

Income security program for Cree hunters and trappers

30.1 General provisions

30.1.1 An income security program (hereinafter referred to as “the program”) to provide an income guarantee and benefits and other incentives for Cree people who wish to pursue harvesting activities as a way of life is established.

30.1.2 The funding of the program established by and in accordance with this Section shall be responsibility of the Province of Québec which shall ensure at all times that the necessary funds are provided to give full effect to the program.

30.1.3 Subject to and in accordance with the provisions of Sub Section 30.7, the program shall be at least as generous as any guaranteed annual income program of general application that may be established or exist from time to time in the Province of Québec whether such program is established or funded by Canada or Québec.

30.1.4 Notwithstanding anything in this Section, every Cree person shall have the right to benefit, if eligible under such programs, from any transfer payment, workmen’s compensation, unemployment insurance programs, Canada and Québec Pension Plans and other social insurance programs existing from time to time in the Province of Québec, whether established and funded by Québec or Canada.

30.1.5 A person benefiting from the program shall not be entitled to combine the benefits from the program with benefits from social aid, social assistance for Indians or Inuit or guaranteed annual income programs of general application existing from time to time in the Province of Québec provided that such person, if eligible, may elect from time to time to benefit from such programs in place of the program.

30.1.6 The payments made pursuant to Sub Section 30.3 shall be offset against benefits payable for the same period under any social aid, social assistance for Indians or Inuit, guaranteed income supplement for the aged or guaranteed annual income programs of general application existing from time to time in the Province of Québec.

30.1.7 Payments under the program shall be made to beneficiary units and established on the basis of such beneficiary units.

30.1.8 The program shall ensure that hunting, fishing and trapping shall constitute a viable way of life for the Cree people, and that individual Crees who elect to pursue such way of life shall be guaranteed a measure of economic security consistent with conditions prevailing from time to time.

30.1.9 The program shall ensure that as an alternative to transfer payment or guaranteed annual income programs existing from time to time there exists through the program effective incentive to pursue harvesting as a way of life for the Cree people.

30.1.10 The establishment whether by Canada or Québec of guaranteed annual income programs of general application shall not prejudice the rights and guarantees under the program in favour of the Crees established by and in accordance with this Section. However, beneficiaries under the program shall not be entitled to benefit from more than one such program at the same time at their option.

30.2 The rights to benefit and eligibility

30.2.1 Every Cree person eligible pursuant to Section 3 of the Agreement and ordinarily resident in Québec shall have the right to benefit under the program provided such person is eligible in accordance with the terms and the conditions set forth in this Section.

30.2.2 Eligibility to benefit under the program shall be determined in the manner provided for in this paragraph. The following beneficiary units shall be eligible:

- a) any beneficiary unit the head of which in the preceding year spent more time conducting harvesting and related activities than time spent in salary or wage employment, excluding, both in the case of harvesting and related activities and salary and wage employment, time spent in guiding, outfitting or commercial fishing or in receipt of unemployment insurance, workmen's compensation, or manpower training allowances, provided that the head of such beneficiary unit spent at least one hundred and twenty (120) days conducting harvesting and related activities of which at least ninety (90) days were spent away from the settlement conducting such activities, or
- b) any beneficiary unit which in the preceding year derived the greater part of its earnings, excluding earnings from guiding outfitting or commercial fishing, from harvesting and related activities, or
- c) any beneficiary unit which in the preceding year was eligible under a, or b and a member of which in the preceding year was the victim of an accident during the exercise of harvesting and related activities which resulted in such beneficiary unit not being eligible under a, or b, or
- d) any beneficiary unit which in the preceding year was eligible under a, or b and a member of which in the preceding year was the victim of an accident during seasonal employment as a result of which he became eligible for workmen's compensation and which also resulted in such beneficiary unit not being eligible under a, or b, or
- e) any beneficiary unit which in the preceding year was eligible under a, or b and the head of which in the preceding year was forced to abandon or diminish his harvesting and related activities in order to allow animal populations to increase to a harvestable level, which resulted in such beneficiary unit not being eligible under a, or b, or
- f) any beneficiary unit which in the preceding year was eligible under a, or b and which in the current year is not eligible under a, or b as a result of the head of such beneficiary unit having been engaged in a manpower, upgrading, training or other self-improvement program in the preceding year, or
- g) any beneficiary unit which in the preceding year was eligible under a, or b and which in the current year is not eligible under a, or b as a result the head of such beneficiary unit having been engaged in temporary employment on a community improvement program or project during the preceding year.

