

SUBJECT: Inuit Ratification Process

OBLIGATION: Establish the Ratification Committee
22.2.1, 22.3.1 - 22.3.3, 22.3.7, 22.3.8, 22.6.3

PARTIES: Chief Negotiators
Canada
Province
Chief Justice - Supreme Court of Newfoundland and Labrador, Trial
Division
Labrador Inuit Association
Ratification Committee

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Submit the Agreement to the Parties for ratification.	Chief Negotiators	Upon initialling of the Agreement.
2	Establish Ratification Committee.	Canada Province Labrador Inuit Association	Within 20 clear days from the date of initialling of the Agreement.
3	Appoint members: - 4 by Labrador Inuit Association; - 2 by Province; - 2 by Canada; and - an independent chairperson by consensus of the Parties.	Labrador Inuit Association Provincial Minister of Labrador and Aboriginal Affairs Federal Minister of Indian Affairs and Northern Development	As soon as possible.
4	Jointly ask the Chief Justice to appoint chairperson from a list of 3 jointly submitted nominees.	Canada Province Labrador Inuit Association	Failing consensus, within 5 clear days of establishing the Ratification Committee.
5	Appoint chairperson.	Chief Justice	Within 10 clear days of request.

6	Establish procedures for the Inuit ratification vote, including rules governing the validity of ballots.	Ratification Committee	Before conducting vote.
7	Conduct Inuit ratification vote as set out in Chapter 22 and as described in Activity Sheets 22-2, 22-3, 22-4.	Ratification Committee	No earlier than 60 clear days and no later than 365 clear days following the publication of the Official Voters List.
8	Retain a record of all notices given and all decisions made.	Ratification Committee	Ongoing throughout the work of the Committee.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

The quorum of the Ratification Committee shall be the chairperson, two members appointed by Labrador Inuit Association and one member appointed by each of the Minister of Indian Affairs and Northern Development and the Minister of Labrador and Aboriginal Affairs (22.3.4).

Decisions of the Ratification Committee shall be made by majority vote (22.3.5).

The chairperson shall vote only in order to break a tie (22.3.6).

The Ratification Committee may make rules to govern its internal procedures (22.3.9).

FINAL AGREEMENT PROVISIONS

- 22.2.1 Once the Agreement has been initialled by the chief negotiators for the Parties, it must be submitted by them to the Parties for ratification in accordance with this chapter.
- 22.3.1 The Parties shall establish the ratification committee within 20 clear days from the date of initialling of the Agreement.
- 22.3.2 The Ratification Committee shall consist of four individuals appointed by Labrador Inuit Association, two individuals appointed by the Minister of Indian Affairs and Northern Development, two individuals appointed by the Minister of Labrador and Aboriginal Affairs and an independent chairperson appointed by consensus of Labrador Inuit Association, the Minister of Indian Affairs and Northern Development and the Minister of Labrador and Aboriginal Affairs.
- 22.3.3 If the Parties fail to agree on the appointment of the chairperson they shall, within five clear days from the expiration of the period referred to in section 22.3.1, jointly ask the Chief Justice to make the appointment from a list of three nominees submitted jointly by Labrador Inuit Association and the Ministers referred to in section 22.3.2 within ten clear days from the date of the joint request.
- 22.3.7 The Ratification Committee shall perform the functions assigned to it under this chapter, including:
 - (a) the publication of information regarding the preliminary voters list;

- (b) the preparation of the preliminary voters list;
 - (c) the publication of the qualifications for enrolment on the Official Voters List;
 - (d) subject to this chapter, the establishment of procedures and rules for the Inuit ratification vote, including rules governing the validity of ballots;
 - (e) the designation of Voting Centres;
 - (f) the establishment of the date of the Inuit ratification vote and of any advance polls;
 - (g) the establishment of the Official Voters List; and
 - (h) any other functions necessary for the conduct of the Inuit ratification vote, in accordance with this chapter.
- 22.3.8 The Ratification Committee shall retain a record of all notices given and all decisions made by it under this chapter.
- 22.6.3 The Inuit ratification vote shall be held no earlier than 60 clear days and no later than 365 clear days from the publication of the Official Voters List.
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BUDGET AND FUNDING RESPONSIBILITIES

As negotiated by the Parties, August 2003.

