

Fort Nelson First Nation Minors' Trust Incentive Fund Policies And Guidelines

PREAMBLE:

The Minor's Trust Fund is an amount set aside by the Fort Nelson First Nation, as decided by a majority vote of those present at the duly-convened Band Public meeting held on October 2, 1992. A Band Council resolution, dated April 5, 1993, set aside a bank account exclusively for this purpose. These funds are set aside specifically for the purpose of the Minors' Trust Fund.

There was a previous distribution on August 8, 1980. At that time, each individual on the Fort Nelson First Nation Membership list was paid a lump sum of \$20,000. Anyone born after that date was not eligible to receive the \$20,000 payment.

The Minors' Trust Fund has been established in response to the Community's commitment to ensure that each member, upon reaching the age of nineteen, will be paid a lump sum of \$20,000 to assist them in starting out their life goals. Subject to the terms of the Minors' Trust Fund, the beneficiaries of the Minors' Trust Fund are members of the Fort Nelson First Nation who were born after August 8, 1980 but before August 8, 1997.

Prior to March 31, 2016, the Fort Nelson First Nation will make a decision on continuing the trust for the members of the Fort Nelson First Nation who are born after August 8, 1997.

These funds will be held in trust for the minor children of the Fort Nelson First Nation. These funds will only be paid when a band member reaches the age of nineteen, at which point he/she will be eligible for a one-time, lump sum payment of \$20,000 subject to the terms of the Minors Trust Fund.

ELIGIBILITY:

Upon acceptance as a member of the Fort Nelson First Nation, each child will be placed on the Minors' Trust pay list, indicating eligibility for the payment upon reaching the age of majority. Acceptance as a member of the Fort Nelson First Nation will have been demonstrated by a majority vote of those present and eligible to vote at a duly convened Fort Nelson First Nation Community Meeting.

ACCOUNT ADMINISTRATION:

The trustees for the Minors' Trust Incentive Fund will be the current members of the Fort Nelson First Nation Council.

The funds will be held in a restricted investment account from which the only expenditures made will be to the individual band members who are included on the Minors' Trust Fund pay list of eligible band members. The capital of the Minors Trust cannot be encroached upon to make payments to the Beneficiaries.

There will be an initial review by the Council, at the first Council meeting in March, of the proposed recipients of the Minors' Trust Fund payment in the next fiscal year. This will occur on an annual basis. The Council will ensure that the list is correct and that each proposed recipient is a member of the Fort Nelson First Nation.

A final review by the Council of each proposed recipient of the endowment will take place on a case-by-case basis, at the first Council Meeting following receipt of the completed application. Final approval will be contingent upon proof that all requirements for receipt of the endowment have been satisfied and the Minors Trust having earned enough income to make the payment to the beneficiary.

The actual amount to be paid will be confirmed, in writing, by the Fort Nelson First Nation to the financial institution managing the investment portfolio. This will be done via the office of the Executive Director, no later than five days prior to the payment date for each band member approved to receive the endowment. This written confirmation will serve as authorization to the financial institution to pay an individual directly upon reaching the age of 19, in accordance with the payment instructions of each individual.

REQUIREMENTS FOR RECEIPT OF ENDOWMENT:

1. Acceptance as a member of the Fort Nelson First Nation, having met all conditions as stipulated in the Fort Nelson First Nation Membership Code.
2. A Member born after August 8, 1980 and before March 31, 1997.
3. The child must make a formal application to the Fort Nelson First Nation Council no later than 21 days prior to the individual's 19th birthday. The letter must include the following:
 - a. Name, birth date, information about parents and relationship to the Fort Nelson First Nation, mailing address
 - b. Demonstration that the funds will be used in a constructive manner, such as a supporting educational, employment or entrepreneurial goals.
 - c. Evidence that the potential recipient must have completed an accredited education or training program or is currently enrolled and actively participating in an accredited education or training program.

- d. Evidence that personal financial management training has been obtained through attendance at a personal financial management workshop. A certificate or other written proof of participation can serve as evidence that this condition has been met. Participation in this type of workshop must take place between the individual's 18th and 19th birthday.
- e. If the individual is requesting payment directly to an account held at a financial institution, the address and branch of the financial institution, the account number, and other relevant details are to be provided.

If the application is incomplete, the Council will promptly notify the individual.

RESTRICTIONS/ HOLDBACKS:

The \$20,000 endowment may be adjusted as a result of the following. If there has been criminal activity which involved loss or harm, either bodily or material, an amount determined by the Fort Nelson First Nation will be deducted from that person's payout. The amount deducted will be used for the sole purpose of victim compensation.

In determining the amount to be withheld, the following will be taken into consideration:

- Victim impact statements
- Court rulings
- Other circumstances that are deemed to be influential (by the Council and Community)
- Actual and documented damage

If there is an outstanding issue or claim that could affect the payment, the Fort Nelson First Nation Council may withhold approval for payment until the matter is resolved.

REPORTING REQUIREMENTS:

There will be an annual reporting requirement to the Fort Nelson First Nation community as part of the annual budget process.

The reporting requirement will include an evaluation of the program operations, a review of the performance of the Minors' Trust Fund investment portfolio, and an assessment of the on-going viability of the Minors' Trust Fund. A review of last year's payouts and the next year's proposed payout will also be undertaken.

In addition to the above annual report, the Fort Nelson Council will be provided with quarterly reports of the Minors' Trust Fund Investment portfolio by the Fort Nelson First Nation administration.

APPEALS:

Any person who feels that the Minors' payout list is incorrect may appeal in writing to the Fort Nelson First Nation Council. If this person feels that the Council has not adequately resolved the issue, he or she may make a formal written appeal to the Fort Nelson First Nation public.

The final decision will be made by the Fort Nelson First Nation community, as represented by a majority of those present and eligible to vote at a duly convened Band meeting. This decision will be binding on all parties.

POLICY REVIEW:

A provision will be made annually to review the Minors' Trust Fund policy and make any necessary changes.

The review period will be from February 1-28 each year. All changes must first be approved by Chief and Council and ratified by the Fort Nelson First Nation membership at the monthly Public Meeting each February.