



Athabasca Chipewyan First Nation
Annuity Settlement Informational Meeting #1
CVC – Fort Chipewyan
March 13, 2025

Chief Allan Adam	Councillor Florence Cyprean
Councillor Hazel Mercredi	Councillor Mike Mercredi
Councillor T. Villebrun	CEO, Maggie Farrington

Commentary – Rossana Cyprien and Callie D. Flett

45 Members – In Person including Staff

Over – 150 Members - Online

Opening Prayer was delivered by Elder Jimmy Deranger.

Annuity Settlement Information:

- In 2000 of the Liberal Government was called to the negotiating table with ACFN to determine what the annual payout of five dollars was worth in the present day and within time. A shift in government leadership caused delay.
- In 2020 the Liberal Government was elected once again and brought Annuity Negotiations back to the table.
- Ammunition, Twine and Council Suits as within the treaty were factored into the annuity negotiations.
- In 2022 ACFN resumed negotiations with the Liberal Government regarding the inflation amount of the annual five- dollar amount to ACFN Members.
- In 2024 the Liberal Government made an offer of fifty-eight million that was not acceptable by ACFN Council.
- 2025- January- ACFN Council proved to the government that ACFN Membership continue to benefit from previous settlements such as the BC Hydro and the Agricultural Settlement Trust.

- Funds received from Federal Government are for residents that reside in Fort Chipewyan. There are no Federal Funds for Urban ACFN Members.
- Urban ACFN Members currently benefit from ACFN's own sources of revenue generated from Trust Funds in place from previous settlements.
- The Annuity Settlement amount was based on a historical population from 1899 to the present. Previous trusts such as the BC Hydro and AG Trust were a significant factor in obtaining a higher settlement offer.
- In January 2025 the Annuity offer of fifty-eight million was increased by 40%. The increase indicated a possible amount of over ninety-eight million. ACFN found this satisfactory.
- February 2025 – Financial planning was required regarding allocation of settlement funds. Membership surveys were conducted to provide feedback on Members
- It is important to note that the process for the Annuity Settlement must flow in a timely manner and Member feedback is important.
- Another information session with Members will occur once more information is gathered and there is more concrete information in regard to the Annuity Settlement.
- A Ratification Vote is anticipated to occur in April 2025.
- The amount is not officially settled until the ratification vote indicates (YES), and the Minister signs the settlement agreement.
- Payout to individual members will be equal, therefore will not affect Members on AISH, or Pension.
- This Annuity Settlement Agreement will not cancel out any Treaty Rights nor will it cancel out any future settlements with the government.
- This settlement could bring the annual treaty payout from five dollars to approximately \$240.00 per Member.

- This is a collective agreement therefore Individuals cannot bring individual claims for annuity to the government.
- There is a possibility that the Federal Election may be called and could pose another delay to the Annuity Settlement and further delay if the Liberals are not re-elected.

QUESTIONS AND ANSWERS ON NEXT PAGE

QUESTIONS FROM MEMBERS:

Q- Why were the BC Hydro and Cows and Plows funds not given to each Member in full? Members over sixty-five years and older should receive 100% payout.

A- Both the BC Hydro and Cows and Ploughs settlements were ratified by ACFN's members and the members voted to allocate some of the settlement funds to trust and some for PCD payments.

Q- What payouts do deceased Members get?

A - In order to be eligible for a PCD payment you must be alive and on ACFN's Membership List on the date of the ratification vote (April 24, 2025).

All individuals (1) whose name appears on ACFN's Membership List on the date of the Ratification Vote; and (2) who are alive on the date of the Ratification Vote will be entitled to receive a PCD payment.

In addition, individuals who are under the age of 18, alive and not a member of any First Nation on the date of the Ratification Vote will be entitled to receive a PCD payment if they are registered by ACFN as a Member within one year of the Ratification Vote.

Q- When will the ratification vote take place?

A- The ratification vote will be held on April 24, 2025. There will be electronic voting from April 20th to April 24th and in person voting on April 24th. Polling stations will be located in Fort Chipewyan, Edmonton, Fort McMurray and Fort Smith. Please see the Notice of Ratification Vote for further information.

Q- Why does this information on number amount have to be confidential? ACFN created zoom connects for members and there could be non-members connected.

A- ACFN Members can share this information with other ACFN Members, keeping in mind that this is still in negotiation and with steps to move forward and information shared with others other than Membership could put this settlement in jeopardy.

Zoom links were not provided to everyone.

Q- What percentage of Membership is required to vote (YES) for the ratification to proceed?

A- The Settlement Agreement requires that at the ratification vote at least 25% plus one of all of the First Nation's eligible voters vote in favour of the Settlement

Agreement and that a majority of the votes that are cast be in favour of the Settlement Agreement.

Q- When can ACFN Members receive their individual payout?

