

**CONVENTION ACT**

**OF**

**BATTLEFORDS AGENCY TRIBAL**

**CHIEFS**

**APRIL 3<sup>RD</sup>, 2007**

**(amended Effective September 12<sup>th</sup>, 2008)**

**WHEREAS** the First Nations comprising the Battlefords Agency Tribal Chiefs are parties to Treaty No. 6 entered into with the Crown in Right of Great Britain and now currently represented by the Crown in Right of Canada;

**AND WHEREAS** the First Nations comprising the Battlefords Agency Tribal Chiefs acknowledge and affirm and the supremacy of the Creator in all their dealings amongst one another and amongst their Treaty partner(s);

**AND WHEREAS** the Battlefords Agency Tribal Chiefs are represented by their duly elected Chiefs and Councillors in accordance with their respective customs and/or the *Indian Act*;

**NOW THEREFORE** the parties wish to organize themselves into a First Nations tribal council in accordance with the following provisions:

## **PRINCIPLES OF THIS CONVENTION**

1. The Parties agree to the following shared principles:
  - (a) The Treaty relationship shall be maintained and enhanced and is grounded in the natural laws bestowed by the Creator, the covenational nature of Treaty No. 6, *the Royal Proclamation of 1763*, and s.35 of the *Constitution Act, 1982*;
  - (b) When practical, the parties shall endeavour to seek consensus on decisions for the benefit of the Battlefords Agency Tribal Chiefs;
  - (c) The autonomy of individual First Nations shall be respected;
  - (d) They are working together for the advancement of their respective member First Nations and their respective citizens.

## **PURPOSES OF THIS CONVENTION**

2. The purposes of this Convention are to:
  - (a) Establish a tribal council known as the Battlefords Agency Tribal Chiefs;

- (b) Clarify the roles and responsibilities of the member First Nations to one another and the roles and responsibilities of the tribal council to the member First Nations;
- (c) Establish processes for the carrying out of collective decisions in the areas of band governance, financial management, community planning, technical services, health service delivery, economic development, education;
- (d) To establish the Battlefords Agency Tribal Chiefs Inc. with a mandate to deliver the following services to its member First Nations:
- Band Governance
  - Financial Management
  - Community Planning
  - Technical Services
  - Economic Development; and
- (e) Establish processes for the accountable representation of the interests at the boards, commissions and committees of the Federation of Saskatchewan Indian Nations.

### **Member First Nations**

3. The Member First Nations of the Battlefords Agency Tribal Chiefs include:
- (a) Sweetgrass First Nation;
- (b) Moosomin First Nation;
- (c) Ahtahkakoop First Nation;
- (d) Red Pheasant Cree Nation;
- (e) Stoney Knoll First Nation.
4. Where a Member First Nation wishes to withdraw its membership, the Member First Nation must provide no less than twelve (12) months notice, in writing as evidenced by a Band Council Resolution duly executed by a quorum, to the Battlefords Agency Tribal Chiefs and to each member First

Nation. Continued non-participation by a First Nation shall be a deemed resignation and shall obligate the Tribal Council to unilaterally make such changes to its structure as it sees fit.

5. Any Member First Nation withdrawals shall be finalized on March 31 of each calendar year in which the Member First Nation chooses to withdraw.
6. Upon submission of a BCR set in paragraph 4, the withdrawing Member First Nation and Battlefords Agency Tribal Chiefs will enter into a withdrawal agreement outlining the terms, conditions and provisions of the withdrawal including, but not limited to:
  - (a) Division of assets;
  - (b) Responsibilities of debt;
  - (c) Representation at Boards, Committees, Commissions, Working Groups and/or Institutions;
  - (d) Corporate ownership in various corporate entities; and/or
  - (e) Delivery of services.
7. Where a First Nation wishes to become a Member First Nation of the Battlefords Agency Tribal Chiefs, the First Nation must notify the tribal council and each member First Nation, in writing. The request shall be approved by a majority vote of the Battlefords Agency Tribal Chiefs at a duly convened meeting.
8. All adhesions to the Battlefords Agency Tribal Chiefs Convention and additions to the Battlefords Agency Tribal Chiefs will be effective on April 1 of the calendar year in which the Battlefords Agency Tribal Chiefs Inc. ratify, by resolution, the adherence of a First Nation.

## **PROCESS FOR ADDRESSING CONCERNS OF MEMBER FIRST NATIONS**

9. Where a Member First Nation has concerns related to the Battlefords Agency Tribal Chiefs the following process shall be employed:
  - (a) The First Nation shall outline in writing to the Battlefords Agency Tribal Chiefs the nature of the concerns and propose any solutions that it deems acceptable and fair;

(b) The Battlefords Agency Tribal Chiefs shall, within ten (10) days of the receipt of the letter from the First Nation arrange a meeting amongst the Chiefs of the Battlefords Agency Tribal Chiefs to explore options for addressing the concerns;

(c) Failing an acceptable solution being reached between the First Nations and the Chiefs, the Battlefords Agency Tribal Chiefs shall within seven (7) days of the meeting in 9(b) appoint a mediator, at the sole cost of the Tribal Council, to explore further options for addressing the issues and/or concerns;

(d) Failing a successful mediated agreement, the parties are free to explore other avenues for legal redress of their concerns.

