

TERMS AND CONDITIONS

FUNDING FOR FIRST NATIONS AND INUIT POLICING

1. Authorities for Transfer Payments

Pursuant to transitional provision 8(1) of the *Department of Public Safety and Emergency Preparedness Act*, S.C. 2005, c. 10, any power, duty or function that was vested in or exercisable by the then Solicitor General became vested in the Minister of Public Safety and Emergency Preparedness. This includes the transfer to the Solicitor General of Canada in 1992 of the powers, duties and functions of the Minister of Indian Affairs and Northern Development relating to the Indian Policing Services Program in accordance with Order-in-Council P.C. 1992-0270.

Section 6(1)(c) of the *Department of Public Safety and Emergency Preparedness Act*, S.C. 2005, c. 10, provides that the Minister of Public Safety and Emergency Preparedness may, in exercising his or her powers and in performing his or her duties and functions and with due regard to the powers conferred on the provinces and territories, make grants or contributions.

2. Purpose and Objectives

The Government of Canada is committed to promoting the safety and security of all Canadians.

The federal government has played a long-standing role in supporting policing in First Nation and Inuit communities in Canada. While there is no specific legislative requirement for the federal government to support policing service to First Nation and Inuit communities, its interest is anchored in the *Constitution Act, 1867* whereby provincial and territorial governments have jurisdiction over the administration of justice, including policing, and the federal government has jurisdiction over “Indians and lands reserved for Indians”.

The First Nations Policing Program (FNPP) and the First Nations Policing Policy (the Policy) were created in 1991 to enhance the effectiveness of policing services in First Nation and Inuit communities in terms of cultural relevance and responsiveness to the public safety need of communities.

The objectives of this funding are to support policing services to First Nation and Inuit communities that are **professional, dedicated and responsive** to the communities they serve.

3. Expected Results

This funding is aligned with the Program Activity *1.3 Countering Crime* of the Department's Program Alignment Architecture, supporting the departmental Strategic Outcome of a *Safe and Resilient Canada*. This Program Activity provides federal policy leadership, coordination and program support on a continuum of activities, including the prevention of crime and the enforcement of law. The intent of this Program Activity is to reduce the likelihood of criminality by working in close collaboration with partners in the provinces and territories to design and deliver activities that are specific and appropriate to regions and communities.

Specifically, this funding is central to achieving the result of the Department's Sub-Sub-Program Activity *1.3.2.3 Aboriginal Policing*, whereby First Nation and Inuit communities are expected to have access to dedicated and responsive police services. The following are the key expected results and performance indicators:

Indigenous communities have access to the this funding:

- Percentage of First Nation and Inuit communities that receive funding; and
- Percentage of First Nation and Inuit population that receive funding.

Funded policing services are dedicated:

- Percentage of funded officers that report that their workload is dedicated to serving the First Nation and Inuit community/communities.

Funded policing services are responsive to the needs and cultures of the First Nation and Inuit communities they serve:

- Percentage of police officers have received/completed cultural orientation packages and/or training; and
- Percentage of communities receiving this funding report that policing services are being delivered in a manner that is respectful to their culture(s).

People living in First Nation and Inuit communities feel safe:

- A sustained reduction of police reported crime over time.

4. Eligible Recipients

Contributions may be provided to the following classes of eligible recipients in support of the objectives of these Terms and Conditions, only if they have the legal capacity to enter into an agreement:

- a) A provincial, territorial, regional or local / municipal government or authority, including:
 - i) A “council of the band” within the meaning of subsection 2(1) of the *Indian Act*, R.S.C. 1985, c.I-5; and
 - ii) A government of a First Nation and Inuit community established by an act of Parliament or a legislature;
- b) A police service or a police governing authority (also known as a board, a police board, a designated board, or a police commission);
- c) An association or a not-for-profit legal person; and
- d) A university or another post-secondary educational institution.

5. Types of Agreements (Streams)

There are three different types of agreements (streams) that can be entered into:

Stream 1: Contribution Agreement for a Self-Administered Police Service (Section 11);

Stream 2: Contribution Agreement for a Contingent of Police Officers from an Existing Police Service other than RCMP (Section 12); and

Stream 3: Contribution Agreement for Other Policing Agreements (Section 13).