A- The Annuity Settlement finalization is the main focus of ACFN Council at this time. In order for the settlement to be finalized it must be ratified by ACFN and signed by the Minister.

While we cannot control when the Minister will sign the agreement, Canada must transfer the settlement funds to ACFN within 45 days of the minister signing and ACFN intends to pay Members within 30 days of receiving the funds.

Q- Not all people can travel to Canada Place in Edmonton to register their child, where else can Fort Chipewyan residents if there is no membership clerk?

A- There are Membership Administrators available at the ACFN Office as well as the Mikisew Cree First Nation Office.

Q- Is there a concrete deadline to this settlement? And why would a PM Election affect the outcome?

A- The anticipated ratification date is April 24, 2025. The current government was prepared to sign the agreement with ACFN. A new government may need time to be updated on the settlement. If the new government is not prepared to sign the agreement, then ACFN will need to lobby and possibly even litigate to get the agreement finalized.

Q- Will the payout affect the Members who are on AISH/Disability or Pension?

A- Per capita distribution payments for this settlement will be exempt from clawbacks for income support, training and health benefits under the Income Support, Training and Health Benefits Regulation, Alta Reg 122/2011.

ACFN has also requested an exemption from the Minister of Seniors, Community and Social Services (Alberta) from the Alberta Assured Income for the Severely Handicapped (AISH) program and are awaiting confirmation but don't expect it to be an issue.

Q- Can minors get their payout?

A- In Alberta, the Minors' Property Act, SA 2004, c M 18.1 limits the amount of money that can be paid to a child / their guardian. It is not possible to make a payment directly to a minor or their guardian in Alberta if the amount is higher than \$25,000 because of this Act. The Act says that if the payment is over

\$25,000 it must be paid to a Trustee authorized to hold the money by a trust instrument.

Q- Why didn't the first settlement offer be brought forward to the Members to decide instead of Chief and Council deciding? Why didn't you share the offer proposal with the Members?

A- It is the duty and responsibility of the elected ACFN Council to ensure that the best decisions are made for its Membership. ACFN Council did due diligence and calculations as it pertained to the Annuity Settlement and easily concluded without a doubt that the first offer was not satisfactory.

Q- Can the Elders get full payout? What is the justification?

A- If the payments were not equal payments to each Member then they would not fall under the exemption from clawbacks for income support, training and health benefits under the Income Support, Training and Health Benefits Regulation, Alta Reg 122/2011.

Q- There is likely to be a Federal Election sooner than later, Can Council clarify how the Federal Election could affect this process?

A- The current Federal government was prepared to sign the agreement with ACFN. A new government may need time to be updated on the settlement. If the new government is not prepared to sign the agreement, then ACFN will need to lobby and possibly even litigate to get the agreement finalized.

Q- Why do we keep hearing that individuals cannot put forth their own claim with the government and that only First Nations can?

A- Treaty Annuity payments are a **collective** entitlement not individual. The Specific Claims Tribunal has held that treaty annuity payments are a collective interest (*Beardy's* 2015 SCTC 3).

The Treaty annuities promise was made to First Nations as a collective through a Nation to Nation agreement, not with individual members. Legally, an individual member would not be successful in bringing a claim in court for treaty annuities. Only First Nations can bring claims for their losses in the Specific Claims Tribunal. **Individuals** have tried to bring an annuities claim in court as a class action in the past and it was not accepted by the courts (*Soldier* 2006 MBQB 60; 2009 MBCA 12).

Q- Does this include Cows and Ploughs?

A- No ACFN already settled their cows and ploughs claim back in 2017. This settlement includes the following claims:

(a) **Annuities payments:** Annual payments of \$25 for the Chief, \$15 for Councillors and \$5 per registered member from 1899 to the end of 2025.

(b) **Ammunition and Twine:** \$1 annual ammunition and twine benefit per registered member from 1899 to the end of 2025.

(c) **Clothing Annuity:** A "suitable suit of clothing" to Chief and Council every three years from 1899 to the end of 2025.

Q- Can ACFN individual Members receive eighty percent of a payout?

A- The Settlement offer is not officially set in stone, and ACFN is in the process of a solid amount the payout of Members cannot be determined at present.

Q- When will ACFN Membership know the decision of Council and what would the ratification vote be in regard to? Will this be a take it or leave it vote?

A- ACFN Council are transparent with all information received in regard to the Annuity as well as decisions. The notice of ratification and information packages will be sent out soon. The vote will be a single yes or no vote on accepting the settlement and the plans for the settlement funds.

Q- Why would the survey be used to determine the majority of the settlement financial allotment to ACFN Programs decreasing a Member Payout.

A- ACFN Council are interested in hearing what Members needs are. As the federal government only provides for people residing in Fort Chipewyan, funds from ACFNs own source revenue provide many programs and services to Urban Members. ACFN Council are looking at the needs of all Members.