SUBJECT: Inuit Ratification Process

OBLIGATION: Enumeration of Inuit Voters
22.2.2, 22.3.7(a)(b)(c), 22.4.1 - 22.4.14

PARTIES: Ratification Committee
Individuals on preliminary voters list
Applicants
Labrador Inuit Association
Canada - Department of Indian and Northern Affairs Canada
Province - Department of Labrador and Aboriginal Affairs

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Publish information regarding the preliminary voters list and information on the preparation of the list.	Ratification Committee	As soon as practicable after establishment of Ratification Committee.
2	Review existing LIA membership list and Publish preliminary voters list in Voting Centres.	Ratification Committee	Once information on preparation of preliminary voters list has been published.
3	Make recommendation to the Parties on whether or not to extend the deadline for publishing the Official Voters List beyond 120 clear days.	Ratification Committee	Within 60 clear days of the date of publication of the preliminary voters list.
4	Publish application procedures and qualifications for enrolment on the Official Voters List.	Ratification Committee	Recommended within 30 clear days of initialling of the Agreement.
5	Apply in writing to Ratification Committee to have name added to Official Voters List and supply supporting documentation.	Individual not on preliminary list (Applicant).	Within 60 clear days of publication of preliminary voters list.
6	Apply in writing to Ratification Committee to:	Individual on preliminary list.	Within 60 clear days of publication of preliminary voters

	a) have someone else's name removed and show cause; or b) have your name removed from the Official Voters List.		list.
7	Receive and assess applications to add and/or remove names from Official Voters List.	Ratification Committee	Within 60 clear days of publication of preliminary voters list.
8	Notify, in writing, individuals whose eligibility is challenged (under Activity 6 (a)) and provide reasons. Provide opportunity to respond.	Ratification Committee	As soon as practicable upon receipt of challenge.
9	Make final decision and notify applicants, including those whose eligibility was challenged. Provide written reasons for decision.	Ratification Committee	As soon as practicable upon consideration of application, but in any case prior to expiry of 120 clear days from date of initialling of Agreement or any other deadline agreed to by the Parties.
10	Retain records of all notices given and decisions taken including applications.	Ratification Committee	Ongoing.
11	Publish Official Voters List in the Voting Centres and provide copies to the Parties.	Ratification Committee	Once all final decisions have been rendered, but in any case within 120 clear days of initialling of the Agreement or any other deadline agreed to by the Parties.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Voting Centres are defined as: Rigolet, Makkovik, Hopedale, Postville, Nain, Mud Lake, Northwest River, Happy Valley-Goose Bay, Cartwright, Labrador City-Wabush and other locations which the Ratification Committee deems appropriate (22.1.1).

An individual is eligible for enumeration on the Official Voters List if the individual:

- (a) will be at least 16 years old on the date of the Inuit ratification vote; and
- (b) is eligible to be enrolled as a Beneficiary (22.4.3).

The Official Voters List is final and binding on Canada, the Province and Labrador Inuit Association

(22.4.14).

FINAL AGREEMENT PROVISIONS

- 22.2.2 The Official Voters List must be prepared in accordance with part 22.4.
- 22.3.7 The Ratification Committee shall perform the functions assigned to it under this chapter, including:
- (a) the publication of information regarding the preliminary voters list;
 - (b) the preparation of the preliminary voters list;
 - (c) the publication of the qualifications for enrolment on the Official Voters List;...
- 22.4.1 The Ratification Committee shall publish the Official Voters List no later than 120 clear days from the date of initialling of the Agreement, unless the Parties agree to extend the time.
- 22.4.2 The Ratification Committee shall, no later than 60 clear days from the date of publication of the preliminary voters list, make a recommendation to the Parties on whether to extend the time set out in section 22.4.1, if the Parties have not already extended it. Nothing in this section prevents the Ratification Committee from making such a recommendation at any time.
- 22.4.4 The Ratification Committee shall prepare and publish a preliminary voters list.
- 22.4.5 No later than 60 clear days from the date of publication of the preliminary voters list:
- (a) an individual whose name is not on the preliminary voters list may apply to be enumerated on the Official Voters List; and
 - (b) an individual whose name is on the preliminary voters list may apply to have another individual excluded from the Official Voters List.
- 22.4.6 An individual whose name is on the preliminary voters list may, by written request, ask to be excluded from the Official Voters List, and the Ratification Committee shall exclude that individual's name from the Official Voters List.
- 22.4.7 An applicant under subsection 22.4.5(a) shall satisfy the Ratification Committee that the applicant is eligible for enumeration on the Official Voters List.
- 22.4.8 An applicant under subsection 22.4.5(b) shall satisfy the Ratification Committee that another individual should be excluded from the Official Voters List.
- 22.4.9 The Ratification Committee shall give an individual whose eligibility is challenged under subsection 22.4.5(b):
- (a) written notice of the application;
 - (b) the reason or reasons for the challenge; and
 - (c) an opportunity to respond.
- 22.4.10 Applications under section 22.4.5 and any responses made pursuant to subsection 22.4.9(c) must be in writing and shall be considered by the Ratification Committee.
- 22.4.11 The decision of the Ratification Committee with respect to an application under section 22.4.5 is final and it shall give written notice of and the reasons for its decision to the applicant and the individual
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whose eligibility has been challenged.