Sections 11, 12 and 13 include the nature of each of these streams, as well as eligibility requirements, reporting requirements, and other provisions specific to each stream.

6. Eligible Expenditures

Eligible expenditures are those listed under each stream as described in Sections 11, 12 and 13.

Ineligible expenditures for all streams include, but are not limited to, costs related to amortization, depreciation, and interest on loans; legal costs related to the negotiation of the agreement and any dispute related to the agreement or the funding received under the agreement; profit, defined as an excess of revenues over expenditures; and, costs for specialized policing services, such as ERT, Canine Units and Forensic Services.

7. Pre-Execution of Eligible Expenditures

Reimbursement of eligible pre-execution expenditures incurred prior to the signing of an agreement may be considered on an exceptional basis to ensure continuity in policing services.

8. Stacking Limit

When reviewing a request for contribution funding, departmental officials will ensure that financial contributions made pursuant these Terms and Conditions will not cover eligible expenditures already covered through another source. When applying for funding, potential recipients will be required to indicate what, if any, government funds a project or initiative is expected to receive.

Total Government Assistance (federal, provincial, territorial, and municipal assistance for the same eligible expenditures) shall not exceed 100% of the eligible expenditures.

In the event that the actual Total Government Assistance to a recipient exceeds the stacking limit, it will be necessary for Public Safety Canada to adjust its level of financial contribution (and seek reimbursement, if necessary) so that the stacking limit is not exceeded.

9. Intellectual Property

For all types of contribution agreements, and where applicable, in instances where intellectual property is produced as a result of a contribution agreement, the recipient will retain copyright of that intellectual property. In instances where the Government of Canada wishes to use the intellectual property produced by the recipient, specific provisions may be included in a contribution agreement or a distinct licence obtained.

10. Official Languages

The Department will comply with the obligations of the Government of Canada, as set out in the *Official Languages Act*. All information related to these Terms and Conditions and its associated funding will be made available in both official languages in compliance with the *Official Languages Act*.

The Department will work with the recipient of an agreement in the official language of his/her choice.

Agreements will include a clause requiring that communications with and services to the public be made in both official languages according to the policies and directives on

official languages of the federal government (and equivalent provincial or territorial government requirements), whenever it is determined that a First Nation or Inuit community (or communities) receiving policing services pursuant to an agreement requires such communications and services in one or both official languages.

11. STREAM 1 - Contribution Agreement for a Self-Administered Police Service

11.1 Nature and Type of Initiatives Considered Eligible

This agreement is tripartite (or multipartite, where more than one provincial or territorial government is involved and/or more than one community is involved), and involves the Government of Canada, a provincial or territorial government (or governments), and a First Nation or Inuit community (or communities).

Such an agreement can be entered into when the Government of Canada wishes to provide a financial contribution for expenses incurred by a police service authorized and/or established by a provincial or territorial government and a First Nation or Inuit community (or communities), and where this community is (or these communities are) responsible for governing the police service either through an independent police governing authority (also known as a board, a police board, a designated board, or a police commission) or through the local band council or regional government or authority.

These police services provide the day-to-day, local policing services to the First Nation or Inuit community (or communities) specified in the agreement. These police services, however, do not provide specialized services, such as ERT, Canine Units and Forensic Services. Such specialized services continue to be provided by the provincial or territorial police of jurisdiction on an as needed basis.

These police services are authorized and/or established by the provincial or territorial government. The police officers, special constables or other appointed individuals who form part of these police services are recognized under provincial or territorial policing legislation.

Financial contributions are attributed based on the Government of Canada providing up to 52% of eligible expenditures within the agreement and the provincial or territorial government providing the difference.

11.2 Eligible Expenditures

The following categories of expenditures are considered eligible, insofar as they relate directly or indirectly to expenses incurred by the contingent of officers identified in the contribution agreement.