Q- Will the Minors Trust for this settlement accrue interest?

A- Yes, when a minor become eligible to receive their PCD payment they will receive:

\$30,000 (the settlement per capita distribution payment); **plus**
A CPI inflation adjustment; **and**
An investment adjustment at a rate of 2% compounded annually.

Q- Is ACFN stating that if it wasn't for the trust and other investments there are programs that will not exist?

A- As indicated in the presentation, there are a number of programs that serve Urban Members that are from ACFN's own source revenue.

Q- When can Members expect to see their individual payout?

A- The Ratification Vote is anticipated to occur on April 24th, 2025. ACFN Council are working to ensure that the process is dealt with in a timely fashion.

Q-How will ACFN Council ensure Members off-reserve will be inclusive? What is the process for Members who do not live in Fort Chipewyan?

A- ACFN Council are not excluding any Member that was registered from the date of ratification. Off-Reserve Members continue to benefit from ACFN's own source revenue.

Q- What is the Process for Members who do not live in Fort Chipewyan?

A- If your street address, email address, banking information has changed it is important that ACFN receive updates.

Q- Since I haven't collected by five-dollar annuity from previous years, will my five dollar amount equal to the higher payout if I collect now?

A- Your uncollected treaty annuity will not equal to a higher payout. Please contact Indigenous Services Canada to request collection of your funds.

Q- What did it mean when payout of age was mentioned?

A- This was used as a calculation tool in determining settlement. It does not mean a payout will amount to equal your age.

Q- Will the ratification vote be by two separate questions? One for to accept the settlement and the other to accept a payout trust distribution? Or will it be combined?

A- ACFN will vote to approve both the settlement and allocation of the settlement funds at the same time. A copy of the ballot question can be viewed on the Notice of Ratification Vote.

Q- Can ACFN share what percentage of the Settlement will be placed in a Trust?

A- At this time since the settlement amount could fluctuate and no decisions have been made.

Q- Will the Trust be diversified to meet growing needs of Members?

A- Council continue to working on new and innovative ventures to benefit ACFN.

Adjournment: 9:05PM

Additional Comments of Online Members:

- I'm all for investing in the future but right now is also the most expensive time to be alive. I really hope Chief and Council take that into consideration. I will always be a proud ACFN Member.
- We are together in this, I trust we will come to a reasonable agreement.
- As an off-reserve ACFN Member I would love a larger percentage of the amount to be paid out to me. At the same time I have received help from our Nation and I'm happy to contribute to the trust for future generations and to recognize our past Members.
- Elders over sixty-five should receive a full payment.
- ACFN Chief and Council are doing a fantastic job, treaty was signed for each ACFN Member no just the Nation.
- If we were to have the vote today, I would say Yes.
- I am forever grateful, we are a privileged Nation with great leadership. Continue the greatness.

- I would be happy to support ACFN Chief and Council for money going into a trust and would support this if they listen to Members and put a reasonable amount that Members choose. I think 75% payout is reasonable.
- My main concern is that we are not signing away any rights to the land or treaty rights, so that there is something for our future generations.
- Members should have a voice when it comes to Trust Funds distribution, for example, not all education is post secondary. There are the trades, the arts, and consistent benefit for businesses establishing themselves.
- This payment is an underpayment to Members from 1899 to 1920, how do people think this is their personal money? It is not based on any of our payments. This are historical losses and do not reflect any living Members losses which will be settled in another settlement.
- I just want my money in full, its mine, it belongs to me, I myself don't believe in spreading my money to other Members.
- I am happy to have a larger trust for future generations. I am proud of all the things our nation does for its Members on and off reserve, in and out Chip, and when I talk with other Nations they are jealous.
- Yes consider the Nation, but individual Members need to be considered and receive a substantial amount this time around! Yes I feel that is fair for everyone involved, absolutely! Inflation, the high cost of living sucks us dry. Can we and are we entitled to a financial freedom somewhat? That is our entitlement.
- I am good with what is coming to me. My daughter is good, my granddaughter is good. Either way I'm good. Good job CNC.
- I am proud of ACFN Council for not settling for the previous officer.
- I would like to see 95% of the Annuity Claim be paid out directly to each eligible citizen of legal age.
- My children and grandchildren are already set for life. So this is my money and I want in full as I'm getting older. My children agrees to putting a percent aside for their benefit in the future.

- Think we should go back to the table and reject the offer. Rushing this isn't going to go well in our favor.
- During Cows and Ploughs Chief and Council did not give us a voice and ultimately 20% of overall distribution was given to each Member and Nation received 80% so the Nation can grow and invest. Now that the nation is doing well can we the members receive 80% of the final distribution so we can personally invest in ourselves and financially grow?