

SECTION 29

**Economic and Social Development – Inuit**

**29.0.1** There is established a series of Native Economic Development Programs in favour of the Inuit of Québec which shall operate in accordance with the rights, obligations, terms and conditions established by and in accordance with this Section.

**29.0.2** Programs, funding and technical assistance presently provided by Canada and Québec, and the obligations of the said governments with respect to such programs and funding shall continue to apply to the Inuit of Québec on the same basis as to other Indians and Inuit of Canada in the case of federal programs, and to other Indians in Québec in the case of federal programs, and to other Indians in Québec in the case of provincial programs, subject to the criteria established from time to time for the application of such programs, and to general parliamentary approval of such programs and funding.

The foregoing terms, conditions, obligations and criteria will apply to all federal programs referred to in this Section.

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JBNQA, par. 29.0.2

A. corr.

**29.0.3** Subject to paragraph 29.0.2, Canada and Québec shall continue to assist and promote the efforts of the Inuit of Québec and more specifically undertake, within the terms of such programs and services as are established and in operation from time to time, to assist the Inuit of Québec in pursuing the objectives set forth herein in paragraphs 29.0.4 to 29.0.43.

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JBNQA, par. 29.0.3

A. corr.

**29.0.4** The administration of the federal and provincial programs referred to in paragraphs 29.0.2 and 29.0.3 shall, to the fullest extent possible, be assumed by the Regional Government or the municipalities whenever appropriate, and when accepted by the parties directly concerned.

**29.0.5** A program of support is established for Inuit hunting, fishing and trapping (hereinafter referred to as “the program”), to guarantee a supply of hunting, fishing and trapping produce to Inuit who are disadvantaged and who cannot hunt, fish and trap for themselves or otherwise obtain such produce.

**29.0.6** The program shall also facilitate

- a) exchanges of hunting, fishing and trapping produce among Inuit communities, in accordance with existing laws;
- b) access to remote hunting, fishing and trapping areas; and
- c) conduct of search and rescue operations for the benefit of Inuit hunters, fishermen and trappers in the Territory.

**29.0.7** The funding of the program shall be the exclusive responsibility of Québec which shall ensure at all times that the necessary funds are provided to give full effect to the program.

**29.0.8** The program shall commence as soon as possible after the execution of the Agreement, if existing laws and regulations permit; otherwise it shall be established as soon as possible after the coming into force of the Agreement.

**29.0.9**

- a) Each Inuit shall be entitled to one (1) hunter, fisherman and/or trapper (based on the present number of communities, this would mean thirteen (13) hunters, fishermen or trappers);

b) in addition, the Inuit of Québec shall be entitled to an additional number of hunters, fishermen and/or trappers equal to one (1) to one hundred (1%) of the total Inuit population domiciled or ordinarily resident in the Territory. (Based on the present estimated population of 4,000 persons, until the first official census, this would mean forty (40) additional hunters, fishermen and/or trappers).

**29.0.10** The Regional Government must make ordinances for the purposes of the program :

- a) to determine qualifications and employment criteria for hunters, fishermen and trappers;
- b) to determine the working conditions, working hours and periods of work of hunters, fishermen and trappers, provided there shall be at all times not less than forty (40) and not more than sixty-five (65) hunters, fishermen and/or trappers employed under the program;
- c) to regulate leave of absence, suspensions and dismissal of hunters, fishermen and trappers;
- d) subject to the provisions of paragraph 29.0.9 and of sub-paragraph b) of this paragraph, to determine the number of hunters, fishermen and trappers posted in each Inuit community;
- e) to establish hunting, fishing and trapping produce quotas subject to the provisions governing the Hunting, Fishing and Trapping Regime; and
- f) to establish and maintain hunter, fishermen and trapper training and development programs.

Pending the establishment of the Regional Government, such powers shall temporarily be exercised by the interim joint committee established under paragraph 29.0.33.

**29.0.11** Subject to the provisions of paragraph 29.0.10 the councils of the municipal corporations shall, by resolution, select and employ competent hunters, fishermen and trappers to carry out the program properly and see to the application of the leave of absence, suspension and dismissal ordinances.

Pending the establishment of the municipalities, such powers shall temporarily be exercised by the community council in each Inuit community.

**29.0.12** For the purposes of the program, the annual period shall commence on January 1 of each year.

**29.0.13** The Regional Government shall prepare and adopt each year the necessary budget for the operation of the program.

Such budget shall be submitted to the council not later than the 15th of July at a special meeting called for such purpose. Such meeting shall be adjourned as often as necessary and shall not be closed until the budget is adopted.

