

SECTION 13

Police

13.1 Naskapi local community police force

13.1.1 Special constables shall be appointed in virtue of section 64 of the Québec Police Act (L.Q. 1968, c. 17) and will have the duties and functions, in the Category IAN lands, of constables and peace officers, as well as duties similar to those of municipal police constables.

13.1.2 The special constables referred to in paragraph 13.1.1 must be Naskapis or any other person approved by the Naskapi local authority. Some of them may be engaged on a parttime basis to perform the above duties referred to in paragraph 13.1.1 and may, in their spare time, perform other duties and functions referred to in section 12.

13.1.3 Such special constables, if they qualify, may be appointed as members of the Regional Police Force constituted pursuant to Section 21 of the James Bay and Northern Québec Agreement.

13.1.4 The number of Naskapis, or persons approved by the Naskapi local authority, engaged as special constables shall depend on the circumstances and requirements of the Naskapi community contemplated by section 20. The basic criterion which will apply is one (1) special constable for every five hundred (500) Naskapi persons in the community including the floating population therein.

13.1.5 The qualifications for the appointment of said special constables shall be the same as those actually prevailing for the appointment of native special constables, taking into account the availability of Naskapi manpower. Amendments may be made after consultation with the Police Advisory Committee constituted pursuant to paragraph 19.1.12 of the James Bay and Northern Québec Agreement.

13.1.5.1) The Naskapis of Québec shall be represented on the Police Advisory Committee when matters affecting Naskapi policing are under consideration.

13.1.6 The Naskapi local authority shall establish by bylaw the requirements and standards for the appointment of special constables and for the creation of a community police force, in accordance with special legislation that will be adopted by Québec permitting the establishment and operation of such police force.

13.1.7 The Naskapi local authority shall submit to la Sûreté du Québec or to le Solliciteur general du Québec a list of candidates already screened by the Naskapi local authority to be considered for appointment as special constables.

13.1.8 Those candidates accepted by la Sûreté du Québec, after consultation with the Naskapi local authority, from among those candidates proposed, shall be trained at l'Institut de police du Québec.

13.1.9 The training program for such accepted candidates at l'Institut de police du Québec shall be conducted in French or English and in Naskapi where practicable. Books and material for the said training program shall be in French or in English and, where practical, in Naskapi.

13.1.10 The said training program shall be the same as the present program for the training of native special constables. The said training program may be modified following consultations between l'Institut de police du Québec and the Naskapi local authority, taking into consideration the particular characteristics of Naskapi manpower and the circumstances and requirements of the milieu where such constables will be called upon to perform their duties.

13.2 Cost sharing

13.2.1 Canada and Québec shall pay the direct costs of policing services provided by such special constables referred to in paragraphs 13.1.1 and 13.1.2, in accordance with a costsharing agreement for

Naskapi policing or in accordance with such other costsharing agreement between Québec and Canada respecting Indian policing in Québec, to be entered into forthwith upon the execution of the present Agreement.

Such costs as training, lodging, training allowances and transportation to and from the training institutions of Québec shall be provided for in the above costsharing agreement.

Based on annual budgets approved by Canada and Québec each of the said governments shall contribute to the approved budget of such police force in respect to such special constables on the following basis:

Canada: 60%

Québec: 40%

This cost-sharing agreement shall continue until March 31, 1978 and shall be subject to review and renegotiation prior to the above date of expiry. Notwithstanding the foregoing, Québec and Canada shall provide the funds necessary to maintain the policing services referred to above beyond such date of expiry.

The Naskapi community served by the said police force may, according to its revenue, but excluding government funds provided for the Naskapi community, be obliged to pay to Québec up to a maximum of ten percent (10%) of the said direct costs of such policing services.

13.3 Legislation

13.3.1 This section can be amended only with the consent of Canada and the Naskapi Native party, in matters within the jurisdiction of Canada, and with the consent of Québec and the Naskapi Native party, in matters within the jurisdiction of Québec, with the exception of paragraph 13.1.3 which in addition shall require the consent of the Inuit Native party, and with the further exception of subparagraph 13.1.5.1 which in addition shall require the consent of the Cree Native party.

Legislation enacted to give effect to this section may be amended from time to time by l'Assemblée nationale in matters within the jurisdiction of Québec, and by Parliament in matters within the jurisdiction of Canada.