- a) Pay and benefits for: police officers, special constables or other appointed individuals; and, permanent, temporary or casual civilian staff, including professional, technical, custodial, clerical and administrative employees;
- b) Administrative expenses, which must be defined in the agreement and shall not exceed 15% of the total value of the contribution agreement;
- c) Expenses necessary to fulfil the roles and responsibilities of the police governing authority, including: travel, training, room rentals, and honoraria;
- d) Police equipment;
- e) Transportation expenses and related equipment;
- f) Expenses related to employee travel to and from remote locations;
- g) Expenses related to prisoners' keep and escorts;
- h) Information technology and communications equipment and associated expenses;
- i) Training and recruitment expenses;
- j) Rent subsidies for housing of officers, where applicable;
- k) Police facility costs;
- l) Policing infrastructure expenditures when the police facility is owned by the First Nation or Inuit community, as defined as:
 - renovation of an existing police facility;
 - onsite construction of a new, permanent police facility; and
 - acquisition and installation of a modular police facility built offsite;
- m) Insurance premiums for general liability insurance for policing operations, and vehicles and other means of transportation operated by or on behalf of the police service;
- n) Legal costs related to the operations of the police service; and
- o) Professional fees related to the preparation of financial statements.

11.3 Maximum Amount Payable

The maximum amount payable for any one recipient will not exceed \$20 million annually (federal share).

11.4 Basis of Payments

Payments will be made based on a reimbursement of eligible expenditures. Advance payments will be provided based on a recipient's cash flow requirements and an assessment of risk.

11.5 Recipient Financial and Non-Financial (Performance) Reporting

In addition to the information described in this sub-section, the Department may also require any additional information from a recipient deemed to be necessary for the purposes of these Terms and Conditions or the agreement.

The following information is required from the recipient in an annual report. Where such information is not available or not relevant, the annual report should make mention of why this is the case:

- actual complement of police officers, special constables or other appointed individuals, as well as civilian staff, including an organization chart of the police service;
- training and recruitment activities for police officers, special constables or other appointed individuals;
- statistical data on caseload information;
- information about activities and programs that the police service may be delivering or involved in, such as school liaison work, drug education and awareness, crime prevention, and auxiliary officer programs;
- an inventory of vehicles;
- a description of policing infrastructure (current state of facilities, any improvements made to facilities, etc.);
- statistical data on public complaints against the police service, including the amount and the nature of the complaints;
- information on the police governing authority (also known as a board, a police board, a designated board, or a police commission) or of the Council for the administration of the police service, including its membership, the number of meetings held, and a description of its activities; and
- an inventory of weapons, including intermediary weapons.

Based on an assessment of risk, regular financial reporting and audited financial statements are also required from the recipient, as may be specified in the terms of the contribution agreement.

11.6 Application for Funding and Assessment Criteria

11.6.1 Application for Funding

Given that provinces and territories have jurisdiction over the administration of justice, which includes policing; the Government of Canada requires confirmation from the relevant provincial or territorial government that it supports the request for funding by the applicant.

When making a request for funding, applicants, with the support of the relevant provincial or territorial government, are required to provide the Government of Canada with sufficient information that demonstrates that the police service has the necessary documentation and processes in place to become operational. A letter of support is required when the applicant is not the regional or local / municipal government or authority having jurisdiction over the First Nation or Inuit community (First Nation, Inuit or Métis) and the land occupied by the First Nation or Inuit community, including:

- A “council of the band” within the meaning of subsection 2(1) of the *Indian Act*, R.S.C. 1985, c.I-5; or
- A government of a First Nation or Inuit community established by an act of Parliament or a legislature.

Such information includes:

- a copy of standing orders, policies or procedures;
- a description of the police service, including its structure, size and governance;
- a copy of the code of conduct and conflict of interest guidelines;
- information regarding human resource and financial management policies or processes, including insurance requirements;
- proof that the local First Nation or Inuit community has demonstrated its capacity to deliver public safety services to the local population;
- proof of support of the community(ies) such as letters of support, band council resolution or hamlet resolution; and, proof of support from the provincial or territorial government, such as a letter of support from a provincial senior official responsible for provincial policing.

Applicants are required to provide the Government of Canada with a business plan that contains the following information:

- population and crime statistics within the territory of the police service;
- response rates;
- officer complement levels and caseload of officers;
- socio-economic factors affecting the community (or communities) within the territory of the police service;
- geospatial location and influences of the community (or communities) within the territory of the police service;
- social or justice services available in the community (or communities) within the territory of the police service, and a description of the relation of the police service with these services; and

- a multi-year budget that clearly outlines the categories of expenditures for which a financial contribution is being requested for each fiscal year, as well as other sources of revenue, including in-kind support, where applicable.

