

Complementary Agreement no. 2

(CBJNQ)

BETWEEN

The GRAND COUNCIL OF THE CREES (OF QUÉBEC), a corporation duly incorporated, acting on its own behalf, on behalf of the James Bay Crees and on behalf of the Cree Bands of Fort George, Old Factory, Eastmain, Rupert House, Waswanipi, Mistassini, Nemaska and Great Whale River, and represented by its undersigned authorized representatives,

and

The NORTHERN QUÉBEC INUIT ASSOCIATION, a corporation duly incorporated, acting on its own behalf, on behalf of the Inuit of Québec and the Inuit of Port Burwell, and represented by its undersigned authorized representatives,

and

Le GOUVERNEMENT DU QUÉBEC (hereinafter referred to as “Québec”), represented by the ministre des Affaires intergouvernementales, the Honourable Claude Morin, and by the ministre des Richesses naturelles, the Honourable Yves Bérubé, acting on behalf of Québec,

and

La SOCIÉTÉ D'ÉNERGIE DE LA BAIE JAMES, a corporation duly incorporated with its head office in Montréal, Québec, represented by Robert A. Boyd, President, acting on behalf of the said corporation,

and

La SOCIÉTÉ DE DÉVELOPPEMENT DE LA BAIE JAMES, a corporation duly incorporated with its head office in Montréal, Québec, represented by Charles Boulva, President, acting on behalf of the said corporation,

and

La COMMISSION HYDROÉLECTRIQUE DE QUÉBEC (HYDRO-QUÉBEC), a corporation duly incorporated with its head office in Montréal, Québec, represented by Robert A. Boyd, President, acting on behalf of the said corporation,

and

The GOVERNMENT OF CANADA, (hereinafter referred to as “Canada”), represented by the Minister of Indian Affairs and Northern Development, the Honourable J. Hugh Faulkner, acting on behalf of Canada,

WHEREAS by agreement dated September 22, 1977 the parties hereto agreed to execute a supplementary agreement amending the James Bay and Northern Québec Agreement (hereinafter called the “Agreement”);

AND WHEREAS the Agreement came into force on October 31, 1977.

Now, therefore, the parties hereto agree as follows :

1 The first paragraph of Sub-Section 2.3 of the Agreement is amended by replacing the words “and in Canada” in the 6th line thereof by the words “and in Québec” so that the said Sub-Section 2.3 shall read as follows :

2.3 In consideration of the rights and benefits herein set forth in favour of the Inuit of Port Burwell who are ordinarily resident of Killinek Island, the Inuit of Port Burwell hereby cede, release, surrender and

convey all their Native claims, rights, titles and interests, whatever they may be, in and to land in the Territory and in Québec, and Québec and Canada accept such surrender.

Québec and Canada, the James Bay Energy Corporation, the James Bay Development Corporation and the Québec Hydro-Electric Commission (Hydro-Québec) to the extent of their respective obligations as set forth herein, hereby give, grant, recognize and provide to the Inuit of Port Burwell the rights, privileges and benefits specified herein, the whole in consideration of the said cession, release, surrender and conveyance mentioned in this paragraph.

For purposes of the Agreement a person of Inuit ancestry who was or will be born on that part of Killinek Island within the Northwest Territories shall be deemed to have been born or to be born in Québec, or if such person is ordinarily resident in Port Burwell he shall be deemed to be ordinarily resident in Québec.

The provisions of the Agreement as set forth in Section 3 (Eligibility), Section 6 (Land Selection-Inuit of Québec), Section 7 (Land Regime Applicable to the Inuit), Section 23 (Environment and Future Development – North of the 55th Parallel), Section 24 (Hunting, Fishing and Trapping), Section 25 (Compensation and Taxation) and Section 27 (Inuit Legal Entities) shall apply to the Inuit of Port Burwell and for the purposes of such Sections the Inuit community of Port Burwell shall be deemed to be an “Inuit community”. Notwithstanding the foregoing the Inuit of Port Burwell shall not be included in paragraph 3.2.4 for the purpose of calculating the division of compensation as provided in paragraph 25.4.1.

Canada or the Government of the Northwest Territories, as the case may be, will continue to be responsible for providing programs and services to the Inuit who are ordinarily resident in Port Burwell in accordance with criteria that may be established from time to time.

[Amendment integrated]

2 Sub-Section 2.6 of Section 2 of the Agreement is amended by deleting therefrom the words “and the native claims, rights, title and interest of the Inuit of Port Burwell in Canada” so that the said Sub-Section 2.6 shall read as follows :

2.6 The federal legislation approving, giving effect to and declaring valid the Agreement shall extinguish all native claims, rights, title and interests of all Indians and all Inuit in and to the Territory, whatever they may be.

[Amendment integrated]

3 The first paragraph of paragraph 25.1.16 of Section 25 of the Agreement is amended by replacing the said first paragraph by the following :

The Inuit of Québec shall receive from Canada for the Inuit of Port Burwell an additional sum of forty-four per cent (44%) of the sum arrived at by multiplying one hundred and fifty million dollars (\$ 150,000,000) by the fraction obtained by dividing eighty-five (85) by the aggregate number of persons eligible under paragraphs 3.2.1 a) and 3.2.4.

[Amendment integrated]

4 The present amendments shall take effect retroactively from November 11, 1975.

5 The present Complementary Agreement NO. 2 shall come into force when the decree and the proclamation contemplated in the laws of Canada (S.C. 1976, c. 32) and Québec (L.Q. 1976, c. 46) approving, giving effect to and declaring valid the Agreement are both in force.

SIGNATORIES (CBJNQ 2)

Signée à Québec, le 31 janvier 1978

Signed at Québec, January 31, 1978

For the Grand Council of the Crees (of Québec)

For the Northern Québec Inuit Association

Pour le Gouvernement du Québec

Claude Morin, ministre des Affaires intergouvernementales

Yves Bérubé, ministre des Richesses naturelles

Pour la Société d'énergie de la Baie James

Robert A. Boyd, Président

Pour la Société de développement de la Baie James

Charles Boulva, Président

Pour la Commission hydroélectrique de Québec (Hydro-Québec)

Robert A. Boyd, Président

Pour le gouvernement du Canada

J. Hugh Faulkner, ministre des Affaires indiennes et du

Nord canadien