30.2.3 In the case of beneficiary units eligible under c, d, e, f or g of paragraph 30.2.2 such beneficiary units shall be considered eligible and shall have the right to receive the benefits under the program in the current year and subsequent year and notwithstanding paragraph 30.1.5 the members of such beneficiary units shall have the right to receive any other transfer payments, workmen's compensation or unemployment insurance benefits, Canada Pension Plan or Québec Pension Plan benefits for which they may be eligible during such period.

30.2.4 If for any reason not expressly stipulated in paragraph 30.2.2 a person believes that consistent with the purpose of the program he should be considered eligible and should receive benefits under the program, the Board may upon request from such person review the case and determine if such person shall be considered eligible and benefit under the program. An appeal shall lie from the decision of the Board to the Commission of Social Affairs.

30.3 Calculation of benefits

30.3.1 The benefits of the Cree income security payment shall be calculated as provided for in this Sub Section taking into consideration:

- a) the composition and size of the beneficiary unit eligible to benefit under the program, and

- b) the extent of harvesting and related activities of such beneficiary unit, and
- c) the amount of other income.

30.3.2 Any beneficiary unit eligible to benefit under the program shall be guaranteed a basic amount calculated as the sum of:

- a) an amount of \$1,000.00 for the head of the beneficiary unit and \$1,000.00 for his consort, if any, and
- b) an amount of \$400.00 for each family and for each unattached individual not living with his parent, grandparent or child, and
- c) an amount of \$400.00 for each dependent child provided such dependent child is less than 18 years of age and is not a head of a family.

30.3.3 Each beneficiary unit shall receive a sum based on the extent of harvesting and related activities of each adult member calculated as the sum of:

- a) an amount of \$10.00 a day for each adult in the beneficiary unit computed for every day spent in the bush by each adult in the beneficiary unit in the exercise of harvesting and related activities provided that days for which the head of such beneficiary unit or his consort receives salary for such activities or workmen's compensation, unemployment insurance or manpower training allowances are not included in such calculations and provided further that the total amount payable for such time in the bush does not exceed \$2,400.00 per year for each adult, and
- b) an amount of \$2.00 per day for each adult in the beneficiary unit calculated for every day not spent in the bush by such adult provided that days for which he or his consort received salary or was engaged in remunerative self employment, Saturdays and Sundays of weeks during which he or his consort received salary or was engaged in remunerative self-employment during the balance of such weeks, and days for which he or his consort received workmen's compensation, unemployment insurance or manpower training allowances are not included in such calculation.

30.3.4 For the purposes of this Sub Section other income shall mean an amount equal to the sum of:

- a) any income of the beneficiary unit from the sale of furs in excess of \$250.00 per adult in the beneficiary unit, and
- b) the payments made pursuant to paragraph 30.3.3, and
- c) all net income earned in harvesting and related activities, excluding income derived from the sale of furs; as well as all net income from guiding, outfitting and commercial fishing and from all other sources and all incomes otherwise received, excluding benefits from family and youth allowances, old age security pensions, social aid, social assistance for Indians or Inuit, guaranteed income supplement for the aged and other guaranteed annual income programs existing from time to time in the Province of Québec.

JBNQA, par. 30.3.4
A. corr.