Such budget, together with certified copies of all supporting documents shall be transmitted to Québec in the month of August of the year in which it is prepared.

**29.0.14** For each annual period and in accordance with the budget, Québec shall remit to the Regional Government, in two (2) equal instalments, one (1) at the beginning of January and the other at the beginning of July, the following amounts :

- a) to ensure yearly salaries to the hunters, fishermen and trappers mentioned in paragraph 29.0.9, an amount based on an initial average yearly salary of \$9,000.00 for each hunter, fisherman and/or trapper; such amount shall only be used to cover the salaries and statutory deductions of hunters, fisherman and trappers. (Based on the present statistics given in paragraph 29.0.9 this would mean a total expenditure of \$477,000.);
- b) to meet the expenses relating to the objectives of paragraph 29.0.6, a per capita subsidy of \$10.00 for each Inuk domiciled or ordinarily resident in the Territory. (Based on the present statistics this would mean an amount of \$40,000.);

c) for the administration of the program, an amount equal to 10% of the total amounts received under sub-paragraphs a) and b) of this paragraph. (Based on the present statistics this would mean an amount of \$51,700.).

**29.0.15** In order to provide for the initial setting up of the program, Québec shall remit, to the Regional Government, at the beginning of each month, 1/12 of the amount payable under sub-paragraph c), of paragraph 29.0.14. (Based on the present statistics, this would mean a monthly instalment of \$4,308.33.).

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JBNQA, par. 29.0.15

A. corr.

**29.0.16** The amounts mentioned in sub-paragraphs a), b), and c) of paragraph 29.0.14 shall be indexed annually according to the increase in the cost of living in Québec as supplied by Statistics Canada.

**29.0.17** A detailed report of the operations and of the utilization of all amounts received during any annual period of the program shall be transmitted to Québec at the end of any such period.

**29.0.18** Québec shall have the right to verify or audit all procedures, books and documents tending to inform it of the fulfillment of the requirements of paragraphs 29.0.5 to 29.0.23 and shall have the right to withhold or reclaim funds or adjust allocations of funds in the event of overpayment or abuse.

**29.0.19** The Regional Government must make ordinances for the purposes of the program :

a) to establish eligibility criteria for the distribution of hunting, fishing and trapping produce to Inuit who are disadvantaged and who cannot hunt, fish and trap for themselves or otherwise obtain such produce; subject to the provisions of sub-paragraph b) of this paragraph, the distribution of hunting, fishing and trapping produce shall be made locally under the supervision of the council of the municipal corporation, and

b) to facilitate exchanges of hunting, fishing and trapping produce among Inuit communities according to needs and in accordance with existing laws.

Pending the establishment of the Regional Government and of the municipalities, the powers of the Regional Government shall temporarily be exercised by the interim joint committee established under paragraph 29.0.33 and the powers of the municipality by the community council in each Inuit community.

**29.0.20** This program shall not prejudice or impair the eligibility of Inuit for other existing or future government programs, federal or provincial, including programs of guaranteed minimum income. Such eligibility shall depend upon the criteria established for such programs.

**29.0.21** Québec and the Regional Government shall from time to time review the operation of the program, procedures and benefits established by and in accordance with paragraphs 29.0.5 to 29.0.23. Subject to consultation with the Regional Government, Québec may make any adjustments necessary for the proper functioning of or to give effect to the program, procedures and benefits provided for in this Section, including more particularly the provisions of paragraph 29.0.14.

**29.0.22** Pending the establishment of the Regional Government, the program shall be administered by, and the amounts mentioned in sub-paragraphs a), b) and c) of paragraph 29.0.14 shall be paid to the interim joint committee established under paragraph 29.0.33.

**29.0.23**

a) Forthwith upon the execution of the Agreement, there shall be a joint research program conducted by the Northern Québec Inuit Association or its nominee and Québec to establish the present level of community equipment owned by or available to the Inuit and necessary for the adequate carrying out of the support program for Inuit hunting, fishing and trapping as outlined in paragraphs 29.0.5 to 29.0.23.

b) Where a need is proven, Québec will consider within its budgetary limits the possibility to supply the respective Inuit communities with community equipment sufficient to ensure the adequate conduct of hunting, fishing and trapping and related activities. It is acknowledged that in some cases there may be joint funding by the Inuit and Québec for the provision of such community equipment. Such a joint arrangement shall not preclude the use of existing or future Federal program funds.

c) In the provision of such community equipment, the Government of Québec shall recognize and allow to the maximum extent possible for the unique conditions of hunting, fishing and trapping and related activities in the North, taking into account, in budgeting for the development and operating of the support program established under paragraph 29.0.5 to 29.0.23 the disproportionate impact of northern costs, including transportation, construction and fuel costs.

