distribution shall be decided by Council Resolution.

HERITAGE ACCOUNT INCOME

3. Upon the completion of each Fiscal Year, the Council shall:
 - (a) Make a per capita distribution to all Members of thirty (30%) percent of the Revenue from the Heritage Account for such completed Fiscal Year paid into the ACFN Settlement Trust Revenue Account; and
 - (b) Pay to the Athabasca Chipewyan Culture, Youth and Education Foundation, or to another not for profit organization or organizations established by the Council for the benefit of the members of ACFN and having objects that promote culture, youth and education, an amount equal to seventy (70%) percent of the Revenue from the Heritage Account for such completed Fiscal Year paid into the ACFN Settlement Trust Revenue Account.

BUSINESS ACCOUNT INCOME

4. The Revenue from the Business Account paid into the ACFN Settlement Trust Revenue Account shall be returned by the Council to a Trust Account.

ADMINISTRATION AND ENFORCEMENT

5. The Council shall ensure that any person responsible for the receipt and expenditure of Revenue from the Trust adheres to the provisions of this By-law.

GENERAL

6. Headings form no part of this By-law but shall be construed as being inserted for convenience of reference only.
7. 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.
8. In this By-law, words in the singular include the plural, and words in the plural include the singular.

AMENDMENTS AND REPEAL

9. Prior to the approval of any amendment or repeal of this By-law by the Minister pursuant to s. 83 of the *Indian Act*, the proposed amendment shall be set out in a Council Resolution and approved by a Referendum held pursuant to the Athabasca Chipewyan Trust Referendum Regulations in which fifty-five (55%) of the total number of eligible Electors vote and fifty (50%) percent plus one (1) of those who vote, vote in favour of the amendment.

COMING INTO FORCE

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

THIS By-LAW IS HEREBY PASSED BY BAND COUNCIL RESOLUTION OF THE ATHABASCA CHIPEWYAN FIRST NATION AT A DULY CONVENED MEETING HELD ON THE 16 DAY OF MAY, 2008, A QUORUM EXISTING.

A QUORUM OF COUNCIL CONSISTS OF THREE (3) MEMBERS OF COUNCIL.



Chief Allan Adam



Councillor Greg Marcel



Councillor Lorraine Hoffman



Councillor Monica Tuccaro



Councillor Anthony Ladouceur