

# Listuguj Mi'gmaq Government Order-In-Council



Chronological no.: 2602	Subject: Operational Expenses for MMBC 2021	Originated by:
The Council of the Listuguj Mi'gmaq Government		District Gespe'gewa'gi
Date of duly convened meeting	D   M   Y 1   5   1   2   2   0	Province Gepeg

**WHEREAS** MMRLP was formed as a limited partnership under the laws of Quebec pursuant to the Initial Limited Partnership Agreement of MMRLP among Mi'gmawei Mawiomi Business Corporation ("MMBC" or "General Partner"), as general partner, and Listuguj Mi'gmaq Government ("Listuguj"), La Nation Micmac de Gespeg ("Gespeg") and Micmacs of Gesgapegiag Band ("Gesgapegiag"), as special partners, dated November 5, 2013 ("Initial LPA");

**WHEREAS** the Initial LPA was amended and restated by the Amended and Restated Limited Partnership Agreement of MMRLP among MMBC, as general partner, and Listuguj, Gespeg, Gesgapegiag and Mi'gmawei Mawiomi Secretariate ("MMS"), as special partners, dated April 14, 2014 ("ARLPA");

**WHEREAS** in Section 2 of the ARLPA, it states: *The business of the Partnership shall be natural resource development and the conduct of all activities complementary or accessory thereto or necessary or desirable in connection therewith (the "Business") and the Partnership may exercise all powers ancillary and incidental thereto or in furtherance thereof. The Partnership will not carry on any other business. The Partnership shall carry on the Business in such a manner as to ensure, to the greatest extent possible, the limited liability of the Special Partners, and the General Partner shall register the Partnership in any jurisdiction where the General Partner considers it appropriate or is required to do so;*

**WHEREAS** in Section 5, paragraph 1 of the ARLPA: *The General Partner will have the exclusive authority to manage the operations and affairs of the Partnership;*

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Moved: Wendell Metallic  
 Seconded: Chad Gedeon  
 Abstain: -  
 Opposed:  
 Status:  Passed  Defeated  Tabled

Quorum 7

  
Councillor Ali Barnaby

Councillor Annette Barnaby

  
Councillor Brian J. Caplin

  
Councillor Chad Gedeon

  
Chief Darcy Gray

Councillor Gordon Jr. Isaac

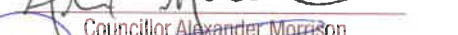
Councillor Dr. Cathy Martin

Councillor George Martin

  
Councillor Sky Metallic

  
Councillor Wendell Metallic

Councillor Kevin Methot

  
Councillor Alexander Morrison

  
Councillor Sheila Swasson

Mi'gmaq Nation

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**WHEREAS** in Section 5, paragraph 2 of the ARLPA: *The Partnership must reimburse the General Partner for costs, charges and expenses actually incurred by the General Partner in the performance of its duties hereunder, including costs, charges and expenses directly incurred for the benefit of the Partnership;*

**WHEREAS** the MMBC Board of Directors approved the details and of the MMBC 2021 budget in the amount of \$992,550.00 on August 1st, 2020;

**WHEREAS** the MMRLP approved to advance the MMBC for the 2021 operations in the amount of \$992,550.00 on December 15, 2020;

**BE IT RESOLVED THAT** payment of funds for the total amount of \$992,550.00 for 2021 is approved by Listuguj Mi'gmaq Government and MMBC is authorized to transfer these amounts from the MMRLP account for the MMBC 2021 budget;

**BE IT FURTHER RESOVED THAT** if the advanced amount is more than the actual expenses, surpluses will be differred for the 2022 MMBC operations.