**29.0.24** The functions, powers and duties of the Regional Government shall be to receive proposals from the municipalities for vocational training programs and to advise the responsible federal and provincial authorities :

a) on all matters pertaining to the effective utilization and development of manpower resources in the Territory;

b) on all measures deemed appropriate to facilitate vocational training, placing in employment, reclassification, retraining, rehabilitation, change of employment and mobility of manpower;

c) on all matters dealing with qualitative and quantitative manpower requirements and the preparation and co-ordination of training programs; and

d) on all measures to ensure the establishment of employment bureaus in the Territory to provide qualified Inuit with access to the positions for which they are qualified; such bureaus, to the fullest extent possible, shall be staffed by Inuit.

**29.0.25** Canada and Québec shall, on proposals from the Regional Government, provide, in accordance with criteria established from time to time, to Inuit individuals or groups the full range of training programs and facilities they require in order to qualify for jobs created by existing or planned developments in the Territory.

Such programs shall be designed to qualify candidates to meet the requirements of existing and eventual jobs and business opportunities in the Territory.

All costs of such programs and facilities shall be assumed by Canada and Québec.

**29.0.26** When not inconsistent with existing laws or contrary to necessary requirements, considering the type of work or function contemplated and the verbal or written communication it shall normally demand, Canada and Québec shall adopt measures for unilingual Inuit candidates who complete training courses to be examined either in Inuttituit or with the assistance of a translator and/or interpreter so as to be entitled to apprentice card certification or official qualification permit qualifying for employment in the field of such training.

**29.0.27**

a) In view of the urgent need for qualified Inuit at every level of employment and administration, there shall be forthwith upon the execution of the Agreement an interim joint committee to coordinate the federal and provincial agencies currently involved in manpower and training programs available to the Inuit and which shall hand over its coordinating responsibilities to, and upon the request of the Regional Government.

- b) The committee shall be composed of six (6) members : two (2) members shall be appointed by the Northern Quebec Inuit Association or its nominee, two (2) members by Canada and two (2) members by Québec.
- c) The committee shall decide its procedure and internal management.
- d) In the event no money is available from Québec under existing provisions, Québec shall provide funding to cover lodging and meals and travel expenses of the two (2) Inuit representatives on the committee. In addition, the said Inuit representatives shall receive a per diem allowance as indemnity for loss of income they suffer as a result of discharging their duties on the committee. Such allowance shall take into account the prevailing conditions in the Territory as well as the following :
- i) meetings shall be scheduled whenever possible to avoid conflict with the remunerated work of the Inuit representatives and to take advantage of convenient or inexpensive transport;
  - ii) if, in spite of the foregoing, individual Inuit representatives suffer loss of income, the committee may indemnify such representatives for such loss, upon application therefor and where :
    1. the representative normally resides in a community other than that in which the meeting is held; and
    2. the representative is either fully employed or employed under conditions which preclude continuation of remuneration during time absent to attend such meetings; and
    3. loss of remuneration is clear and unequivocal rather than potential.

**29.0.28** The number of Inuit people employed in the services of Canada and of Québec and more particularly at the senior and management levels, shall increase as rapidly as possible, subject to pre-required qualifications, experience and training.

**29.0.29** Canada and Québec shall, in consultation with the Regional Government, develop a plan for the training and employment of Inuit staff within the bureaucracy of the Territory, based on projected requirements and turnover of existing staff.

**29.0.30** To accomplish this goal, Canada and Québec shall follow a policy that assures that :

- a) administrative and management training shall be provided to Inuit interested in being employed in federal or provincial government services;
- b) Inuit individuals successfully completing training courses shall be placed in federal or provincial government services to the fullest extent possible;
- c) selected Inuit individuals placed in federal and provincial government services shall be given job training and training courses needed for job advancement especially for managerial positions; and
- d) whenever they advertise for openings within or specifically related to the Territory such advertisements shall also be adequately made in the Inuit communities.

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JBNQA, par. 29.0.30  
A. corr.