30.3.5 Each beneficiary unit eligible to benefit under the program shall receive a sum equal to the amount determined pursuant to paragraph 30.3.2 less an amount equal to the sum of old age security pension payments received by the beneficiary unit and 40 percent of all other income.

30.3.6 Subject to paragraph 30.7.8 the dollar amounts provided for in this Sub-Section shall be indexed annually according to the increase in the cost of living in Québec. Such indexation shall occur at the same time as does indexation under any social aid or guaranteed annual income program of general application in the Province of Québec in the event that such programs of general application are indexed in any given year. If a cost of living index for the Territory computed on a basis similar to that available in Québec at

the present time becomes available, the Board may unanimously choose to use this index. Once made, this choice would apply in all future years.

30.4 Administration of the program

30.4.1 There is established a Cree Hunters and Trappers Income Security Board (hereinafter referred to as “the Board”).

30.4.2 The Board shall have 6 members. The Cree Regional Authority and Québec shall each appoint three (3) members and shall pay the remuneration and expenses of their respective members.

30.4.3 Four (4) members shall constitute a quorum provided two (2) members appointed by each party are present.

30.4.4 The members of the Board shall each have one (1) vote.

30.4.5 The respective parties shall appoint a Chairman and Vice-Chairman of the Board who shall hold office for one (1) year from among their appointees in the following manner:

- a) In the first year of the operation of the Board, the Chairman shall be appointed by the Province of Québec and the Vice-Chairman shall be appointed by the Cree Regional Authority.
- b) In the second year of the operation of the Board, the Chairman shall be appointed by the Cree Regional Authority and the Vice-Chairman shall be appointed by the Province of Québec.
- c) In subsequent years the appointment of the Chairman and Vice-Chairman of the Board shall take place in the sequence set forth in sub-paragraphs a) and b) of this paragraph.

30.4.6 In the absence of the Chairman, the Vice-Chairman shall act as Chairman.

30.4.7 The Chairman of the Board shall have a second and deciding vote.

30.4.8 The Board shall:

- a) review the eligibility lists prepared annually by the local administrator and finalize such lists,
- b) review all protests and claims resulting from the operation of the program or the procedures established for the program or any other matter contemplated in this Section,
- c) review the operation of the program and procedures established for the program and participate at the request of the responsible Minister in the evaluation of the results of the program,
- d) supervise the administration of the program and procedures established for the program,
- e) establish pursuant to paragraph 30.3.6 the annual adjustment of the dollar amounts provided for in this Section and where appropriate the cost of living rate to which the payments under the plan established by this Section shall be indexed,
- f) establish the administrative procedures and criteria, consistent with the terms of this Section, necessary to implement the program and modify such procedures and criteria from time to time on the basis of experience with the operation of the program,
- g) consult the appropriate local administrator or administrators in all matters respecting the operation of the program in any community or communities,
- h) prepare an estimate of the annual costs of the program for each community, including an amount for each beneficiary unit eligible and obtain from Québec the funds necessary to cover such costs,
- i) prepare a budget for its own operations and obtain from Québec the funds necessary to cover such costs,

j) recommend or determine, as the case may be, when and how revisions to the program should be made as provided in Sub Sections 30.7 and 30.8.

30.4.9 The Board shall from time to time appoint from among at least three (3) persons recommended by the local government of each Cree community a local administrator for each community who shall be an employee of the Board and who shall have an office in the community.

30.4.10 The administrator shall:

- a) prepare with the assistance of the local government the annual eligibility list for his community,
- b) see to the proper functioning of the program and the procedures provided for and in accordance with this Section at the community level,
- c) see to the distribution and payment to heads of beneficiary units of sums due in accordance with the provisions of this Section,
- d) keep accurate and verifiable records of all payments made to heads of beneficiary units and costs incurred in administration under this program, in accordance with the procedures and criteria established by the Board,
- e) assist members of beneficiary units to apply for and prepare all necessary documentation respecting eligibility and benefit forms under the program, and other relevant information,
- f) collect and preserve all necessary documentation respecting eligibility and benefits under the program, according to the procedures and criteria established by the Board.

