

**First Nations
&
MSB**

Alberta Region Envelope

**Co-Management
Agreement**

**FIRST NATIONS - MSB ALBERTA REGION ENVELOPE
CO-MANAGEMENT AGREEMENT**

BETWEEN:

**THE CHIEFS OF THE FIRST NATIONS OF TREATY 6, 7 & 8
(ALBERTA) (referred to as the Council of Chiefs) of the first part.**

AND:

**HER MAJESTY THE QUEEN, in Right of the Government of Canada as
represented by the Minister of Health Canada (referred to as Health
Canada) of the second part.**

WHEREAS the Council of Chiefs have ratified Resolution II-20 in October 1995 during Chiefs Summit II and agree, in protest and without prejudice, to participate in a two-tiered approach to co-manage Medical Services Branch - Alberta Region Envelope.

WHEREAS the Council of Chiefs and Health Canada understand the two-tiered process to be that Tier One is the administrative process to co-manage the budget and programs of Medical Services Branch - Alberta Region which is formalized by this agreement.

WHEREAS the Council of Chiefs and Health Canada understand that Tier Two shall be the Bilateral Treaty processes of the respective Treaty Areas of 6 and 7 (Alberta) and does not form part of this agreement.

WHEREAS the Council of Chiefs and Health Canada recognizes that in the case of Treaty 8, there exists an Alberta Treaty 8 Health Authority which has been mandated by the Treaty 8 Chiefs in Assembly to act on their behalf on all matters relating to health.

WHEREAS the Council of Chiefs have signed an agreement with the Minister of Indian Affairs and Northern Development, on behalf of the Government of Canada, known as An Understanding On First Nations - Canada Relations which acknowledges that the Council of Chiefs will proceed with that agreement based on the original spirit and true intent of Treaty as understood and told by the Elders.

WHEREAS Health Canada respects the lead role of the Minister of Indian Affairs and Northern Development on respective bilateral Treaty discussions and shall commit to participate in any discussions on Health Care as a Treaty Right pursuant to those respective Bilateral Treaty Processes.

WHEREAS the Council of Chiefs and Canada recognize that the MSB - Alberta Region Envelope is based on, but not limited to, the 1995-96 budgetary allocations, and includes future increases.

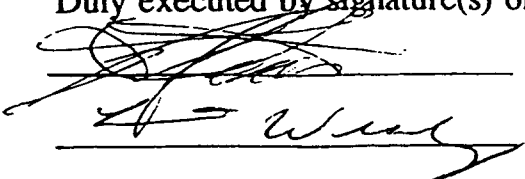
WHEREAS Canada recognizes aboriginal and treaty rights referred to in Section 35 of the Constitution Act 1982.

THEREFORE the Council of Chiefs and Health Canada agree:

1. That the purpose of this Agreement is for the First Nations and the Medical Services Branch to co-manage M.S.B.'s - Alberta Region Envelope.
2. That the results of those efficiencies gained in the co-management of the MSB - Alberta Region Envelope shall be reallocated for use towards the Health programs of the First Nations of Treaty 6, 7 & 8 (Alberta).
3. That a First Nations/Medical Services Branch Co-Management Committee shall be implemented in the Alberta Region to consider issues and make decisions on matters relating to:
 - a. the conduct and resourcing of program and service delivery
 - b. the overall allocation of Regional resources
 - c. common health issues that affect First Nations Communities
4. That the Membership and the Terms of Reference for this Committee shall be jointly agreed upon by the Council of Chiefs and the Regional Director, Medical Services Branch - Alberta Region.
5. That the Terms of Reference of the Co-Management Committee shall govern itself in accordance with the following principles:
 - a. *Equity:* future program decisions shall be based on maximizing equity for all communities without creating undue advantage of community or group of communities over the others.

- b. **Transparency:** all decisions shall be made in an open and transparent manner, appropriately documented, and accessible.
 - c. **Accountability:** the Co-Management Committee shall not commit funds beyond the limit of the regional envelope. All decisions shall be made within the scope of funding allocated within the envelope.
 - d. **Timeliness:** the Co-Management Committee shall operate in such a way that will allow informed decisions to be made in a timely manner.
 - e. **Appropriateness:** the Co-Management Committee shall involve itself only with issues common to First Nations, and make decisions relevant to its mandate to co-manage the MSB - Alberta Region Envelope.
 - f. **Legality:** the Co-Management Committee shall operate within the rules, regulations, or directives which govern Medical Services Branch and its operations.
6. Either the Council of Chiefs or Health Canada may amend this agreement, by mutual consent and in writing.
 7. Either the Council of Chiefs or Health Canada may terminate this agreement upon six months written notice being provided by either party.
 8. Nothing in this agreement, or resulting from this agreement, is intended to prejudice agreements, financial arrangements, protocols, M.O.U.s, or discussions, existing or proposed, between First Nations in Treaty 6, 7 & 8 (Alberta) and Canada, either collectively or individually.

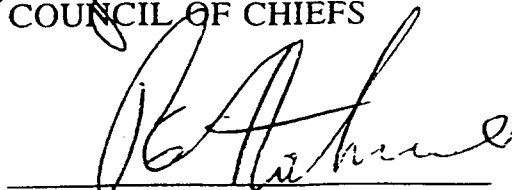
Duly executed by signature(s) on this 18th day of NOVEMBER, 19 96.



COUNCIL OF CHIEFS



HONOURABLE DAVID DINGWALL
MINISTER OF HEALTH
GOVERNMENT OF CANADA



WITNESS PAUL F. COCHRANE
ASSISTANT DEPUTY MINISTER
MEDICAL SERVICES BRANCH