

Listuguj Mi'gmaq Government Order-In-Council



Chronological no.: 2891	Subject: Amendment to Approval of Listuguj Fisheries Fund Trust Agreement	Originated by:
The Council of the Listuguj Mi'gmaq Government		District Gespe'gewa'gi
Date of duly convened meeting	D 1 M 6 Y 05 24	Province Gepeg

WHEREAS:

1. On April 16, 2021, the “Rights and Reconciliation Agreement on Fisheries” (“RRA”) was jointly signed by the Listuguj Mi'gmaq Government (“LMG”) and the Department of Fisheries and Oceans (“DFO”).
2. On May 11, 2021, pursuant to the RRA, the “Reconciliation Funding Agreement, An Agreement to Fund a Trust for Obtaining Fishing Access, Fishing Vessels, and Fishing Gear” (“RFA”) was signed by LMG.
3. A requirement of the RRA and the RFA is that the funds provided by DFO be placed in a Trust with the LMG as both settlor and beneficiary on a collective and undivided basis.
4. DFO will transfer the funds the RFA to the Trust only once the Trust is established.
5. It is in the LMG’s interest to obtain the funds as soon as possible.
6. The First Nation Bank Trust (“FNB Trust”) was chosen to be the Trustee of the Listuguj Fisheries Fund Trust.
7. Pursuant to the requirement that the funds provided by DFO be placed in a Trust, the Executive Office, in cooperation with the LMG’s Director of Finance and Director of Natural Resources, legal counsel, DFO, financial advisors, and FNB Trust have produced a Trust Agreement (“Listuguj Fisheries Fund Trust”) that meets the requirements of LMG, DFO, and FNB Trust.
8. A fee agreement for trust services for the Listuguj Fisheries Fund Trust was negotiated with FNB Trust by the Executive Office in cooperation with the Director of Finance.

THEREFORE BE IT RESOLVED THAT:

1. Chief and Council hereby authorize the Chief Executive Officer to execute the Listuguj Fisheries Fund Trust agreement with the First Nation Bank Trust immediately; and
2. In accordance with Section 12.3 of the Trust Agreement the Chief Executive Officer shall have authority to approve a Distribution from the Trust
3. Chief and Council hereby authorize and mandate the Chief Executive Officer to execute the fee agreement with FNB Trust.

Moved: Annette Barnaby

Seconded: Chad Gedeon

Abstain: -

Opposed: -

Absent: Ali Barnaby, Dr. Cathy Martin

Status: Passed Defeated Tabled

Quorum 7

Councillor Ali Barnaby

Councillor Annette Barnaby

Councillor Ernie Peter Moley

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 Swasson

Mi'gmaq Nation