JBNQA, par. 30.4.10
A. corr.

30.5 Procedures

30.5.1 For the purpose of the program, the annual period shall commence on July 1 of each year.

30.5.2 Each applicant for benefit under the program shall submit a benefits form between July 1 and July 31 each year, unless prevented from doing so by harvesting or related activities, training, education or employment away from the settlement, sickness, accident or other similar circumstances.

JBNQA, par. 30.5.2
A. corr.

30.5.3 On or before August 1 of each year, the local administrator shall transmit to the Board the eligibility lists for the current year, together with all individual benefit forms.

JBNQA, par. 30.5.3
A. corr.

30.5.4 The Board shall review the lists and forms referred to in paragraph 30.5.3 and shall calculate the required funds for each community for the operation of the program during the current year including administration costs of the program for the current year and shall take into account in the estimated total costs any surplus or deficit resulting from the operation of the program in the preceding year.

30.5.5 The Board shall, on the basis of the calculation referred to at paragraph 30.5.4, submit to the Minister a request for the necessary funds for a given period to be determined from time to time by the Board and the Minister shall transfer to the Board within thirty (30) days of the receipt of such request the necessary funds to cover the costs of the program including administrative costs for such period.

30.5.6 On or before August 31 of each year, the Board shall transfer to the local administrator amounts determined from time to time by the Board sufficient to cover the special payments referred to at paragraph

30.5.9 provided that the amount available to each local administrator is at least equal to 25% of the total amount paid to beneficiary units in his community in the preceding year.

30.5.7 All funds transferred by the Board to the respective local administrator shall be held by such local administrator in segregated trust accounts for the specific purpose of payments to heads of beneficiary units in accordance with the provisions of this Section and administration costs incurred by the said local administrators in connection therewith.

30.5.8 The Board shall distribute payments to heads of beneficiary units through the office of the local administrator in accordance with the following provisions:

- a) heads of beneficiary units shall receive four (4) payments annually on or about September 1, January 2, and April 1 and within fifteen days of the date of filing of his benefits form save as otherwise provided herein.
- b) the payments on or about September 1, January 2 and April 1 referred to in a) shall each consist of an amount equal to one quarter (1/4) of the estimated total annual payment.
- c) the payment within fifteen (15) days of the date of filing of the benefits form referred to in a) shall consist of an amount equal to the balance actually due to the beneficiary unit in accordance with the information contained in the said benefits form.
- d) in the event of overpayment resulting from the payments referred to in a) the amount of such overpayment shall become due on September 1 of the year in which a benefits form must be filed.
- e) a person who fails to remit to the Board the amount of overpayment referred to in d) shall not have the right to receive benefits under the program until such amount of overpayment is so remitted.
- f) in the case of heads of beneficiary units who intend to be absent from the community beyond January 2, such persons shall receive on September 1 a payment equal to one half (1/2) of the amount estimated due to them for the current year.

30.5.9 Notwithstanding paragraph 30.5.8 the administrator may issue payments to heads of beneficiary units in the following cases:

- a) a head of a beneficiary unit who intends to be absent from the community for a period of ten (10) consecutive days or more for the purpose of conducting harvesting and related activities and who has not received the special payment under sub-paragraph 30.5.8 f) for the said period shall be entitled to receive from the administrator an advance upon his next regular payment in the amount of \$100.00 per eligible adult in the beneficiary unit;
- b) in the event that a head of a beneficiary unit referred to in sub-paragraphs 30.5.8 a) or f) does not receive from the Board the payment due to him pursuant to sub-paragraphs 30.5.8 a) or f), the administrator may issue such payment from the funds held by him.