Applicants are required, where relevant, to provide a description of infrastructure-related requirements (police facilities).

11.6.2 Assessment Criteria

Once an application for funding is submitted, the Government of Canada will review and assess it based on the following criteria:

- thoroughness and comprehensiveness of information submitted as outlined in sub-section 11.6.1;
- level of support from the relevant provincial or territorial government for the application;
- level of support from the local First Nation or Inuit government that has jurisdiction over the community and the land occupied by the community;
- officer-to-population ratio;
- comparison of officer complement levels and caseload of officers, including complexity of caseload, in nearby non- First Nation or Inuit communities and in comparable First Nation or Inuit communities;
- severity of socio-economic problems affecting the community (or communities);
- geospatial location where the community (or communities) is (are) located, including distance and access to the nearest service centre;
- level of involvement or integration of the police service with other social or justice services available in the community (or communities);
- community well-being index;
- total crime rate;
- violent crime rate;
- sexual assaults crime rate;
- assaults crime rates;
- response times;
- population size;
- total annual cost to Public Safety Canada; and
- current policing infrastructure capacity.

For an application for funding from a current recipient, the Government of Canada will take into consideration the number of years for which it has previously provided a financial contribution for a policing service for expenses incurred by that police service.

In addition, for an application for funding from a recipient that has previously received contribution funding for a policing service within the past 24 months, the Government of Canada will review the applicant's performance in managing previous policing agreements. This may include a file review, as well as a review of departmental risk assessments.

11.7 Method Used to Determine the Amount of a Contribution

Government of Canada officials, in conjunction with provinces and territories, will review the information received (as part of sub-section 11.6 of this document), especially the information that describes the multi-year budget being requested, and assess the components against similar existing agreements. The amount of a contribution is determined based on factors including, but not limited to:

- the number of officers;
- pay and benefits of officers (a comparative analysis of pay and benefits of other police services of similar size and caseload and/or of other police services in the province or territory can be conducted to inform funding decisions);
- the geographic zone of the territory where the officers are operating;
- any specific requirements highlighted in the request for application (e.g., policing infrastructure, equipment, etc.);
- the level of funding that the relevant provincial or territorial government is willing and able to provide; and
- the availability of federal funding.

11.8 Additional Contribution Funding Approaches for Transfer Payments to First Nation and Inuit Recipients

11.8.1 Flexible Contribution Funding

The Government of Canada will consider utilizing a flexible contribution funding approach where a recipient has demonstrated the capacity to manage transfer payments. A flexible contribution approach can be used for First Nation and Inuit recipients when they have demonstrated capacity to effectively manage transfer payments.

This approach enables the recipient to redirect funding among the cost categories established in the funding agreement. It also allows the recipient, in a multi-year funding agreement, to carry over unexpended funding remaining at the end of each fiscal year for use in the next fiscal year to further achieve results toward the funding objectives. A request or notification letter must be made in writing by the recipient, prior to the end of the fiscal year, to carry over unexpended funding to the next fiscal year. Before approval

by the Government of Canada of such a request, the funding manager will consider the recipient's:

- governance structure;
- organization for purposes of funding and activities management, financial and administrative experience, and capacity to deliver activities;
- management processes, procedures and controls;
- accountability mechanisms for transparency, disclosure, responsibility and redress; and
- financial situation.

All unexpended funding from Canada at the termination or expiry of a funding agreement, unless it is renewed, will constitute a debt due to Canada and will need to be reimbursed.

11.8.2 Fixed Contribution Funding

The Government of Canada will consider utilizing a fixed contribution funding approach for modern treaty recipients such as the Cree Regional Authority (CRA) pursuant to the Government of Canada's obligations under the *James Bay and Northern Quebec Agreement*, whereby the Government of Canada is required to provide funding to the CRA for the Eeyou-Eenou police force in accordance with the terms of the Complementary Agreement No. 19 of the *James Bay and Northern Quebec Agreement*.

