

MEMBER DEBT REPAYMENT POLICY

ATHABASCA CHIPEWYAN FIRST NATION

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1 Policy Purposes and Background

- 1.1 Athabasca Chipewyan First Nation and its related entities provide a range of important services to its Members. Certain services include an obligation of payment (such as rents for housing) or repayment (such as loans or grants where the terms and conditions of the grant have not been met).
- 1.2 It is important that Member's keep their promises. Ensuring timely payment of debts to the Athabasca Chipewyan First Nation protects a basic principle of fairness and consistency. The Nation should not reward those who break their promises or disincentivize those Members who keep their word, pay their rent when due, and honour all debt repayment obligations.
- 1.3 The purpose of this Policy is to establish a clear and fair procedure for collecting outstanding debts and obligations.

2 Scope

- 2.1 This Policy applies to all outstanding debts and financial obligations between a Member and the Athabasca Chipewyan First Nation and its related corporate entities.
- 2.2 This Policy does not apply to Members who are current in all rent payments and who have no debts to the Nation which have not been repaid in full.
- 2.3 In respect of those Members who have rent arrears or other debts, no exceptions or deviations from this Policy are permitted and the Policy shall be applied without regard for political or familial connections or affiliations.

3 Responsibility of Member Debtors

- 3.1 A Member who has obligations for the payment of rent or who has received funds from the Nation with an obligation to repay, has a duty to make timely payments. This includes paying rent on or before the first day of every calendar month and repaying debts according to the terms and conditions under which the funds were provided.
- 3.2 A Member who is unable to pay an amount when it has become due (because of genuine financial hardship) is responsible to contact Administration (or its authorized agent) to explain their circumstances and to negotiate a debt repayment plan.
- 3.3 A Member may, at any time, contact Administration to fully clear their debts.

4 Debt Repayment Plans

- 4.1 Debt repayment plans are a way to balance the responsibility of the Nation to ensure timely payment of debts with respect and compassion for a Member who may be in circumstances of genuine financial hardship. However, it is up to the Member to demonstrate that they are experiencing genuine financial hardship.
- 4.2 When a Member has contacted Administration (or its authorized agent) to enter into a debt repayment plan, a written agreement will be signed by the Member and an authorized agent of the Nation which includes the following terms:
- (a) A schedule for regular periodical payments which must be on at least a monthly basis. The schedule may allow for more frequent payments (such as weekly) but may not allow for less frequent payments than on a monthly basis;
 - (b) The amount of the instalment payments;
 - (c) The method of payment, which may include:
 - (i) Direct debit;
 - (ii) Electronic funds transfers; or
 - (d) Repayment of the debt will also include assignment of Fifty (50%) Percent of any per capita distribution payments that the Member may become entitled to receive during the term of the debt repayment plan; and
 - (e) That a failure to make an instalment payment allows the Nation to proceed directly to collection procedures under section 5.

- 4.3 Administration (or its authorized agent) has authority to negotiate the specific terms of a debt repayment plan (including, for example, the amount of the instalment payment and the schedule of payments) having regard for the Member's financial circumstances.

5 Collection Procedures

- 5.1 Collection procedures will be initiated in the following circumstances:
- (a) The Member is a deliberate non-payer, meaning the Member has rent arrears or other debts owing to the Nation but has not made payments or has failed or refused to enter into a debt repayment plan on or before July 15, 2024; or
 - (b) The Member has entered into a debt repayment plan but has not complied with the terms of the plan (usually by failing to make regular instalment payments when due).
- 5.2 When collection procedures are initiated, One Hundred (100%) Percent of any per capita distribution payments that the Member may become entitled to receive are, instead, retained by the Nation and applied against that Member's debt until the debt is paid in full.

6 Transitional

- 6.1 This Policy does not affect any existing agreements between Members and the Nation regarding the repayment of debts including assignment of per capita distribution payments which pre-date this Policy.

7 Access to Information

- 7.1 Any Member may request a statement of account detailing the outstanding debts and records of payment for that Member.

8 Coming into Force

8.1 This Member Debt Repayment Policy is approved by the Chief & Council and effective as of the signing date set out below:

Date of Signing and Effective Date of Policy:

June 11, 2024



Councillor Flossie Cyprean



Councillor Mike Mercredi



Chief Allan Adam



Councillor Hazel Mercredi



Councillor Teri Villebrun