30.5.10 Every head of a beneficiary unit shall be required to provide the administrator with a benefits form with information for the year just ended and with estimated information for the year just commencing respecting the following:

- a) information respecting his family necessary for the calculation referred to in paragraphs 30.3.2 and 30.3.3;
- b) the amount of time spent conducting harvesting and related activities;
- c) the amount of time spent in wage employment;
- d) the revenue derived from such harvesting and related activities and such wage employment;

e) any pertinent information respecting other income referred to at paragraph 30.3.4.

30.5.11 The information and material referred to in paragraph 30.5.10 may be provided in the form appropriate to local circumstances, including in the form of diaries or affidavits.

30.5.12 The administrator shall collect such material and information and forward it to the Board.

30.5.13 Québec and the Board shall have the right to verify or audit all procedures, books and documents provided for in this Section and shall have the right to withhold or reclaim funds or adjust allocations of funds in the event of overpayment or abuse.

30.6 Establishment of program

30.6.1 The Board shall meet no later than two (2) months following the date of the execution of the Agreement.

30.6.2 The Board shall forthwith establish the administrative costs of implementing the program and shall inform Québec of the required amounts. Québec shall transfer to the Board the required amounts.

30.6.3 The Board shall also forthwith establish enrollment and benefit procedures and criteria consistent with the provisions of this Section and communicate such procedures and criteria to the respective local administrators.

30.6.4 Each local Cree government shall forthwith propose a minimum of three (3) persons for the position of local administrator and the Board shall appoint such local administrators.

30.6.5 In the first year of operation of the program, the local administrators for each Cree community with the assistance and approval of their respective local governments shall prepare lists of persons in their respective communities who in their opinion should be eligible to benefit from the said program in accordance with paragraph 30.6.6.

30.6.6 Notwithstanding paragraph 30.2.2, every person shall be eligible to benefit in the first year of the operation of the program who is a head of a family or 18 years of age or over, and:

- a) exercises harvesting activities as a way of life, or
- b) intends to exercise such activities as a way of life.

30.6.7 The local administrators shall transmit to the Board the lists of eligible persons referred to in paragraph 30.6.5 no later than April 1, 1976. The Board shall decide upon such lists.

30.6.8 Every person whose name appears on the lists approved by the Board shall have the right to benefit under the program established by and in accordance with this Section during the first year of operation of the said program.

30.6.9 On the basis of the said lists, the Board shall require from Québec the funds necessary for the implementation of the program.

30.6.10 The program shall be deemed to come into effect on the execution of the Agreement. The first year of operation of the program shall be computed from July 1, 1976 to June 30, 1977. The payment due heads of beneficiary units on September 1, 1976 pursuant to paragraph 30.5.8 shall be augmented for persons eligible under sub-paragraph 30.6.6 a) by a payment retroactive to the date of the execution of the Agreement unless in the opinion of the Minister a payment or payments to cover the amounts due to heads of beneficiary units computed retroactively to the date of the execution of the Agreement is feasible before September 1, 1976 in which case he may cause such payment or payments to be made.

30.6.11 For the period between the execution of the Agreement and July 1, 1976 the provisions of Sub Sections 30.2 and 30.3 shall, where appropriate, be adjusted to take into account the number of days within such period.

30.7 Review

30.7.1 Québec and the Cree Regional Authority shall from time to time review the operation of the program, procedures and benefits established by and in accordance with this Section and may by mutual consent 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 paragraphs 30.1.3, 30.1.8 and 30.1.9.

30.7.2

a) In the event that the basic guarantee for families without other income under any social aid, social assistance for Indians or Inuit, or guaranteed annual income program of general application existing in the Province of Québec is increased, the program shall be modified by the Board so as to assure that, on the basis of a family of two (2) adults, the present ration between the basic guarantee under such programs and the basic guarantee under the program is maintained by increasing proportionally each of the amounts provided for at sub-paragraph 30.3.2 a) and b).