A fixed contribution approach allows the recipient, in a multi-year funding agreement, to carry over unexpended funding remaining at the end of each fiscal year for use in the next fiscal year to further achieve results toward the funding objectives. It also allows the recipient to retain unexpended funding remaining at the expiry of the contribution agreement provided that the obligations and objectives set out in the contribution agreement are met and the recipient agrees to use the unexpended funding for purposes consistent with the objectives of these Terms and Conditions.

11.9 Modern Treaties, Comprehensive Land Claims and Self-Government Agreements

Contributions paid under this stream can be made to recipients eligible under section 4(a)(ii) when prescribed by an executed Modern Treaty, Comprehensive Land Claim Agreement or Self-Governing Agreement to fulfil obligations in relation to policing. When such is the case, requirements under this stream will be adapted accordingly and will be based on the requirements from the executed Modern Treaty, Comprehensive Land Claim Agreement or Self-Governing Agreement. In the event of a conflict between the requirements of this stream and the terms and spirit of a Modern Treaty, Comprehensive Land Claim Agreement or Self-Governing Agreement, including any related implementation arrangement, the latter will prevail.

12. STREAM 2 - Contribution Agreement for a Contingent of Police Officers from an Existing Police Service other than the RCMP

12.1 Nature and Type of Initiatives Considered Eligible

This agreement is tripartite, and involves the Government of Canada, a provincial or territorial government, and a First Nation or Inuit community (or communities); or is quadripartite, and involves the Government of Canada, a provincial or territorial government, a First Nation or Inuit community (or communities), and a municipality.

Such an agreement can be entered into when the Government of Canada wishes to provide a financial contribution for expenses incurred by a contingent of police officers, special constables or other appointed individuals working for an existing provincial, territorial, municipal or regional police service.

This contingent of police officers, special constables or other appointed individuals is to provide dedicated policing to a First Nation or Inuit (or communities). These police officers, special constables or other appointed individuals are expected to spend all of their time providing policing services to the First Nation or Inuit community (or communities) identified in the agreement. They do not, however, provide specialized services, such as ERT, Canine Units and Forensic Services. Such specialized services continue to be provided to the First Nation or Inuit community (or communities) by the provincial, territorial, municipal or regional police service on an as needed basis.

Financial contributions are attributed based on the Government of Canada providing up to 52% of eligible expenditures within the agreement and the provincial or territorial government providing the difference.

12.2 Eligible Expenditures

The following categories of expenditures are considered eligible, insofar as they relate directly or indirectly to expenses incurred by the contingent of officers identified in the contribution agreement.

- a) Pay and benefits for: police officers, special constables or other appointed individuals; and support staff, including professional, technical, custodial, clerical and administrative employees;
- b) Administrative expenses, which must be defined in the agreement and shall not exceed 15% of the total value of the contribution agreement;
- c) Police equipment;
- d) Transportation expenses and related equipment;
- e) Expenses related to employee travel to and from remote locations;
- f) Expenses related to prisoners' keep and escorts;

- g) Information technology and communications equipment and associated expenses;
- h) Training and recruitment expenses;
- i) Rent subsidies for housing of officers, where applicable;
- j) Police facility costs;
- k) Policing infrastructure expenditures when the police facility is owned by the First Nation or Inuit community or the municipality, as defined as:
 - renovation of an existing police facility;
 - onsite construction of a new, permanent police facility; and
 - acquisition and installation of a modular police facility built offsite;
- l) Insurance premiums for general liability insurance for policing operations by the contingent of police officers, special constables or other appointed individuals, and vehicles and other means of transportation operated by the contingent of police officers, special constables or other appointed individuals; and
- m) Professional fees related to the preparation of financial statements.

12.3 Maximum Amount Payable

The maximum amount payable for any one recipient will not exceed \$15 million annually (federal share).

12.4 Basis of Payments

Payments will be made based on a reimbursement of eligible expenditures. Advance payments will be provided based on a recipient's cash flow requirements and an assessment of risk.

12.5 Recipient Financial and Non-Financial (Performance) Reporting

In addition to the information described in this sub-section, the Department may also require any additional information from a recipient deemed to be necessary for the purposes of these Terms and Conditions or the agreement.

