

	Gwich'in Services Harvesters Assistance Procedure	February 2023 Rev. 1
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Procedure Statement

This Procedure document outlines the process to implement the Gwich'in Harvesters Assistance Program (GHAP) Policy (the "Policy").

Conflict Provisions

This Procedure is subject to the terms of the Gwich'in Comprehensive Land Claim Agreement (GCLCA) and to the extent there is a conflict between the Policy, this Procedure and the GCLCA, the provisions of the GCLCA shall govern to the extent of the inconsistency.

Program Overview

The Gwich'in Tribal Council (GTC) will flow funds provided by the Gwich'in Harvesters Assistance Trust (GHAT) to fund approved activities under the Policy. The GHAT funds and associated processes are subject to the terms and conditions of administrative agreements between the GHAT Trustee, the GTC and the Program Administrator.

The Program Administrator as determined by the Trustee shall be the entity to deliver and administer the program. The Program Administrator administering the GHAP is required to operate according to terms set out in the Policy and related administrative agreements.

Rules and Administration

Administrative Agreements

The Trustee will prepare an administrative agreement for the Program Administrator. In the event that the Program Administrator administering the GHAP does not agree to the terms and conditions, the Trustee may deliver the GHAP directly to that particular Gwich'in community or assign to another Program Administrator.

Community Allocation

Funds will be allocated to each community in accordance with the following calculation:

Total Available Allocation – 3.5% of the GHAT portfolio value as at December 31st of the previous year (as approved by the GTC Board of Directors in February 2021).

Total Available Allocation - \$50,000 (\$12,500 per Gwich'in community for Community Initiatives) = Remaining Allocation

The Remaining Allocation for the year as established by the Trustee will be allocated on a per-capita basis in accordance with data provided by the Enrolment Coordinator of the GTC.

The below table outlines the distribution of the Total Available Allocation of \$200,000 (for illustrative purposes) on a per capital basis by taking the total number of registered Participants associated with a designated Gwich'in community, and residing in the Gwich'in Settlement Area (GSA), and dividing it by the total number of Gwich'in Participants that reside in the GSA.

Amount to be allocated - \$200,000	Ehdiitat 230 (16%)	Tetlit 675 (46%)	Nihtat 428 (29%)	Gwichya 130 (9%)
Community Initiatives - \$50,000	\$12,500	\$12,500	\$12,500	\$12,500
Remaining Allocation - \$150,000	\$23,581	\$69,207	\$43,882	\$13,330
Total*	\$36,081	\$81,707	\$56,382	\$25,830

**Note these numbers will change on an annual basis.*

An administrative fee of 0.9% of the GHAT portfolio value of the previous year will be provided to the GTC on an annual basis for administrative costs to coordinate and deliver the program.

Community Initiatives

Community Initiatives (\$12,500 per community) has been provided to equalize a portion of the Total Available Allocation.

In addition to providing assistance to individual applicants under the Policy, the Program Administrator may approve and deliver Community Initiatives that demonstrably further the purpose of the GHAT to facilitate Gwich'in individuals, families and groups in engaging in traditional and emerging renewable resource activities from their annual allocation as outlined in their respective administrative agreement. Such activities may include:

- a) Community Hunts
- b) On-the-Land Programs
- c) Trapper Training
- d) Supplement the Community Harvesting Assistance Program (CHAP) provided by the Government of the Northwest Territories.

Communities are encouraged to access external government funds for programs (e.g. on-the-land programs, etc.).

Capital Assets

Approval of capital asset purchases will be in accordance with the GCLCA Schedule 1 to Chapter 11, Section 8.

Providing loans or minority capital investment to Participants or entities for harvesting and cultural activities including manufacture of handicrafts, arts and crafts, hunting, fishing and trapping and similar pursuits provided that the Participant or entity is unable to borrow at normal commercial rates from ordinary commercial lenders without guarantees provided by the GTC or its affiliates.

Reporting Requirements

The Program Administrator shall fulfill all reporting requirements set out in the administrative agreements. This would include but is not limited to itemized information about:

- the amount and type of assistance distributed;
- who received the assistance;
- a schedule of payments; and
- audited financial statements reporting the use and distribution of the funds.