b) If a guaranteed annual income program of general application is introduced which includes basic guarantees for persons with earned incomes distinct from basic guarantees for persons with no income, the program shall be modified by the Board so as to assure that on the basis of a family of two (2) adults, the basic guarantee under the program and such basic guarantee for persons with earned income under the guaranteed annual income program of general application are equal by increasing proportionally each of the amounts provided for at sub-paragraphs 30.3.2 a) and b). In no case shall such revision reduce the amounts provided for at sub-paragraphs 30.3.2 a) or b).

c) The provisions of sub-paragraph 30.7.2 a) shall apply unless the Board unanimously decides to apply the provisions of sub-paragraph 30.7.2 b) in which case sub-paragraph 30.7.2 a) and paragraph 30.7.5 shall not apply for such time as the guaranteed annual income program structure contemplated in sub-paragraph 30.7.2 b) exists.

30.7.3 In the event that the weighted average benefits per child under sub-paragraph 30.3.2 c) and under family and youth allowances due to families eligible under the program is less than equal to the weighted average benefits per child that would be due under the basic guarantee in virtue of any social aid, transfer payment or guaranteed annual income program in Québec and family and youth allowances to the same families if they were eligible under such programs, the program shall be modified by the Board by increasing the amount provided for at sub-paragraph 30.3.2 c) by the amount of the difference between the two (2) weighted averages.

30.7.4 Subject to paragraph 30.7.3, in the event that family allowances provided to citizens of Québec at the date of the execution of the Agreement are increased over and above the increase due to indexation, the dollar amount provided for at sub-paragraph 30.3.2 c) shall not be indexed by the Board pursuant to paragraph 30.3.6 until such time as the cumulative increase which would have resulted from the indexing of the amounts provided for at sub-paragraph 30.3.2 c) equals the amount indexed on the same basis, of such increase in family allowances.

30.7.5 In the event that any social aid, social assistance for Indians or Inuit or guaranteed income program of general application which exists in the Province of Québec is revised, including increases due to indexation, the program will be modified, in accordance with the provisions of paragraph 30.7.7, if the break-even point for a family of two adults in the program is less than the break-even point for the same

family size in such program of general application in the Province of Québec. Such modification will never reduce the break-even point in the program.

30.7.6 In the event that any social aid program existing from time to time in the Province of Québec is modified or a guaranteed annual income program of general application is established or modified, the Board may request a review of the program if in its opinion it would have been more expensive for Québec, during any period of one (1) year running from July 1 to June 30, to enroll all beneficiaries of the program in such social aid program or such guaranteed income program of general application and in such case the program shall be modified in accordance with the provisions of paragraphs 30.7.7 and 30.7.9.

30.7.7 In the case of modifications to the program effected pursuant to and in accordance with paragraphs 30.7.5 and 30.7.6 Québec shall effect such modifications only after prior consultation with and upon recommendations of the Board. Such modifications to the program not contemplated by paragraphs 30.7.2 and 30.7.3 shall assure that the basic guarantee established by and in accordance with paragraph 30.3.2 for the program shall not be reduced and the reduction rate and the exemption established by and in accordance with paragraphs 30.3.5 and 30.3.4 for the program shall not be modified unless unanimously agreed to by the members of the Board provided that all members of the Board appointed by the Cree Native Party were present and voted.

JBNQA, par. 30.7.7

A. corr.

30.7.8 In the event that the benefits of any social aid or guaranteed annual income program of general application existing from time to time in the Province of Québec are indexed to an index other than the cost of living index in Québec, the program shall be adjusted by the Board to provide that such index is applied to the dollar amounts provided for at paragraph 30.3.2 and that the index applied to other dollar amounts provided for in the program shall be comparable to the index applied to comparable benefits in such program of general application if same would result in a better maintenance of the relative benefits of the program over the years than would the index currently in use in the program.