22.4.12 After the Ratification Committee has decided all applications under section 22.4.5 it shall establish and publish the official voters list.

22.4.13 The Ratification Committee shall deliver the Official Voters List to the Parties.

BUDGET AND FUNDING RESPONSIBILITIES

As negotiated by the Parties, August 2003.

SUBJECT: Inuit Ratification Process

OBLIGATION: Provision of Information to the Inuit for the Ratification of the Agreement
22.5.1 - 22.5.4

PARTIES: Ratification Committee
Labrador Inuit Association
Canada - Department of Indian and Northern Affairs Canada
Province - Department of Labrador and Aboriginal Affairs

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Determine reasonable steps to ensure that Inuit are informed about ratification process and substance of the Agreement.	Ratification Committee	As soon as practicable after the Ratification Committee is established.
2	Schedule public information meeting on the Agreement.	Ratification Committee	Prior to publicizing public information meetings.
3	Ensure that one or more of its representatives is able to attend the meetings set up by the Ratification Committee.	Labrador Inuit Association Canada Province	Once meetings have been scheduled.
4	Provide public notification of meetings in Voting Centres.	Ratification Committee	Recommend that at least 7 days notice is given before each meeting.
5	Convene public information meetings in each Voting Centre and additional meetings as deemed necessary.	Ratification Committee	Prior to conducting Inuit ratification vote.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

It is advised that the Ratification Committee consult with the Parties on the establishment of the meeting schedule.

The Ratification Committee may convene additional information meetings in each of the Inuit Communities and other meetings as it deems necessary (22.5.2).

FINAL AGREEMENT PROVISIONS

- 22.5.1 The Ratification Committee shall take all reasonable steps to provide Voters with a reasonable opportunity to:
- a) learn about the ratification process; and
 - b) review the Agreement.
- 22.5.2 The Ratification Committee shall convene at least one meeting in each Voting Centre and may convene additional meetings in the Inuit Communities and elsewhere, as it deems necessary, to provide Voters with an opportunity to discuss and understand the Agreement.
- 22.5.3 The Ratification Committee shall give notice to Voters of the meetings referred to in section 22.5.2.
- 22.5.4 A representative of each Party shall attend each meeting convened under section 22.5.2 to provide information on the Agreement.
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BUDGET AND FUNDING RESPONSIBILITIES

As negotiated by the Parties, August 2003.

SUBJECT: Inuit Ratification Process

OBLIGATION: Conduct the Inuit Ratification Vote
22.6.1 - 22.6.6, 22.6.8 - 22.6.14, 22.6.16

PARTIES: Ratification Committee
Labrador Inuit Association
Canada - Department of Indian and Northern Affairs Canada
Province - Department of Labrador and Aboriginal Affairs
National Archives of Canada

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Recommend form and content of the ballot to the Parties.	Ratification Committee	Recommended prior to publicizing the date of the vote.
2	Review and approve the form and content of the ballot.	Labrador Inuit Association Canada Province	As soon as practicable.
3	Determine and publicize date and locations of the vote and advance polls.	Ratification Committee	Minimally 21 clear days prior to the date of the vote.
4	Establish polling stations in each of the Voting Centres.	Ratification Committee	Recommend that polling stations be in place in time for advance poll.
5	Send out “mail-in” ballots to voters who cannot make advance poll.	Ratification Committee	Upon request from voters and in sufficient time to allow ballots to be returned in time for count.
6	Conduct vote by secret ballot.	Ratification Committee	No earlier than 60 clear days and no later than 365 clear days after the publication of the Official Voters List.
7	Receive ballots and carry out official count of all valid ballots.	Ratification Committee	As soon as practicable once all ballots have been received.
	Notify the Parties of results.		Immediately after official

8		Ratification Committee	count is complete.
9	Publish results in each Voting Centre.	Ratification Committee	As soon as practicable.
10	Retain all ballots and document all events and decisions related to the vote.	Ratification Committee	Ongoing.
11	Provide copies of documentation retained in Activity 10 to the Parties.	Ratification Committee	Upon request.
12	Transfer all documents retained in Activity 10 to National Archives of Canada.	Ratification Committee	Within 6 months of completion of Inuit ratification vote.
13	Provide written notification to the Parties of intent to destroy or dispose of documentation referred to in section 22.6.14 (d) of the Agreement.	National Archives of Canada	Prior to disposal, in whole or in part.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

With the exception of advance polls and where the Ratification Committee determines otherwise, the Inuit ratification vote shall take place on the same day for all Voters (22.6.4).

