



COMMUNITY ACCORD



This Agreement made the 27th day of January, 2007.

BETWEEN: THE TOWN OF LADYSMITH
(hereinafter referred to as "Ladysmith")

AND: CHEMAINUS FIRST NATION
(hereinafter referred to as "Chemainus First Nation")

WHEREAS:

All Residents of Ladysmith and the Chemainus First Nation (collectively hereinafter referred to as the "Communities") trace their origin to societies of different cultural traditions, beliefs and values; and

The Residents of the Municipality and the Members of the Chemainus First Nation have created, or have had created on their behalf, distinct local governing institutions; and

Ladysmith and Chemainus First Nation deem recognition, understanding and reconciliation the foundation of their communities' common good. Paramount is the respect for and appreciation of each other's diverse backgrounds.

Article 1 - Mutual Recognition

- 1.1 Ladysmith recognizes, acknowledges and respects that the Chemainus First Nation:
 - a) were the original inhabitants of their Traditional Territory;
 - b) have Constitutionally-protected rights, which include their asserted Aboriginal rights and title to their Traditional Territory, and their inherent right to self-government; and
 - c) are governed by the Chief and Council, which is the legitimate governing authority for the Chemainus First Nation and its membership.
- 1.2 Ladysmith recognizes that nothing in this Accord shall be interpreted in a manner that extinguishes, abrogates or denies Chemainus First Nation's Aboriginal rights or title, within the meaning of Sections 25 and 35 of the Constitution Act, 1982.
- 1.3 Ladysmith recognizes that nothing in this Accord shall limit or diminish any existing or future legal obligations of the federal, provincial or municipal governments to consult and accommodate the Chemainus First Nation with regard to issues affecting their Aboriginal rights or title.
- 1.4 Chemainus First Nation recognizes, acknowledges and respects Ladysmith as a duly and properly constituted municipal government established under the provisions of the Community Charter and having all of the authority and responsibilities of a British Columbia municipality.
- 1.5 Chemainus First Nation and Ladysmith each have distinct authorities and responsibilities towards their members and residents and acknowledge that the interest of all persons living in the two communities are best served by working together in the spirit of co-operation.

Article 2 - Principles of Co-Operation

- 2.1 The first principle of co-operation between the Chemainus First Nation and Ladysmith shall be mutual respect and recognition, as set out under Article 1.
- 2.2 The second principle of co-operation shall be the reciprocal consideration of common ground and common interests in all dealings between the communities.

Article 3 - Maintenance of Relationship

- 3.1 The Communities agree that the Chemainus First Nation Chief and Council and Ladysmith Municipal Council will meet regularly to promote and encourage open and constructive dialogue.
- 3.2 The Communities will form working groups, from time to time, to explore and initiate activities designed to facilitate economic diversification, to protect cultural heritage resources, to promote community growth, to increase investment and to generate employment.

Article 4 - Inclusion and Information of the Community at Large

- 4.1 From time to time joint meetings of the two governments shall be open to the public to inform, receive community input and feedback (hereinafter referred to as "Joint Meetings").
- 4.2 Joint Meetings shall be co-chaired by representatives of the governments respectively.
- 4.3 Each Joint Meeting shall be held twice, once at a location convenient for the Residents of Ladysmith and once again on the Chemainus First Nation reserve lands for the convenience of Chemainus First Nation members.

Article 5 - Dispute Resolution

- 5.1 Both governments are committed to open, frank, honest and straightforward interaction with each other in order to communicate effectively and avoid conflict.
- 5.2 Where a dispute between the Chemainus First Nation and Ladysmith arises, either party may, at any time, call a special Joint Meeting to resolve the issue. Where the parties are unable to resolve a dispute, either party may request a dispute resolution workshop.

Article 6 - Living Document

- 6.1 This document is intended to be a living document, subject to change from time to time, to reflect the relationship between the Communities.
- 6.2 Any changes to this document must be mutually agreed upon by the Communities.

Article 7 - Termination

- 7.1 This Accord can be terminated in writing, by either party, at any time.

IN WITNESS WHEREOF the parties hereto have executed the within Accord as of the day and year first above written.

The Town of Ladysmith

Chemainus First Nation















