

# Listuguj Mi'gmaq Government Order-In-Council



<b>Chronological no.:</b> 2778	<b>Subject:</b> Operation Expenses for MMBC 2023	<b>Originated by:</b> Fred Vicaire
<b>The Council of the</b> Listuguj Mi'gmaq Government		<b>District</b> Gespe'gewa'gi
<b>Date of duly convened meeting</b>	<b>D</b> 0   6	<b>M</b> 0   2
	<b>Y</b> 2   3	<b>Province</b> 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 Mawioimi 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 Mawioimi 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;

**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 of the MMBC 2020 budget in the amount of \$1,150,000 on October 29, 2022;

**Moved:** Erwin Peter Molley

**Seconded:** Ali Barnaby

**Abstain:** -

**Opposed:** -

**Status:**  Passed  Defeated  Tabled

**Quorum** 7

  
Councillor Ali Barnaby

Councillor Annette Barnaby

  
Councillor Erwin Peter Molley

  
Councillor Chad Gedeon

  
Chief Scott Martin

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 Swanson

**Mi'gmaq Nation**

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**WHEREAS:** the MMRLP approved to advance the MMBC for the 2023 operations in the amount of \$1,150,000 on January 12, 2023;

**BE IT RESOLVED THAT:**

Payment of funds for the total amount of \$1,150,000 for 2023 is approved by the Listuguj Mi'gmaq Government and MMBC is authorized to transfer these amounts from the MMRLP account for the MMBC 2023 Budget;

**BE IT FURTHER RESOLVED:**

**THAT:** if the advanced amount is more than the actual expenses, surpluses will be differed for the 2024 MMBC operations.