## **STRUCTURE OF THE BATTLEFORDS AGENCY TRIBAL CHIEFS and/or BATTLEFORDS AGENCY TRIBAL CHIEFS INC.**

10. The structure of the Battlefords Agency Tribal Chiefs shall be comprised of the following:

(a) General Assembly;

(b) Executive Council;

(c) Tribal Chief;

(d) Women's Council;

(e) Senate Advisory Council;

(f) Battlefords Agency Tribal Chiefs administration offices.

## **GENERAL ASSEMBLY**

11. The recognized representatives and voting delegates for a General Assembly shall consist of the duly elected Chiefs and Councillors from the Member First Nations.

12. There shall be no less than one (1) general assembly per year.

13. A special General Assembly may be called by a quorum of the Executive Council on behalf of any Band Council of a Member First Nation, as

evidenced by a request for a special meeting contained in a duly executed Band Council Resolution.

- 14.** A special General Assembly shall be called by way of written notice of the time and place to each Chief of not less than fourteen (14) calendar days before a special General Assembly is to be held.
- 15.** The purposes of a General Assembly shall include, but not be limited to:
  - (a) Providing information regarding the operations of the Battlefords Agency Tribal Chiefs Inc.;
  - (b) The ratification of Battlefords Agency Tribal Chiefs legislation;
  - (c) Approval of Battlefords Agency Tribal Chiefs business and undertakings;
  - (d) Providing direction to the Battlefords Agency Tribal Chiefs.
- 16.** The General Assembly shall be governed by the following rules:
  - (a) It shall be convened at such place and at such date and time as determined by the Chiefs;
  - (b) Notice for the General Assembly shall be distributed to each Member First Nation at least thirty (30) days prior to the General Assembly;
  - (c) The General Assembly shall appoint, by Resolution, a Chair to preside over all deliberations of the General Assembly;
  - (d) The agenda shall be adopted by the General Assembly by consensus;
  - (e) An individual member from a Member First Nation, who is not a recognized representative to the General Assembly, may attend a General Assembly as an observer; and
  - (f) All questions or issues to be addressed at the General Assembly will be directed through the duly elected representatives from the Member First Nations.
  - (g) The General Assembly requires a quorum of 50% plus one to call the meeting to order.

## **EXECUTIVE COUNCIL**

- 17.** The Executive Council shall be comprised of the duly elected Chiefs of each Member First Nation.
- 18.** The authority of the Executive Council shall include, but not be limited to:
- (a) The passing of regulations, policies and codes governing the Battlefords Agency Tribal Chiefs Inc., that shall include, but not be limited to issues related to:
    - i. Personnel management;
    - ii. Financial management; and
    - iii. Administration of the Battlefords Agency Tribal Chiefs corporate entities.
  - (b) Management of Battlefords Agency Tribal Chiefs businesses and investments;
  - (c) In the absence of consensus, decisions at all meetings of the Executive Council shall be decided by a majority of votes cast on the questions by the Chiefs present, provided the meeting began with a quorum.
  - (d) Should a vacancy occur on the Executive Council, the remaining Chiefs shall carry on the normal business of the Executive Council.
  - (e) Upon being adopted by the Executive Council, minutes of all Executive Council meetings shall be signed by the Chairperson.
  - (f) Developing the budget and approving and executing contribution agreements;
  - (g) Appointing of an auditor to undertake the yearly audit of the Battlefords Agency Tribal Chiefs Inc.; and
  - (h) Executing, enforcing and implementing any matter within the scope of this Convention.
- 19.** A Chief ceases to be a member of the Executive Council when he/she ceases to be a Chief of his/her First Nation.

20. Upon a person ceasing to be a Chief, his/her successor as Chief shall automatically succeed him/her as a member of the Executive Council.
21. A quorum for the conduct of business at a meeting of the Executive Council shall be a simple majority of the Chiefs.
22. With the consent of all the Chiefs, a Chief may participate in a meeting of the Executive Council by telephone.
23. A Chief participating in a Executive Council meeting as described in section 22 shall be deemed to be present at the meeting.
24. The Executive Council shall meet no less than four (4) times per fiscal year.
25. A special meeting of the Executive Council may be called by the Tribal Chief or any two (2) Members of the Executive Council by providing five (5) days written notice to the Executive Council.
26. Until an election process is established at a general assembly the position of Tribal Chief shall be held by the members of the Executive Council on a rotating basis as agreed by the Executive Council.
27. The Tribal Chief shall:
  - (a) Determine the date, time and location of regular Executive Council meetings;
  - (b) Develop an agenda for ratification by the Chiefs' at each regular Executive Council meeting;
  - (c) Chair all Executive Council meetings; and
  - (d) Ensure all required materials are prepared for presentation to the Executive Council.

## **WOMEN'S COUNCIL**

28. Within a reasonable time, the Battlefords Agency Tribal Chiefs shall establish a Women's Council.

# SENATE ADVISORY COUNCIL

- 29. Within a reasonable time, the Battlefords Agency Tribal Chiefs shall establish a Senate Advisory Council.
- 30. This Convention may only be amended with all Members in attendance at a General Assembly.

This Convention is amended effective this 12<sup>th</sup> day of September 2008, by and between:

Sweetgrass First Nation  
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Moosomin First Nation  
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Ahtahkakoop First Nation  
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Red Pheasant First Nation  
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Stoney Knoll First Nation  
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