The following information is required from the recipient in an annual report. Where such information is not available or not relevant, the annual report should make mention of why this is the case:

- actual complement of the contingent of police officers, special constables or other appointed individuals, as well as civilian staff, including an organization chart of the police service;
- training and recruitment activities for the contingent of police officers, special constables or other appointed individuals;
- statistical data on caseload information for the contingent of police officers, special constables or other appointed individuals;
- information about activities and programs that the contingent of police officers, special constables or other appointed individuals may be delivering or involved in, such as school liaison work, drug education and awareness, crime prevention, and auxiliary officer programs;
- an inventory of vehicles used by the contingent of police officers, special constables or other appointed individuals, if applicable;
- a description of policing infrastructure used for the specific purpose of the contingent of police officers, special constables or other appointed individuals, if applicable;
- statistical data on public complaints against the contingent of police officers, special constables or other appointed individuals, including the amount and the nature of the complaints; and
- an inventory of weapons, including intermediary weapons used by the dedicated contingent of police officers, special constables or other appointed individuals, if applicable.

Based on an assessment of risk, regular financial reporting and audited financial statements are also required from the recipient, as may be specified in the terms of the contribution agreement.

The following information is required from the First Nation or Inuit community (or communities) in an annual report:

- information on the community participation / advisory body stipulated in the contribution agreement, including its membership, the number of meetings held, and a description of its activities; and
- the benefits of the contribution agreement to the First Nation or Inuit community (or communities) and the policing services provided to the First Nation or Inuit community (or communities) pursuant to the contribution agreement.

12.6 Application for Funding and Assessment Criteria

12.6.1 Application for Funding

Given that provinces and territories have jurisdiction over the administration of justice, which includes policing; the Government of Canada requires confirmation from the

relevant provincial or territorial government that it supports the request for funding by the applicant.

When making a request for funding, applicants, with the support of the relevant provincial or territorial government are required to provide the Government of Canada with sufficient information that demonstrates that the police service has the necessary documentation and processes in place to be operational. A letter of support is required when the applicant is not the regional or local / municipal First Nation or Inuit government or authority having jurisdiction over the First Nation or Inuit community (First Nation, Inuit or Métis) and the land occupied by the First Nation or Inuit community, including:

- A “council of the band” within the meaning of subsection 2(1) of the *Indian Act*, R.S.C. 1985, c.I-5; or
- A government of a First Nation or Inuit community established by an act of Parliament or a legislature.

Such information includes:

- population and crime statistics in the First Nation or Inuit community (or communities) where the contingent of police officers, special constables or other appointed individuals would provide dedicated policing;
- response rates;
- officer complement levels and caseload of officers;
- socio-economic factors affecting the community (or communities) where the contingent of police officers, special constables or other appointed individuals would provide dedicated policing;
- geospatial location and influences of the community (or communities) where the contingent of police officers, special constables or other appointed individuals would provide dedicated policing;
- social or justice services available in the community (or communities) where the contingent of police officers, special constables or other appointed individuals would provide dedicated policing, and a description of the relation of the police service with these services;
- proof of support of the community (or communities) such as letters of support, band council resolution or hamlet resolution;
- proof of support from the provincial or territorial government, such as a letter of support from a provincial senior official responsible for provincial policing; and
- a multi-year budget that clearly outlines the categories of expenditures for which a financial contribution is being requested for each fiscal year, as well as other sources of revenue, including in-kind support, where applicable.

Applicants, along with the relevant provincial, territorial or municipal government, are also required, where relevant, to provide the Government of Canada with a description of infrastructure-related requirements (police facilities).

12.6.2 Assessment Criteria

Once an application for funding is submitted, the Government of Canada will review and assess it based on the following criteria:

- thoroughness and comprehensiveness of information submitted as outlined in sub-sub-section 12.6.1;
- level of support from the relevant provincial, territorial or municipal government for the application and the police service provider for the application;
- level of support from the local First Nation or Inuit government that has jurisdiction over the community and the land occupied by the community;
- officer-to-population ratio;
- comparison of officer complement levels and caseload of officers, including complexity of caseload, in nearby non- First Nation or Inuit communities and in comparable First Nation or Inuit communities;
- severity of socio-economic problems affecting the community (or communities) where the contingent of police officers, special constables or other appointed individuals would provide dedicated policing;
- geospatial location where the community (or communities) is (are) located, including distance and access to the nearest service centre;
- level of involvement or integration of the police service with other social or justice services available in the community (or communities) where the contingent of police officers, special constables or other appointed individuals would provide dedicated policing;
- community well-being index;
- total crime rate;
- violent crime rate;
- sexual assaults crime rate;
- assaults crime rates;
- response times;
- population size;
- total annual cost to Public Safety Canada; and
- current policing infrastructure capacity.

