

### **III. PROCEDURES AGREEMENT**

#### **1. TYPES OF MEETINGS**

##### **(A) Tripartite Meetings:**

- (i) The Chief Negotiators or designates will schedule formal tripartite meetings in advance.
- (ii) The Chief Negotiators will establish tripartite working groups along with terms of reference for the working groups as required. Working groups will provide such things as recommendations and options on specific issues.
- (iii) The tripartite working groups will schedule their meetings within the terms of reference supplied by the Chief Negotiators.

##### **(B) Bilateral Meetings:**

- (i) The Parties acknowledge that formal bilateral meetings may be required to deal with matters between two of the Parties. The uninvolved Party will be advised of the issues for discussion and will be provided with a summary of the outcome if requested.

#### **2. FREQUENCY OF MEETINGS**

- (A) The Main Table will meet as agreed upon by the Chief Negotiators.
- (B) Working Groups will be established as required and as agreed upon. Working group discussions could occur by telephone conference call.

#### **3. LOCATION OF MEETINGS**

- (A) Main Table meetings will be held in Hupacasath territory unless otherwise agreed to by the Chief Negotiators.

#### **4. AGENDA FOR AND CHAIRING OF MAIN TABLE MEETINGS**

##### **(A) Agenda:**

- (i) A draft Main Table agenda will be developed and circulated to the Parties prior to each Main Table meeting.

- (ii) Documents for discussion at the Main Table will be circulated to the Chair and other Parties prior to the meeting unless otherwise agreed to by the Chief Negotiators.
- (iii) For Main Table sessions that are open to the public, the agenda will be made available in advance of the meeting.

**(B) Chairing:**

- (i) Responsibility for chairing Main Table meetings will be rotated among the three Parties or as agreed by the Chief Negotiators.

**5. RECORD KEEPING**

- (A) **Written Records:** The negotiating teams will keep their own individual notes.
- (B) **Audio or Video Recordings:** There will be no recording or video taping of proceedings unless agreed to by the Chief Negotiators. Any recordings or video taping of sessions will be for historical or educational purposes only and have no status as admissions or as records of agreement.
- (C) **Record of Decisions:** The Parties will agree upon a written Record of Decisions and commitments, and any other information that may be deemed relevant. The release of the Record of Decisions is guided by the Openness Agreement.

**6. PUBLIC ACCESS TO MEETINGS**

- (A) Access by the public to negotiation sessions is guided by the Openness Agreement.

**7. COMMUNICATIONS**

- (A) **Openness:** The Parties have reached agreement regarding the openness of the Hupacasath First Nation treaty process. This agreement sets out guidelines for public access to information related to the negotiations.
- (B) **Reporting to BCTC:** The Parties will report to the BCTC as required by the BCTC.

**8. DISPUTE RESOLUTION**

- (A) The Parties will endeavour to resolve disputes in a non-confrontational manner through the use of alternative dispute resolution mechanisms.

The Parties may ask the BCTC to assist in the resolution of disputes or employ other dispute resolution techniques as may be appropriate.

**9. CONSULTATION PROCESSES OF THE PARTIES**

(A) The Parties will share information about their respective consultation processes. The Parties will allow adequate time for these consultations to occur.

**10. CONTACTS**

All notices pursuant to this Agreement shall be sent to each of the Parties at the following addresses:

For Hupacasath First Nation:

Hupacasath First Nation  
PO Box 211  
5323 River Road  
Port Alberni BC V9Y 7M7  
Attention: Chief Judith Sayers

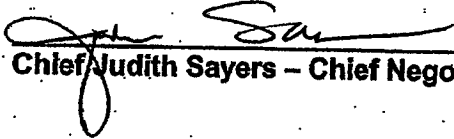
For British Columbia:

Treaty Negotiations Office  
2<sup>nd</sup> Floor, 908 Pandora Avenue  
Victoria BC V8V 1X4  
Attention: Margo Elewonibi

For Canada:

Federal Treaty Negotiation Office  
600 – 1138 Melville Street  
Vancouver BC V6E 4S3  
Attention: Eric Denhoff

**SIGNED ON BEHALF OF THE  
HUPACASATH FIRST NATION:**

  
\_\_\_\_\_  
Chief Judith Sayers – Chief Negotiator

Oct 12/04  
Date

**SIGNED ON BEHALF OF HER MAJESTY  
THE QUEEN IN RIGHT OF BRITISH COLUMBIA:**

  
\_\_\_\_\_  
Margo Elewonibi – Senior Negotiator

12/10/04  
Date

**SIGNED ON BEHALF OF HER MAJESTY  
THE QUEEN IN RIGHT OF CANADA:**

  
\_\_\_\_\_  
Eric Denhoff – Chief Negotiator

Oct 11/04  
Date