**29.0.31** For projects initiated or conducted by Canada or Québec or their agents, delegates, or contractors, and for projects by any proponent a major purpose of which is to provide goods or services to or for the benefit of Inuit communities the governments shall take all reasonable measures to establish Inuit priority in respect to employment and contracts created by such projects :

- a) In respect to employment on such projects, Canada and Québec shall inter alia :

- i) interpret requirements for various categories of jobs so that Inuit people able to perform the work shall be deemed to be eligible;
  - ii) advertise available jobs in the Inuit community or in employment offices therein at the same time as such jobs are advertised to the general public;
  - iii) to the extent permissible under government contract regulations hire a qualified Inuit person before hiring a non-Native person for each available job;
  - iv) provide Inuit employees on-the-job training needed for job advancement.
- b) In respect to contracts arising from such projects, including requirements that the proponents :
- i) design contract packages to provide to the Inuit a reasonable opportunity to submit competitive tenders;
  - ii) post calls for tenders in a public place in all Inuit communities on the date on which the general public is made aware of such calls for tenders;
  - iii) set the date, location, terms and conditions for tendering so that Inuit individuals or groups may reply with reasonable ease.

**29.0.32** Similar measures shall be applied as far as possible to non-government contracts and development in the Territory.

**29.0.33**

a) Forthwith upon the execution of the Agreement, there shall be established an interim joint committee to coordinate the federal and provincial programs of socio-economic development available to the Inuit of Québec under this Section.

b) Sub-paragraphs b), c) and d) of paragraph 29.0.27 shall apply, *mutatis mutandis*, to this paragraph.

It is understood that the amounts mentioned in sub-paragraph 29.0.27 d), when requested under sub-paragraph b) of this paragraph, may be part of an overall administration fund provided by Québec.

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JBNQA, par. 29.0.33

A. corr.

**29.0.34** The functions and powers of the committee shall be :

- a) to review the status of those government programs of economic and social development applicable to the Inuit of Québec in the Territory;
- b) on the basis of this review, to recommend to Canada and Québec feasibility studies in those areas where there is an apparent need;
- c) to review the feasibility studies and recommend the application of existing programs or, where necessary, their adaptation; in the absence of existing facilities, to recommend the creation of new programs.

**29.0.35** The sectors of activity encompassed within the review and feasibility studies shall include :

- a) programs to improve the viability and the quality of Inuit fur trapping;
- b) programs to improve the viability and quality of Inuit arts and crafts industry;

- c) programs to enhance Inuit participation in the tourist industry, including tourist and outfitting camps and related facilities;
- d) programs to improve Inuit participation in the service industries;
- e) programs of economic and technical assistance to Inuit individuals, groups or communities who wish to establish, own or operate commercial fisheries operations in the Territory; and
- f) inventory of community services and infra-structure needs.

**29.0.36** Canada and Québec shall, together with the respective Inuit communities, undertake, as soon as possible, and in accordance with the funds available, studies respecting the establishment of seaplane bases and public wharfs, airstrips, navigational aids and docking facilities, including access roads and streets in each community. Such studies shall involve the Regional Government as soon as it is established.

**29.0.37** The Regional Government shall serve as a consultative body through with Canada and Québec may exchange information with a view to encouraging Inuit enterprises related to the utilization of natural resources in the Territory and the promotion of training and placement of Inuit personnel in order that they may participate fully in the economic benefits from resources development in the Territory.

**29.0.38** The Regional Government may make recommendations to Canada and Québec respecting assistance to Inuit entrepreneurs in obtaining capital, funding and technical expertise in the areas of mineral exploration, prospecting, obtaining of claims and related activities.

**29.0.39** Canada and Québec shall support Inuit entrepreneurs by providing them with technical and professional advice and financial assistance.

**29.0.40** The existing provision of housing, electricity, water, sanitation and related municipal services to Inuit shall continue, taking into account population trends, until a unified system, including the transfer of property and housing management to the municipalities, can be arranged between the Regional Government, the municipalities and Canada and Québec.

**29.0.41** Following the execution of the Agreement, the Department of Indian Affairs and Northern Development shall decide the allocation of Inuit houses in consultation with the Inuit of Québec. This arrangement will continue until the program is transferred.

**29.0.42** The Agreement guarantees that the Inuit of Fort George shall receive new housing for all families under either the Indian or the Northern housing schemes. The Inuit housing shall be provided according to not less than the population ratio of the Cree and Inuit of Fort George and concurrent with the provisions of Cree housing.

**29.0.43** Subject to the provisions which may apply from time to time, Canada and Québec will advise local Native authorities when undertaking field studies as part of research projects affecting the cultural and social life of the Native people and shall seek their advice as to the best way to carry out these field studies.

**29.0.44** The provisions of this Section can only be amended with the consent of Canada and the interested Native party, in matters of federal jurisdiction, and with the consent of Québec and the interested 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.

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JBNQA, par. 29.0.44  
A. corr.