



MÉTIS COMMUNITY GOVERNANCE CHARTER (the "Charter Agreement")

This Charter Agreement made as of the 16th day of December, 2007.

Between

Métis Nation British Columbia
Also known as the Métis Provincial Council of British Columbia
(hereinafter referred to as "MNBC")

And

Fraser Valley Métis Association
(hereinafter referred to as "FVMA")

(hereinafter referred to as the "Party" or the "Parties" as the case may be)

Whereas

1. The Métis people (hereinafter "Métis Citizens" or "Citizens" as the context requires) are one of the aboriginal peoples of Canada whose aboriginal rights are recognized and affirmed by Section 35 of the *Constitution Act, 1982*.
2. Pursuant to Section 35 of the *Canadian Constitution Act, 1982*, Métis Citizens living in British Columbia possess aboriginal rights and title.
3. The MNBC is the legitimate governing body of the Métis Citizens living in British Columbia the affairs of which are governed by a Constitution originally ratified at the MNBC 2003 Annual General Meeting (the "Constitution") and subsequent revisions. The MNBC Constitution has established a provincial Métis governing structure to ensure principles of democratic accountability are paramount. (Appendix A)
4. Pursuant to the Constitution a legislative body has been instituted known as the Métis Nation Governing Assembly ("MNGA"), which is constituted of the Métis community Presidents and the MNBC Board of Directors.
5. FVMA being a "Métis Community" as set out in the MNBC Constitution, is the elected representative body for the Métis citizens living in the geographic boundaries of FVMA as determined by the MNBC in consultation with the



NATION

MNGA. The Parties agree that the Regional Governance Council shall have the authority to designate interim community boundaries during those times when the MNGA is not sitting or has not been constituted.

6. FVMA hereby agrees to abide by and adhere to the Constitution of the MNBC and the MNBC Legislation.
7. Except as provided herein, the Parties hereto acknowledge the independence and autonomy of each Community.

Now Therefore the Parties agree:

1. Mutual Recognition

1.1 FVMA is a recognized Métis community of the MNBC with all the attendant responsibilities and accountabilities of a Métis Community as hereinafter set forth.

2. Community Responsibilities

2.1 Through mutual consultation, FVMA agrees with and supports the political and substantive positions of the MNBC on province-wide and national-level issues, including matters such as Métis Citizenship, Governance and Self-Government.

2.2 Subject to available resources, FVMA agrees to participate in the MNGA and will comply with the provisions of all Legislation ratified by the Citizens at an MNBC AGM including but not limited to the *Métis Nation Governing Assembly Act*, the *Senate Act*, *Electoral*, and the *Citizenship Act*.

2.3 The FVMA agrees to participate regularly with the Regional Governance Councils as set out in the MNBC Constitution and, subject to article 2.4 herein, which is chaired by the MNBC Elected Regional Director.

2.4 FVMA hereby agrees to ensure that the Constitution (or bylaws) of FVMA shall be made consistent with the provisions of the MNBC Constitution and Legislation. Where there is a conflict between the MNBC Constitution or Legislation and the Communities Constitution (or bylaws), the provisions of the Métis Nation British Columbia are paramount and the provisions thereof shall prevail over the Community Constitution (or bylaws).

2.5 FVMA agrees to submit any and all notices, reports or concerns, as may be considered appropriate, through that Community's MNBC Regional Director.



For example, notices of the Annual General Meeting, Elections, etc.

2.6 The Community shall develop a Privacy policy consistent with the Privacy policy of the MNBC and in compliance with the requirements of the *Freedom of Information and Privacy Act* and the *Personal Information Protection Act*.

3. Accountability

3.1 FVMA acknowledges its fiduciary relationship and duties to Métis Citizens and/or Citizens represented by FVMA and agrees to be financially accountable to its Citizens and the MNBC and shall be entitled to receive annual financial statements at its reasonable request.