A Voter is entitled to participate in the Inuit ratification vote by casting a ballot in accordance with this part (22.6.7).

Ballots submitted by mail must be received no later than the date of the Inuit ratification vote (22.6.10).

The Parties are entitled to have access to, and to make copies of, the documentation transferred to the National Archives of Canada (22.6.15).

FINAL AGREEMENT PROVISIONS

- 22.6.1 The Ratification Committee shall recommend the form and content of the ballot for the Inuit ratification vote to the Parties.
- 22.6.2 The form and content of the ballot for the Inuit ratification vote must be approved by the Parties.
- 22.6.3 The Inuit ratification vote shall be held no earlier than 60 clear days and no later than 365 clear days from the publication of the Official Voters List.
- 22.6.4 The Inuit ratification vote must be held on the same day for all Voters, except for advance polls and ballots submitted by mail, unless the Ratification Committee decides otherwise. Voting at advance polls

and by mail shall be governed by rules established by the Ratification Committee.

22.6.5 A polling station shall be located in each Voting Centre.

22.6.8 A Voter who is resident in a Voting Centre but who is not able to vote on the date of advance polls or on the date of the Inuit ratification vote may, on request, receive and submit a ballot by mail.

22.6.9 A Voter who is not resident in a Voting Centre is entitled to receive and submit a ballot by mail.

22.6.11 The Inuit ratification vote shall be by secret ballot.

22.6.12 The Ratification Committee shall:

- (a) receive all documents related to the ballot; and
- (b) be responsible for the official count of all ballots.

22.6.13 The Ratification Committee shall immediately communicate the results of the Inuit ratification vote to the Parties and shall, as soon as practicable, publish the results in each Voting Centre. The results must include:

- a) the total number of individuals enumerated on the Official Voters List;
- b) the total number of ballots cast;
- c) the total number of ballots approving the Agreement;
- d) the total number of ballots not approving the Agreement; and
- e) the total number of ballots spoiled or rejected.

22.6.14 The Ratification Committee shall:

- (a) retain all documents related to the ballot;
- (b) keep a record of all events and decisions related to the Inuit ratification vote;
- (c) make the documentation referred to in subsections (a) and (b) available to the Parties upon request; and
- (d) within six months after the completion of the Inuit ratification vote, transfer all the documentation, including the documentation referred to in section 22.3.8, to the National Archives of Canada.

22.6.16 The National Archives of Canada shall not destroy or dispose of the documentation referred to in subsection 22.6.14(d), in whole or in part, without prior written notice to the Parties.

BUDGET AND FUNDING RESPONSIBILITIES

As negotiated by the Parties, August 2003.

SUBJECT: Inuit Ratification Process

OBLIGATION: Inuit Ratification of Agreement
22.7.1

PARTIES: Ratification Committee
Authorized representatives of the Voters

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Confirm that 50% plus one of the those individuals on the enumeration list have approved the Agreement.	Ratification Committee	As soon as practicable after the completion of official count by the Ratification Committee.
2	Sign the Agreement.	Authorized representatives of the Voters	As desired after confirmation that Inuit voters have approved ratification.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Prior to signing the Agreement the signatories may agree to minor amendments to the Agreement (22.8.3).

FINAL AGREEMENT PROVISIONS

- 22.7.1 Inuit shall have ratified the Agreement when:
- (a) 50 percent plus one of those individuals who names are enumerated on the Official Voters List have approved the Agreement by way of the Inuit ratification vote; and
 - (b) the authorized representatives of the Voters have signed the Agreement.