Any Program Administrator who does not fulfill all reporting requirements will not receive funding and renewal of administrative agreements in subsequent fiscal years until such reporting deficiencies are corrected to the satisfaction of the Trustee.

Payment Schedule

Payments under the administrative agreements are to be made by the 3rd week of February and:

- i. the Gwich'in Council and RRC will be notified of the annual allocation by the GTC; and,
- ii. the Program Administrator will have executed an administrative agreement.

Appeal Process

A Regional Appeals Committee will be established to represent all community Gwich'in Councils and RRCs. The Committee shall be composed of one (1) appointed Participant member at large from each of the Gwich'in Councils and one (1) appointed Participant member at large from each of the RRCs for a total of eight (8) members. The Regional Appeals Committee shall establish and make public a Terms of Reference that governs their structure, composition, decision-making and general procedures for receiving and reviewing an appeal.

Members of the Appeals Committee shall not be the same individuals as those making the initial decision on applications under the Policy. Under no circumstances may members of an Appeal Committee be in a conflict of interest situation as defined by the By-laws of the relevant Gwich'in

Council. If a conflict of interest situation arises, that Committee member must declare the conflict and recuse themselves from that specific appeal decision.

Roles and Responsibilities

Trustee

The Trustee governs the affairs of the GHAT in a manner consistent with the provisions of the Trust and the *Trustee Act* of the Northwest Territories (NWT). The Trustee has the following responsibilities with respect to:

- Overseeing the funding of the Policy in accordance with the terms of the Trust Indenture;
- Establish and maintain;
 - The Policy;
 - Procedures; and
 - and Application Package.
- Reviewing and considering recommendations from the Program Administrator with respect to program delivery and administration;
- Reviewing reports submitted by the Program Administrator to ensure that the GHAP is meeting its objectives;
- Establishing and overseeing administrative agreements between the Trustee and Program Administrator(s).
- Appointing Participant members at large to the Regional Appeals Committee in situations that warrant such action; and,
- Overseeing GTC delivery of the Policy in situations where a Gwich'in Council or RRC is unwilling or unable to deliver the program.

Community Entities

Program Administrators are responsible for delivering GHAP and implementing responsibilities in accordance with the Policy and associated administrative agreements. Specifically, Program Administrators are responsible to:

- Notify Participants when applications are available, assist with completion and submission of applications, assess if applications meet Policy criteria;
- Notify all applicants of decisions on applications;
- Publish listing of decisions;
- Review recipient reports prior to next intake period;
- Prepare reports to the Trustee and ensure compliance with administrative agreements;
- Coordinate and provide reports to the GTC and to Participants as may be appropriate and required;
- Maintain files, invoices, cheque requisitions, and other records;
- Assist the Trustees in preparing for audits and financial reports; and,

- Establish a Regional Appeals Committee, including terms or reference and appropriate processes, and conduct appeals as needed.

For additional clarity, Program Administrators are responsible to:

Advertise Program/ Collect Applications

- Publicize the GHAP within the community;
- Explain the Policy and process to applicants; and,
- Assist applicants in completing the application form to ensure all relevant information is provided.

Screen and Approve Applications

- Screen eligibility of applicants; and,
- Allocate funding to eligible applicants in accordance with the Policy, this Procedure and funds available.

Notification to Applicants

- Notify all applicants of the decision regarding their applications;
- Notify all participants of decisions on applications via public posting viewable to all Participants; and
- Direct applicant appeals to the relevant Gwich'in Council who will forward to the Regional Appeals Committee.

Payment Process

- Issue purchase orders and pay the providers of goods and services on behalf of the applicant once 25% deposit is made by applicant; and,
- Maintain accurate files and records of applications.

Reporting

- Complete reporting requirements as outlined by the Policy, this Procedure document and associated administrative agreements.

Gwich'in Tribal Council

The Gwich'in Services Department, in collaboration with the Finance and Communications Department, of the GTC will:

- Assist the Trustee in fulfilling their roles and responsibilities;
- Establish administrative agreements with community entities delivering the program;
- Facilitate required financial transactions, including managing the GHAT investment portfolio;
- Provide administrative assistance; and,
- Assist with communications and governance at the community level.