

## Complementary Agreement no. 19

(CBJNQ)

AMONG: The CREE REGIONAL AUTHORITY, a legal person duly established in the public interest under the Act respecting the Cree Regional Authority, R.S.Q. c. A-6.1, herein represented by its Chairman and by Vice-Chairman, being duly authorized for the purposes hereof,

(herein designated the “Cree Regional Authority”),

AND: The GOUVERNEMENT DU QUÉBEC, herein represented by the ministre de la Sécurité publique and the ministre responsable des Affaires intergouvernementales canadiennes, des Affaires autochtones, de la Francophonie canadienne, de la Réforme des institutions démocratiques et de l'Accès à l'information,

(herein designated “Québec”),

AND: The GOVERNMENT OF CANADA, herein represented by the Minister of Public Safety and Emergency Preparedness and the Minister of Indian Affairs and Northern Development, being duly authorized for the purposes hereof,

(herein designated “Canada”).

### PREAMBLE

**Whereas** the parties hereto agree to the replacement of Section 19 of the James Bay and Northern Québec Agreement (hereinafter the “JBNQA”) by a new section the principal objective of which, among other things, is to replace the provisions for “Cree Units of the Québec Police Force” and “Cree Local Community Police Force”, provided for in the current subsections 19.1 and 19.2 of the JBNQA, with a new provision committing to a regional police force to be called the “Eeyou-Eenou Police”, and to merge the existing Cree Local Community Police Forces of the Cree communities into the regional police force;

**Whereas** the parties hereto also agree that this new regional police force, as were the current Cree Local Community Police Forces, will be a police force within the meaning of the *Police Act* (R.S.Q., c. P-13.1) and its members will be police officers under the meaning of that Act.

**NOW THEREFORE**, the parties hereto agree as follows:

1. Section 19 of the JBNQA is replaced by the following:

Section 19 Police (Crees)

19.1 The Cree Regional Authority is authorized to establish under its administration a regional police force to be called the "Eeyou-Eenou Police". To this end, the existing Cree Local Community Police Forces shall be merged into the regional police force. With the agreement of Québec, the Cree Regional Authority may designate another entity to administer the Eeyou-Eenou police force.

19.2 The Eeyou-Eenou police force will be a police force within the meaning of the *Police Act* and its members will be police officers within the meaning of that Act. Its mission and responsibilities and those of each of its police officers include maintaining peace, order and public security, preventing and repressing crime and offences under the law, apprehending offenders, and enforcing the by-laws and regulations of the Cree authorities.

19.3 The Eeyou-Eenou police force shall:

a) be responsible for police services within the following territorial areas :

i) the Category IA lands;

ii) the Category IB lands, including Special Category IB lands, as well as any other lands forming the territory of a Cree village within the meaning of the *Cree Villages and the Naskapi Village Act* (R.S.Q., c. V-5.1);

iii) the Category II or Category III lands situated within the perimeter of the Category I lands of a Cree community;

iv) if the Category I lands of a Cree community are bounded on any side by navigable or other waters, or by the bank or shore of such waters, the expanse in front of those lands, to the middle of such waters, including the islands and outcrops in such waters, if it is not already part of Category I lands of a Cree community; if, however, the waters fronting those lands are wider than 3 kilometers, this responsibility shall not be exercised beyond 1.5 kilometers from the bank or shore without the agreement of the Cree Regional Authority and Québec;

v) and any path or road determined by agreement between the Cree Regional Authority and Québec, as well as the adjacent lands.

b) assume a role and responsibilities for police services, in collaboration with the Sûreté du Québec, on Category II lands and on Category III lands contemplated by paragraph 22.1.6 in accordance with arrangements to be agreed upon the Cree Regional Authority and Québec, in consultation with the concerned police forces.

19.4 In order to carry out their mission, the Eeyou-Eenou police force and its police officers shall provide police services as set out in the *Police Act* and as determined through agreement between Québec and the Cree Regional Authority.

19.5 The hiring requirements for the police officers of the Eeyou-Eenou police force shall be determined through agreement between the Cree Regional Authority and Québec.

19.6 Canada and Québec shall each fund the Cree Regional Authority for the Eeyou-Eenou police force in accordance with a tripartite funding agreement to which the Cree Regional Authority shall be a party. The funding agreement shall have a minimum duration of five (5) years, unless otherwise agreed to by the parties to such agreement.

19.7 The respective shares of the total funding contribution provided by Canada and Québec pursuant to subsection 19.6 will be fifty-two percent (52%) and forty-eight percent (48%), respectively, unless otherwise agreed between Canada and Québec.

19.8 The number of police officers funded pursuant to sub-section 19.6 for the Eeyou-Eenou police force is set, as of April 1<sup>st</sup>, 2007, in accordance with a ratio of one (1) police officer for every two hundred and fifteen (215) Cree and non-Cree residents on the lands contemplated by paragraph 19.3 a).

19.9 For the application of sub-section 19.8, the population level shall be measured at December 31, 2006 through statistical sources agreed to by the Cree Regional Authority, Québec and Canada. Subsequently, the population level will be measured every five years in accordance with the same modalities, provided however that the number of police officers funded pursuant to this sub-section cannot be reduced to less than sixty-five (65) police officers.

19.10 The provisions of this section can only be amended with the consent of Canada and the Cree Native Party, in matters of federal jurisdiction, and with the consent of Québec and the Cree Native Party, in matters of provincial jurisdiction.

Legislation enacted to give effect to the provisions of this section may be amended from time to time by the National Assembly of Québec in matters of provincial jurisdiction, and by Parliament in matters of federal jurisdiction.

*[Amendment integrated]*

2. Québec and Canada undertake to recommend to the National Assembly and to Parliament respectively the amendments to existing legislation of general or specific application in order to ensure that they reflect this Complementary Agreement. Québec and Canada, as the case may be, will consult the Cree Native Party in respect to the legislation to be recommended prior to the submission thereof to the National Assembly and to Parliament.

3. The provisions of Section 19 of the JBNQA as they read immediately prior to the coming into force of this Complementary Agreement shall, in regard to any matter contemplated therein, continue to govern the respective rights and responsibilities of the parties for the period prior to the coming into force of this Complementary Agreement.

4. The preamble to this Complementary Agreement forms an integral part thereof.

5. This Complementary Agreement shall come into force when the Orders in Council contemplated in the laws of Canada and Québec for approving, giving effect to and declaring valid the present Complementary Agreement are both in force.

**IN WITNESS WHEREOF**, the parties hereto signed on the date and at the place hereinbelow indicated.

Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

The CREE REGIONAL AUTHORITY

By: \_\_\_\_\_

Matthew Mukash

Chairman

By: \_\_\_\_\_

Ashley Iserhoff

Vice-Chairman

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**Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2008.**

The GOUVERNEMENT DU QUÉBEC

By: \_\_\_\_\_

Jacques P. Dupuis

Ministre de la Sécurité publique

**Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2008.**

By : \_\_\_\_\_

Benoît Pelletier

Ministre responsable des Affaires intergouvernementales canadiennes, des Affaires autochtones, de la Francophonie canadienne, de la Réforme des institutions démocratiques et de l'Accès à l'information

**Signed at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 2008.**

The GOVERNMENT OF CANADA

By: \_\_\_\_\_

Stockwell Day

Minister of Public Safety and Emergency Preparedness

By: \_\_\_\_\_

Chuck Strahl

Minister of Indian Affairs and Northern Development