3.2 The FVMA agrees to provide written progress reports at all Regional Governance Council meetings.

3.3 FVMA shall hold Annual General Meetings at least once per year based on the time and notice requirements of the Métis community's Constitution (or bylaws) and the MNBC Constitution.

3.4 FVMA agrees to hold democratic elections for its officers and directors within two (2) years of its last election.

4. MNBC Responsibilities

4.1 MNBC will respect the autonomy of FVMA and will ensure that the needs of FVMA are considered when making decisions affecting FVMA.

4.2 FVMA President or designated delegate will be invited as recognized delegates to MNBC Annual General Meetings or Special General Meetings, Métis Nation Governing Assemblies, and Regional Governance Council's established by the MNBC.

4.3 The MNBC will politically support initiatives of FVMA where those initiatives support the objectives and strategies of the MNBC.

5. Review

5.1 MNBC and FVMA will review the progress of the application of this Agreement at each meeting held between the MNBC Regional Director for Lower Mainland Region and FVMA, unless the Parties agree otherwise. In any event, the Lower Mainland Regional Director and FVMA will meet at least once per year.



6. Survival

6.1 This Charter Agreement shall survive and remain in effect during and after Provincial, Regional and Community Elections, unless the Parties agree otherwise, and unless a Party exercises its right to terminate this Charter Agreement as set out in Section 8 below.

7. Dispute Resolution

7.1 Any dispute concerning this Charter Agreement, including a dispute with respect to the interpretation, application, implementation or operation of this Charter Agreement or its Terms and provisions shall be, where possible, resolved by consensus.

7.2 Where a matter in dispute cannot be resolved by the Parties as set out in Article 7.1 herein, either Party may, in writing and with notice to the other Party, refer the matter in dispute to the Senate, in accordance with the Senate Act for determination. Such notice must comply with the established Senate policies and procedures.

8. Amendment and Termination

8.1 This Charter Agreement may be amended by written agreement signed by the Parties hereto. Any amendment to this Charter Agreement shall be provided, in writing, to the MNGA.

8.2 This Agreement may be terminated when a resolution to terminate this Charter Agreement upon providing 120 days written notice to the other Party.

8.3 Notwithstanding section 8.2 this Charter Agreement will be terminated immediately upon:

- a) MNBC or FVMA becoming insolvent;
- b) MNBC (through the MPCBC) or FVMA losing or relinquishing its status as a legal entity in good standing;
- c) a breach of a material term of this Governance Charter which shall include those matters upon which a Party relies towards the fulfilment of its obligations to Métis citizens and third parties and shall include but not be limited to the following:
 - i) the failure to provide progress reports to the MNBC as required or requested;



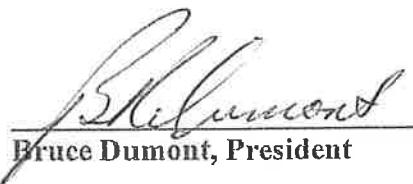
- ii) the failure to comply with the provisions of the MNBC Constitution or Legislation then in force in the British Columbia; and
- iii) the breach of that Party's fiduciary obligations to the other and to the Métis Citizens of British Columbia.

9. General

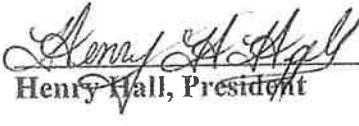
- 9.1 This Charter Agreement constitutes an Agreement as referred to in the MNBC Constitution and creates binding obligations and responsibilities on both Parties.
- 9.2 The Parties hereto hereby acknowledge and agree that all previous agreements creating an affiliation between the MNBC and FVMA are superseded by this Agreement and are hereby terminated and at an end effective on the date of this Agreement.

In witness whereof the Parties have signed this Métis Community Governance Charter Agreement this 16 day of December, 2007.

Métis Nation British Columbia


Bruce Dumont, President

Fraser Valley Métis Association


Henry Hall, President



Schedule A