30.7.9

a) Subject to the provisions of this Sub Section in the event that any other guaranteed annual income, transfer payment, or income security programs of general application are established, or are significantly modified from time to time in the Province of Québec, whether such programs are established or funded by Canada or Québec, Québec and the Cree Regional Authority shall review the program and shall by mutual consent make any adjustments necessary to ensure the continued existence of the program and the maintenance of the purpose and principles of the program.

b) A lack of agreement between Québec and the Cree Regional Authority on a matter contemplated in sub-paragraph 30.7.9 a) shall not prejudice the rights of beneficiaries under the program including those set forth in paragraphs 30.1.3, 30.1.8 and 30.1.9 and failing such agreement the necessary adjustments shall be affected through binding arbitration in accordance with the laws of the Province of Québec and upon the basis of the principles set forth in this Section. For the purposes of such arbitration, Québec and the Cree Regional Authority shall each appoint one arbitrator. The arbitrators so appointed shall together appoint a third arbitrator.

30.8 Final provisions

30.8.1 Subject to modification by the mutual consent of Québec and the Cree Regional Authority, the total number of remunerated man-days contemplated in sub-paragraph 30.3.3 a) in each year after the second year of the operation of the program shall not exceed one hundred and fifty thousand (150,000) man-days.

30.8.2 In the event that, at the commencement of the second and successive years of operation of the program, the Board determines that the estimated total man-days exceeds one hundred and fifty thousand (150,000) man-days, it shall review the operation of the program and recommend appropriate measures to be implemented in succeeding years in order to give effect to the provisions of paragraph 30.8.1 or any modification pursuant thereto.

30.8.3 In the event that the Minister does not receive the recommendation referred to at paragraph 30.8.2 before December 31 of any given year or if he has cause to believe that such recommendations will not give proper effect to the provisions of paragraph 30.8.1 he may, after further consultation with the Board, effect such modifications as are necessary to give proper effect to the provisions of the said paragraph.

30.8.4 Notwithstanding any other Act, the Board may when appropriate obtain from any government department or body any information that it considers necessary respecting the benefits of any kind which such department or body has paid, is paying or would be authorized to pay to any person who receives or applies for benefits under the program.

30.8.5 Subject to the provisions of this Section the Minister may after consultation with the Board establish such further administrative procedures including requirements for verification of information and prescribe such penalties as may be necessary to give full force and effect to this Section.

30.9 Transitional period

30.9.1 Québec and the Grand Council of the Crees (of Québec) or its nominee shall forthwith upon the execution of the Agreement take all reasonable measures to implement the provisions of this Section save that until the coming into force of the Agreement the Board shall have advisory functions only and shall not infringe upon the functions, powers or responsibilities of the Minister.

30.9.2 During the transitional period referred to in Section 2 of the Agreement, the provisions and criteria contained in the Social Aid Act (L.Q., 1969, c. 63 as amended) shall apply, provided that in the determination of eligibility during such transitional period the property exemption shall equal the sum of \$25,000.00 exclusive of the value of the tools or equipment necessary for harvesting and related activities.

30.10 Legislation

30.10.1 The provisions of this Section can only be amended with the consent of Québec and the interested Native party.

Legislation enacted to give effect to the provisions of this Section may be amended from time to time by the National Assembly of Québec.

JBNQA, par. 30.9.10
A. corr.

JBNQA, subs. 30.10
A. corr.

Annexe 1**Definitions and instructions for calculation**

1. “Harvesting activities” shall mean:

All activities involved in the exercise of the right to harvest as provided in Section 24 excluding commercial fishing.

2. “Activities related to harvesting” shall mean:

a) The women’s activities associated with harvesting activities, and

b) Activities commonly practiced by those who also practice harvesting activities, including, inter alia:

1) making or repairing equipment used in hunting, fishing and trapping activity;

2) preparation of food supplies, clothing, habitations, materials, equipment and land improvements necessary for harvesting activities;

3) processing, transportation and marketing of the products of harvesting activities;

4) making of handicrafts from products of harvesting within the household;

5) remedial works, protection and enhancement of wildlife;

6) surveys or management of wildlife to assist harvesting activity;

7) transportation to and from bush camps and harvesting sites.