For an application for funding from a current recipient, the Government of Canada will take into consideration the number of years for which it has previously provided a financial contribution for a policing service for expenses incurred by that police service.

In addition, for an application for funding from a recipient that has previously received contribution funding for a policing service within the past 24 months, the Government of Canada will review the applicant's performance in managing previous policing agreements. This may include a file review, as well as a review of departmental risk assessments.

12.7 Method Used to Determine the Amount of a Contribution

Government of Canada officials, in conjunction with provinces and territories, will review the information received (as part of sub-section 12.6 of this document), especially the information that describes the multi-year budget being requested, and assess the components against similar existing agreements. The amount of a contribution is determined based on factors including, but not limited to:

- the number of officers;
- pay and benefits of officers (a comparative analysis of pay and benefits of other police services of similar size and caseload and/or of other police services in the province or territory can be conducted to inform funding decisions);
- the geographic zone of the territory where the officers are operating;
- any specific requirements highlighted in the request for application (e.g., policing infrastructure, equipment, etc.);
- the level of funding that the relevant provincial or territorial government is willing and able to provide; and
- the availability of federal funding.

12.8 Modern Treaties, Comprehensive Land Claims and Self-Government Agreements

Contributions paid under this stream can be made to recipients eligible under section 4(a)(ii) when prescribed by an executed Modern Treaty, Comprehensive Land Claim Agreement or Self-Governing Agreement to fulfil obligations in relation to policing. When such is the case, requirements under this stream will be adapted accordingly and will be based on the requirements from the executed Modern Treaty, Comprehensive Land Claim Agreement or Self-Governing Agreement. In the event of a conflict between the requirements of this stream and the terms and spirit of a Modern Treaty, Comprehensive Land Claim Agreement or Self-Governing Agreement, including any related implementation arrangement, the latter will prevail.

3. STREAM 3 - Contribution Agreement for Other Policing Initiatives

13.1 Nature and Type of Initiatives Considered Eligible

This agreement can be bilateral or multipartite depending on its nature and scope.

Such an agreement can be entered into when the Government of Canada wishes to support a project that is consistent with the **Purpose, Objectives, and Expected Results** of these Terms and Conditions, as described in Sections 2 and 3.

The following are examples of such agreements:

- a) Developmental work in support of the implementation of a new police service, including work to develop some of the items identified in sub-section 11.6;
- b) Innovative approaches to service delivery in First Nation or Inuit communities;
- c) Training activities for members of a police governance authority or a community participation / advisory body;
- d) Conferences and workshops;
- e) Ceremonies and events;
- f) Police recruitment activities;
- g) Career development and training activities, including cultural awareness training;
- h) Police infrastructure projects; and
- i) Activities related to promoting cultural relevance and consistent with the objectives of these Terms and Conditions.

Financial contributions for a Contribution Agreement for Other Policing Initiatives are typically attributed based on the Government of Canada providing 52% of eligible expenditures within the agreement and the provincial or territorial government providing the difference. However, given that the nature and scope of a project can vary greatly from one project to another, the Government of Canada can provide financial contributions of up to 100% of eligible expenditures.

13.2 Eligible Expenditures

The following categories of expenditures are considered eligible, insofar as they relate directly to expenses incurred by the recipient for the project being undertaken.

- a) Pay and benefits for individuals related to the project being undertaken;
- b) Administrative expenses, which must be defined in the agreement and shall not exceed 15% of the total value of the contribution agreement;

