

## **Appendix N**

### **Distribution of DAF – Terms and Conditions**

The principal terms and conditions for the distribution of the Designated Amount Fund approved by the Court were as follows:

- NIBTF would receive 94.3 percent of the funds to be distributed between First Nations (97.3 percent) and Métis (2.7 percent);
- IEF would receive 5.7 percent of the funds to be distributed between Nunavut Inuit (60.5 percent), Inuvialuit (30.4 percent), Quebec Inuit (8.1 percent), and Labrador Inuit (1 percent);
- Funds would be distributed by NIBTF and IEF to individuals or groups to attend educational programs (including mainstream education, employment training, courses on Indigenous language and culture) to address the intergenerational impact of residential schools, promote reconciliation, and improve the conditions for educational success;
- Each organization would identify educational needs and priorities for First Nations, Métis and Inuit individuals, families and communities and set forth objective criteria and guidelines for the selection of applicants;
- Funds could be disbursed through scholarships, grants, bursaries, sponsorships and awards for a variety of educational expenses in mainstream education (including tuitions, transportations, and living expenses) or cultural programs (such as elder's fees, equipment, and supplies) without reducing, replacing, or duplicating existing support available through federal, provincial and territorial governments, but to augment and complement such funding;

- NIBTF would invest no less than 50 percent of the initial capital received to be maintained as a reserve for a term of 20 years;
- Administrative expenses of NIBTF shall not exceed 10 percent of the interest generated by the funds each year, or 10 percent of the amount paid out to beneficiaries each, whichever is greater.<sup>1</sup> The total administrative expenses of IEF shall not exceed an average of 20 percent of the funds received by IEF; and
- Each organization would account and report separately on the funds received and disbursed by preparing annual financial statements, annual reports, and by filing Annual Information Returns as required by the Canada Revenue Agency for registered charities.

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<sup>1</sup> NIBTF subsequently requested an increase in administrative expenses allowed from 10 to 15 percent. The request was initially approved for a period of two years by the Supreme Court of British Columbia on October 31, 2016, and then permanently in a subsequent court order dated July 27, 2018.