SUBJECT: Federal and Provincial Ratification

OBLIGATION: Ratification by Canada
22.8.1, 22.8.4, 22.8.5

PARTIES: Canada
Labrador Inuit Association

	<i>Activities</i>	<i>Responsibility</i>	<i>Timing</i>
1	Notify Labrador Inuit Association of intent to draft federal ratification Legislation and provide: a) sufficient details; and b) reasonable time frame for response.	Canada	Following ratification by the Inuit.
2	Review information as provided, prepare and submit views.	Labrador Inuit Association	Within time frame established in Activity 1(b).
3	Authorize Minister of the Crown to sign Agreement.	Governor in Council	As soon as practicable and before signing of Agreement.
4	Sign Agreement.	Minister of Crown	As agreed by the Parties, following authorization.
5	Draft federal ratification legislation in accordance with section 22.8.5 of the Agreement.	Canada	As soon as practicable.
6	Bring ratification Legislation into effect.	Canada	As agreed by the Parties.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Prior to signing the Agreement the signatories may agree to minor amendments to the Agreement (22.8.3).

Nothing in subsection in 22.8.5(f) shall have the effect of Canada being bound by Inuit Laws or Bylaws of Inuit Community Governments (22.8.6).

Legislation enacted to give effect to the Agreement shall validate the provisions of the Ratification chapter

retroactive to the date on which the Agreement is initialled by the chief negotiators for the Parties (22.9.2).

FINAL AGREEMENT PROVISIONS

22.8.1 Canada shall have ratified the Agreement when:

- (a) a Minister authorized by the Governor in Council has signed the Agreement; and
- (b) federal ratification Legislation is in effect.

22.8.4 The Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) shall be prepared in Consultation with Labrador Inuit Association.

22.8.5 The Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) shall include:

- (a) a statement that the Agreement is ratified;
- (b) a statement that the Agreement is given legal effect and made binding on third parties;
- (c) a statement that if there is any inconsistency or conflict between federal or Provincial Law and the Agreement, the Agreement prevails to the extent of the inconsistency or conflict;
- (d) a statement that if there is any inconsistency or conflict between the Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) and any other Law, the Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) prevails to the extent of the inconsistency or conflict;
- (e) as appropriate, authorization of the payments required to be made by the Crown under chapter 19 and parts 23.5 and 23.6 and, subject to appropriations, under the Agreement;
- (f) a statement that the Legislation is binding on the Crown; and
- (g) the date on which the Legislation comes into effect.

SUBJECT: Federal and Provincial Ratification

OBLIGATION: Provincial Government Ratification
22.8.2, 22.8.4, 22.8.5

PARTIES: Province
Lieutenant Governor-in-Council
Authorized representatives of the Province
Labrador Inuit Association

	Activities	Responsibility	Timing
1	Notify Labrador Inuit Association of intent to draft Provincial ratification Legislation and provide: a) sufficient details; and b) reasonable time frame for response.	Province	Following ratification by the Inuit.
2	Review information as provided, prepare and submit views.	Labrador Inuit Association	Within time frame established in Activity 1(b).
3	Draft Provincial ratification Legislation in accordance with paragraph 22.8.5 of the Agreement.	Province	As soon as practicable and before signing of Agreement.
4	Approve the Agreement.	Lieutenant-Governor in Council	As soon as practicable and before signing of Agreement.
5	Sign Agreement.	Authorized representatives of the Province.	As agreed by the Parties, following authorization.
6	Bring Provincial ratification Legislation into effect.	Province	As agreed by the Parties.

PLANNING ASSUMPTIONS, GUIDELINES AND EXPLANATIONS

Prior to signing the Agreement the signatories may agree to minor amendments to the Agreement. (22.8.3)

FINAL AGREEMENT PROVISIONS

- 22.8.2 The Province shall have ratified the Agreement when:
- (a) the Lieutenant-Governor in Council has approved the Agreement;
 - (b) its authorized representatives have signed the Agreement; and
 - (c) Provincial ratification Legislation is in effect.
- 22.8.3 Prior to signing the Agreement, the representatives of the Parties authorized to sign the Agreement may agree to minor amendments to the Agreement.
- 22.8.4 The Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) shall be prepared in Consultation with Labrador Inuit Association.
- 22.8.5 The Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) shall include:
- (a) a statement that the Agreement is ratified;
 - (b) a statement that the Agreement is given legal effect and made binding on third parties;
 - (c) a statement that if there is any inconsistency or conflict between federal or Provincial Law and the Agreement, the Agreement prevails to the extent of the inconsistency or conflict;
 - (d) a statement that if there is any inconsistency or conflict between the Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) and any other Law, the Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) prevails to the extent of the inconsistency or conflict;
 - (e) authorization of the payments required to be made by the Crown under chapter 19 and parts 23.5 and 23.6 and, subject to appropriations, under the Agreement;
 - (f) a statement that the Legislation is binding on the Crown; and
 - (g) the date on which the Legislation comes into effect.