

FREQUENTLY ASKED QUESTIONS TREATY 6 AGRICULTURAL BENEFITS SETTLEMENT

1. What is this settlement for?

When LLRIB adhered to Treaty 6 a key promise was the provision of agricultural benefits such as seed, cattle and farming equipment (the “Agricultural Benefits”, also sometimes referred to as “Cows and Plows”).

As Canada never fulfilled its obligation to provide the Agricultural Benefits, LLRIB filed a claim with the Specific Claims Branch, and later a claim in Federal Court.

Canada has now offered to settle this claim.

2. What is the history of LLRIB’s claim?

The LLRIB submitted a claim to the Specific Claims Branch in 2018 in relation to Canada’s failure to provide Agricultural Benefits. In 2021 Canada offered to negotiate only a part of LLRIB’s claim, to which LLRIB declined.

LLRIB’s claim proceeded in Federal Court until the Spring of 2023, when Canada officially requested that LLRIB enter Expediated Negotiations with Canada with respect to its claim for agricultural benefits.

On behalf of LLRIB, the Agricultural Benefits Committee (the “ABC Committee”) was formed to negotiate with Canada, along with legal counsel. These negotiations continued until December 2023; at which time a tentative settlement amount was agreed to. Canada made the offer official when it made a formal offer of settlement to LLRIB on April 3, 2024.

3. Is Agricultural Benefits an individual Treaty right or a collective Treaty right?

Agricultural Benefits is a collective Treaty right. These promises were made to the LLRIB to provide economic benefits to the Nation as a whole.

This is different than individual Treaty rights such as the right to hunt, trap and fish, which are individual in nature.

As a result, compensation is paid to the LLRIB as a whole and not as payments to individuals. Therefore, it is up to the LLRIB to determine how the settlement funds are to be managed, used and expended on behalf of the current and future members of LLRIB.

FREQUENTLY ASKED QUESTIONS TREATY 6 AGRICULTURAL BENEFITS SETTLEMENT

4. What will be the settlement funds be used for?

This one-time Treaty payment is intended to be for the long-term benefit of the First Nation.

The Chief and Council have established a Settlement Planning Committee to engage with LLRIB members to recommend a plan for the use of the settlement funds that meets the current and future needs of the members. The plan will be recommended to the Chief and Council who will approve the plan which will then be voted on by the members.

5. Who approves the settlement and the use of the settlement funds?

Members are required to either approve or reject the settlement agreement and the financial settlement plan in a ratification vote. In order to approve the settlement 25% plus one of all of the LLRIB's eligible voters must participate in the ratification by casting a vote and a majority of the votes cast must vote in favour.

Prior to the ratification vote, there will be a series of information meetings held on and off reserve to fully inform members of the terms of the settlement and the proposed use of the settlement funds.

6. Will there be a per capita distribution ("PCD") payment?

Yes, there will be a PCD payment to every member who is on LLRIB's Membership, but the amount has not yet been determined.

7. Who is entitled to a PCD Payment?

If you are on LLRIB's Membership List and is alive on the date of the ratification vote you will be entitled to a PCD.

8. Will my PCD payment be exempt from claw backs for the Saskatchewan Assistance Program (SAP), the Saskatchewan Assured Income for Disability (SAID), Transitional Employment Allowance (TEA) and the Saskatchewan Income Support (SIS) program?

Yes your PCD would be exempt. On November 22, 2023 the Government of Saskatchewan announced that it will be exempting PCD payments from Specific Claims for First Nation members receiving Saskatchewan Income Support or Saskatchewan Assured Income for Disability benefits.

FREQUENTLY ASKED QUESTIONS TREATY 6 AGRICULTURAL BENEFITS SETTLEMENT

9. Will the settlement funds go into a trust?

The use and expenditure of the settlement funds has not yet been determined but it is expected that a portion of the settlement funds will be paid into a trust. This will include the minors PCD payments.

We expect the trust will be managed by a single corporate trustee such as a major financial institution (i.e. BMO Trust Company or Royal Trust Corporation).

Corporate trustees have professional expertise in managing First Nation trust assets. In the event the corporate trustee is negligent and causes a loss to the trust property the LLRIB will be able to recover the loss from the corporate trustee as they carry comprehensive insurance.

The administrative costs of a corporate trustee model are also typically less expensive than other trustee models.

10. What will happen with minors PCD payments?

The minors PCD payments will be paid into a separate account within the settlement trust.

A minors PCD payment will be held in trust until the minor reaches the age of 18 or meets the conditions set out in trust agreement. They will be held in a secure, interest-bearing account until paid out directly to the minor.

11. Are we “selling out” our Treaty rights by accepting this settlement?

No, by accepting this settlement, Canada is finally fulfilling a long, outstanding Treaty promise for the benefit of the current and future members.

This settlement is **ONLY** in relation to LLRIB’s treaty right to agricultural benefits. **No other Treaty promises or obligations will be affected by this settlement.**

This Agreement shall not be construed so as to abrogate, derogate, or otherwise alter in any way the existing Aboriginal and treaty rights of the First Nation as recognized and affirmed by Treaty 6 and section 35 of the Constitution Act, 1982.

12. Will this settlement affect our annual funding from governments?

Nothing in this Settlement Agreement affects the ability of the First Nation or any of its respective Members to apply for, or otherwise have access to, other programs and

FREQUENTLY ASKED QUESTIONS TREATY 6 AGRICULTURAL BENEFITS SETTLEMENT

services funding offered by Canada, in accordance with the terms and conditions that govern those programs and services.

13. What happens if LLRIB does not accept the offer?

If LLRIB's voters reject the offer then the First Nation will have the option to continue pursuing its claim in Federal Court or to enter into new negotiations with Canada providing Canada is willing. There is no guarantee that Canada will agree to enter new negotiations.

14. Can LLRIB claim Agricultural Benefits again in the future?

If LLRIB members accept the offer there can be no further claim for Agricultural Benefits.

Treaty 6 stated agricultural benefits were to be provided "**ONCE AND FOR ALL**". Unlike some other Treaty benefits, such as Treaty annuities, it is a one time, not an ongoing Treaty obligation.

This is a full, final and forever settlement of Canada's obligations to the LLRIB for just this Treaty promise. Once the settlement is finalized the LLRIB and its members will no longer be able to bring a claim against Canada in relation to Canada's failure to provide agricultural benefits, agricultural instruction or any other claims related to agriculture benefits pursuant to the terms of Treaty 6.