- c) Expenses necessary to fulfil the roles and responsibilities associated with members of a community participation / advisory body, including: travel, training, room rentals, and honoraria;
- d) Equipment, supplies and materials;
- e) Expenses related to travel for individuals associated with the project;
- f) Information technology and communications equipment and associated expenses;
- g) Training, recruitment, educational, and career development activities, including cultural awareness training;
- h) Rent and utilities;
- i) Policing infrastructure expenditures when a police facility is owned by a First Nation or Inuit community, a provincial, territorial, regional or local / municipal government or authority, as defined as:
 - renovation of an existing police facility;
 - onsite construction of a new, permanent police facility; and
 - acquisition and installation of a modular police facility built offsite;
- j) Professional fees related to the project objectives;
- k) Expenses related to communications, advertising and outreach material;
- l) Expenses associated with the formal evaluation of the project;
- m) Expenses associated with the evaluation or assessment of the activities of a First Nation or Inuit police service that receives a financial contribution pursuant to these Terms and Conditions;
- n) Expenses associated with preliminary work required before a new police service can be established, including the development of standing orders, policies, guidelines and procedures for operating the police service;
- o) Honoraria;
- p) Ceremonial items; and
- q) Hospitality in the form of food and drink, excluding alcohol, for gatherings, training sessions where the majority of participants are from Aboriginal communities, and ceremonies.

13.3 Maximum Amount Payable

The maximum amount payable for any one recipient will not exceed \$5 million annually (federal share).

13.4 Basis of Payments

Payments will be made based on a reimbursement of eligible expenditures. Advance payments will be provided based on a recipient's cash flow requirements and an assessment of risk.

13.5 Recipient Financial and Non-Financial (Performance) Reporting

In addition to the information described in this sub-section, the Department may also require any additional information from a recipient deemed to be necessary for the purposes of these Terms and Conditions or the agreement.

A final report (or periodic reports, where necessary to ensure progress, and agreed to in the contribution agreement) and a final financial statement are requested from the recipient that clearly demonstrates:

- the activities completed during the term of the report;
- whether the expected results are being achieved, including the performance measures utilized to gauge the success of the project or activities; and
- that the financial contribution has been disbursed on eligible categories of expenditures.

For multi-year projects, these reports should be provided on an annual basis until the completion of the project or activities, at which point a final report and a final financial statement must be submitted.

Where the Government of Canada is providing a contribution of \$300,000 or more for a Contribution Agreement for Other Policing Initiatives, an audited financial statement at the expiry of the contribution agreement is required. Where the Government of Canada is providing a contribution of less than \$300,000 for a Contribution Agreement for Other Policing Initiatives, an audited financial statement at the expiry of the contribution agreement may be required.

13.6 Application for Funding and Assessment Criteria

13.6.1 Application for Funding

When making a request for funding, applicants are required to provide the Government of Canada with information that contains:

- a description of how the project aligns with the objectives of these Terms and Conditions;
- level of support from the local First Nation or Inuit government that has jurisdiction over the community and the land occupied by the community;

- information on the need for the project;
- a description of the activities to be undertaken and the expected results and outcomes;
- information on the performance measurement strategy detailing how the expected results and outcomes of the project will be achieved;
- a description of potential stakeholders that will be impacted by the project; and
- a detailed project budget that clearly outlines the projected expenditures and other sources of revenue, including in-kind support, where applicable.

13.6.2 Assessment Criteria

Once an application for funding is submitted, the Government of Canada will review and may assess it based on the following criteria:

- thoroughness and comprehensiveness of information submitted as outlined in sub-sub-section 13.6.1;
- level of support from the relevant provincial or territorial government for the application;
- level of support from the local First Nation or Inuit government that has jurisdiction over the community and the land occupied by the community;
- degree to which the project is aligned with the objectives of these Terms and Conditions, and ability to measure the results of the project;
- degree to which the project is seen as a promising practice or an innovative approach in the area of First Nation or Inuit policing. This could also include an assessment of the feasibility for the project to be replicated and implemented in other communities across the country;
- linkages of the project, activities and/or expected results with Public Safety Canada or Government of Canada priorities; and
- where applicable, the level of involvement of other stakeholders, particularly provincial or territorial government directly impacted by the project.

In addition, for an application for funding from a recipient that has previously received contribution funding for a policing service or for other policing initiatives within the past 24 months, the Government of Canada will review the applicant's performance in managing those past agreements. This may include a file review, as well as a review of departmental risk assessments.

13.7 Method Used to Determine the Amount of a Contribution

Financial contributions are determined based on a detailed project proposal, a budget outlining all proposed activities and projected expenditures, and the availability of federal funding and provincial or territorial funding.