3. “Transfer payment programs” shall mean:

Family and youth allowances, government old age security pensions, veterans’ pensions and allowances, social aid, mother’s allowances, manpower training allowances, payments to the blind or disabled, guaranteed income supplement for the aged, social assistance for Indians or Inuit and other such programs as may exist from time to time.

4. “Time conducting harvesting and related activities” shall mean:

A number of days calculated as the total of:

a) The total number of days spent away from permanently occupied settlements conducting harvesting and related activities computed so as to include the number of days from each date of departure from such settlement to each date of return to such settlement, inclusive, and including single days a major portion of the daylight part of which was spent away from permanently occupied settlements conducting harvesting and related activities.

b) The number of days spent in such settlement and actually spent in the conduct of harvesting and related activities.

5. “Time spent in salary or wage employment” shall mean:

The number of days spent in work that is not a harvesting or related activity and for which the individual received salary or wage.

6. “Community improvement program” shall mean:

A project authorized by the local government designed to improve the living conditions in the community and funded by government programs or community funds.

7. “Beneficiary unit” shall mean:

A family or an unattached individual over 18 years of age.

8. "Family" shall mean:

Consorts, with or without a dependent child or an adult with one or more dependent children taking into account established Cree custom.

9. "Dependent child" shall mean:

An unmarried child, whatever his filiation and taking into account established Cree custom, who is less than eighteen (18) years of age, and depends for his support upon the head of family for the greater part of the year or while in the bush.

10. "Head of family" shall mean:

The member of a family who habitually is the chief provider for the needs of such family, taking into account established Cree custom.

11. "Consorts" shall mean:

A man and a woman who are married and generally cohabit, or who generally live together as husband and wife, taking into account Cree custom.

12. "Head of beneficiary unit" shall mean:

A head of family or an unattached individual.

13. "The basic guarantee under social aid" shall mean:

An amount equal to the benefits available to a beneficiary unit in receipt of social aid which has no other source of income.

14. "The basic guarantee under the program" shall mean:

The sum of the benefits provided to a beneficiary unit referred to in paragraph 30.3.2.

15. "The break-even point in the program" shall mean:

The minimum level of income which taking into account only the sum of the benefits provided for in paragraph 30.3.2 and the reduction rate provided for in paragraph 30.3.5 would leave a beneficiary unit in receipt of no such benefits.

16. "The break-even point under social aid" shall mean:

The minimum level of income which would make any beneficiary unit ineligible to receive social aid benefits.

Signé à Québec, province de Québec, le 11 novembre 1975.

Pour le Grand Council of the Crees (of Québec):

Billy Diamond, Grand Chef et chef de la Bande Rupert House

Robert Kanatewat, Chef de la Bande Fort George

Fred Blackned, Chef de la Bande Old Factory

Matthew Shanush, Chef de la Bande Eastmain

Peter Gull, Chef de la Bande Waswanipi

Philip Awashish, Conseiller de la Bande de Mistassini

Smally Petawabano, Conseiller de la Bande de Mistassini

Joseph Petagamaskum, Chef de la Bande Great Whale River

Bertie Wapachee, Représentant de la Bande Nemaska

Abel Kitchen, Chef de l'Administration du Grand Council

Pour la Northern Québec Inuit Association :

Charlie Watt, Président

George Koneak, premier Vice-président

Johnny Williams, second Vice-président

Zebedee Nungak, Secrétaire

Pootoolik Papigatuk, Trésorier

Tommy Cain, Directeur

Robbie Tookalook, Directeur

Peter Inukpuk, Directeur

Mark Annanack, Directeur

Sarolie Weetaluktuk, Directeur

Charlie Arngak, Directeur

Pour le Gouvernement du Québec :

Ministre des Affaires inter-gouvernementales

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) :

Roland Giroux, Président

Pour le Gouvernement du Canada :

L'Honorable Judd Buchanan, Ministre des Affaires indiennes et du Nord canadien