In The Executive Council Chamber, Winnipeg

The 20th day of January A.D. 1971.

PRESENT

The Honourable Mr. SCHREYER in the Chair.
Mr. CHERNIACK
Mr. MACKLING
Mr. USKZI
Mr. MILLER
Mr. TOUPIN
Mr. EVANS
Mr. BURNTNIAK
Mr. BOROWSKI
Mr. PAWLEY
Mr. HANUSCHAK
Mr. DOERIN

ON MATTERS OF STATE

To His Honour the Lieutenant-Governor-in-Council

The undersigned, the Minister of Welfare

submits for approval of Council a report setting forth that:

WHEREAS Section 12 of the Department of Welfare Act, being Cap. W 110, R.S.M. 1970, provides as follows:

Agreement authorized respecting expenditure of grants received for welfare purposes.
12(1) Where the Governor General in Council, or any person, institution, foundation, association, society, or other organization, (in this section called "the grantor") will, under an Act of the Parliament of Canada or otherwise, make a grant or gift of moneys to the Government of Manitoba for the promotion, advancement, improvement, protection, or security, in any way, of the welfare of citizens of the province, the minister, acting for and on behalf of the government, may, subject to subsection (3), enter into an agreement with the grantor respecting the purposes for which, and the terms and conditions on which, the moneys shall be received and expended by the government.

Agreement authorized respecting expenditure of moneys appropriated for welfare purposes.
12(2) Where an Act of the Legislature has authorized the making of a grant or gift of moneys, to be paid from and out of the Consolidated Fund, to any person, institution, foundation, association, society, or other organization (in this section called "the grantee") for the promotion, advancement, improvement, protection, or security, in any way, of the welfare of citizens of the province, the minister may prescribe the specific purposes for which, and the terms and conditions on which, the moneys shall be received and expended by the grantee, and may require the grantee to enter into an agreement with respect thereto in such form as the minister requires; and the minister, acting for and on behalf of the government, may, subject to subsection (3), enter into such an agreement with the grantee.

Approval of agreement by order in council.
12(3) The minister shall not enter into an agreement under subsection (1) or (2) unless, before the execution thereof by him, it has been approved by order of the Lieutenant Governor in Council.

AND WHEREAS the execution of an agreement made on the 2nd day of September, 1966, (hereinafter called "the 1966 agreement") between the Government of Canada, represented by the Minister of Northern Affairs and National Resources, and the Government of Manitoba, represented by the Minister of Welfare, respecting reimbursement for the provision of services by the Children's Aid...
Societies of Western, Central and Eastern Manitoba to, for and on behalf of Indians residing on Indian Reserves lying within the boundaries, or Indians residing within the boundaries described in the Articles of the incorporation of the said Societies, or within the boundaries as they may be changed from time to time under the provisions of the Child Welfare Act, was authorized by Order in Council No. 897/66 made on the 29th day of June, 1966;

AND WHEREAS under the provisions of paragraph 5 of the 1966 agreement the liability of the Government of Canada does not exceed $50,000 in any one year;

AND WHEREAS under the provisions of paragraph 6 of the 1966 agreement it was covenanted and agreed that if it appears that the cost to the Societies in any year for providing, performing and carrying out family protection and unmarried parent services may exceed the amount of $50,000 the amount of the maximum liability of the Government of Canada may be increased;

AND WHEREAS the Government of Canada has, at the request of the Government of Manitoba, agreed to increase its maximum contribution to $150,000 retroactive to, and to take effect as and from the first day of April, 1967;

AND WHEREAS for that purpose it is deemed advisable that the Government of Manitoba enter into an agreement with the Government of Canada to amend the 1966 agreement;
Memorandum of Agreement made this 1970.

Day of

BETWEEN: THE GOVERNMENT OF CANADA As Represented By The Minister of Indian Affairs and Northern Development, Hereinafter Referred to As "Canada",

OF THE FIRST PART

AND THE GOVERNMENT OF THE PROVINCE OF MANITOBA As Represented By The Minister of Health and Social Development, Hereinafter Referred To As "Manitoba",

OF THE SECOND PART

WHEREAS Canada and Manitoba entered into an agreement on the 2nd day of September, 1966 (hereinafter called "the 1966 agreement") to provide that the Children’s Aid Societies of Western, Central and Eastern Manitoba shall continue to perform, carry out and provide their services to, for and on behalf of Indians residing on Indian Reserves lying within the boundaries of Indians residing within the boundaries described in the articles of incorporation of the said Societies, or within the boundaries as they may be changed from time to time under provisions of the Child Welfare Act;

AND WHEREAS under the terms of the 1966 agreement Canada agreed to pay to Manitoba each year the cost to each society for that year of providing, performing and carrying out its family protection and unmarried parents services for and on behalf of Indians, such cost to be determined in accordance with paragraph 5 of the said agreement;

AND WHEREAS pursuant to paragraph 5 of the 1966 agreement, Canada’s liability thereunder does not exceed $50,000 in any one year;

AND WHEREAS by paragraph 6 of the 1966 agreement, it was covenanted and agreed that if it appears that the cost to the Societies in any year for providing, performing and carrying out family protection and unmarried parents services may exceed the amount of $50,000 the amount of Canada’s maximum liability may be increased;

AND WHEREAS Canada has, at the request of Manitoba, agreed to increase its maximum contribution to $150,000.

NOW THEREFORE THIS AGREEMENT WITNESSES THAT in consideration of the premises and the mutual covenants and agreements contained herein and in the 1966 agreement, the parties hereto hereby covenant and agree each with the other as follows:

1. Paragraph 5 of the 1966 agreement is amended by striking out the figures $50,000 in the twelfth line thereof and substituting therefor the figures $150,000.

2. Wherever in the 1966 agreement reference is made to the Minister of Northern Affairs and National Resources or to the Minister of Welfare such reference shall be read as and construed to mean the Minister of Indian Affairs and Northern Development or the Minister of Health and Social Development respectively as the context may require.

3. The 1966 agreement is, in all other respects, confirmed.

4. This agreement shall be retroactive to and shall take effect as and from the 1st day of April, 1969.
In Witness Whereof the Honourable Jean Chrétien, Minister of Indian Affairs and Northern Development has hereunto set his hand on behalf of the Government of Canada and the Honourable René Toupin, Minister of Health and Social Development of Manitoba, has hereunto set his hand on behalf of the Government of the Province of Manitoba.

Signed on behalf of the Government of Canada by the Honourable Jean Chrétien, Minister of Indian Affairs and Northern Development in the presence of

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Minister of Indian Affairs and
Northern Development

Signed on behalf of the Government of the Province of Manitoba by the Honourable René Toupin, Minister of Health and Social Development in the presence of

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Minister of Health and Social Development
THEREFORE he, the Minister, recommends:

THAT the Honourable Rene Toupin, the Minister of Welfare, representing the Government of the Province of Manitoba, be authorized to execute an agreement with the Government of Canada, represented by the Minister of Indian Affairs and Northern Development, to amend the 1966 agreement in the form and in the terms of the unexecuted agreement hereto attached and marked Schedule "A", or to like effect.

Submitted and Recommended

Minister of Welfare

Upon consideration of the foregoing report and recommendation Council advises that it be done as recommended by the Honourable the Minister of Welfare; and His Honour the Lieutenant-Governor-in-Council is pleased to approve the said report and recommendation and doth order accordingly.

President of the Council

or

Presiding Member of the Executive Council.
I hereby certify that the within instrument is a true and correct copy of Order-in-
Council No.

Given under my hand and seal of Office at the City of Winnipeg in Manitoba, this


A.D. 19

Clerk of the Executive Council.