

COOPERATION AGREEMENT

TO SUPPORT THE DEVELOPMENT AND ENHANCE THE VITALITY
OF THE ACADIAN COMMUNITY OF NEW BRUNSWICK

BETWEEN

CANADIAN HERITAGE,
Represented by the Minister of Canadian Heritage

OF THE FIRST PART,

AND

THE ACADIAN COMMUNITY OF NEW BRUNSWICK
Represented by the **SOCIÉTÉ DE L'ACADIE DU NOUVEAU-BRUNSWICK INC.**

OF THE SECOND PART.

Mai 2010

Parties have signed the French version of this Cooperation Agreement. This translated version of the agreement is for information only.

PREAMBLE

The Acadian community of New Brunswick

- 1 *The Acadian community of New Brunswick is composed of all French-speaking residents of the province who identify with this community and who participate in enhancing its vitality. It is inclusive and brings together the various French-speaking cultures in the region and French-speaking immigrants who live in this geopolitical territory.*

Responsibilities of the federal government

- 2 Canada's official languages policy reflects the willingness of all Canadians to live and prosper together. It is rooted in the country's history and reality, and strives to ensure that Canadians are able to participate in the many facets of society while using the official language of their choice. The *Canadian Charter of Rights and Freedoms* and the *Official Languages Act* give the Canadian government a key role in attaining the policy's objectives.
- 3 One of the fundamental objectives of the *Official Languages Act* (OLA) that applies to all federal institutions is to enhance the vitality and support for the development of English and French minority communities and foster the full recognition and use of both official languages in Canada.
- 4 To fulfill its mandate under the OLA, Canadian Heritage is working with several partners and has developed various complementary action mechanisms. These partnerships take the form of agreements on education and other services with the provinces and territories, co-ordinated action between federal institutions, and cooperation agreements with representatives from the community sector. This Agreement sets out specific guidelines for a partnership with the community sector.

Importance of the community sector in Canada

- 5 The community sector is one of the three pillars of Canadian society, along with the public and private sectors. Our quality of life, our economic strength and the vitality of our democratic institutions depend on the dynamism of these interdependent sectors and the support they provide each other.
- 6 The community sector has contributed to the development of several public services we now consider essential to the vitality of communities. This sector remains an important provider of service to official-language minority communities. The Department recognizes this important contribution to the vitality of official-language minority communities (OLMC), as reflected in the last three rounds of Cooperation Agreements reached between the Department and communities from 1994 to 2009.
- 7 This record of co-operation between the Government of Canada and the community sector since the enactment of the OLA over 40 years ago indicates that much progress has been made in fostering the development of official-language minority communities over that period. These results have been achieved through the communities' own efforts, support Canadian Heritage provides to community representative organizations in each

province and territory and the funding of activities and initiatives provided to Canadians by community organizations.

- 8 Investments and efforts by the federal government and the community sector helped make progress on education and school governance, issues related to economic development, health, justice and immigration, as well as contributed to enhancing the communities' cultural presence. Many communities now have community learning centres, daycares and schools, a college and university system, and a cultural infrastructure that includes publishing houses, cultural and community centres, community radio and newspapers, professional theatre companies, student and community performance companies and many professional artists. Today, communities have acquired tools to better plan and organize their development.
- 9 Over the past two decades, the Acadian community of New Brunswick has developed at an accelerated rate. About thirty provincial organizations work to develop the Acadian community in various sectors of activity and are members of the Forum de concertation des organismes acadiens. The adoption of a new political representation structure in 2008 was an opportunity to create the Société de l'Acadie du Nouveau-Brunswick (SANB) to bring together member organizations of the Forum and citizens within a single organization to represent civil society. The composition of its board of directors ensures fair representation of both parties, each having six (6) representatives. In addition, a seat is reserved for a youth representative and another for a person to represent new Acadians. With this new structure, the SANB becomes a federation in which dialogue, the essential element for the development of any civil organization, is front and centre.

1.0 SCOPE OF THE AGREEMENT

- 10 This Agreement certifies that the parties hereto agree as follows:
- 11 The Agreement pertains to the collaboration between the Official Languages Support Programs (OLSP) at Canadian Heritage and the Acadian community of New Brunswick, represented by the Société de l'Acadie du Nouveau-Brunswick Inc.
- 12 The Agreement acknowledges the importance of Canadian Heritage's interactions with organizations representing the official-language minority community in each province/territory.
- 13 The Agreement provides a framework for the community sector to identify strategies for community development that require an intradepartmental, interdepartmental and/or intergovernmental approach and to work with Canadian Heritage in establishing priorities for action.
- 14 The Agreement gives the community sector an opportunity to set up a recommendation table responsible for making recommendations to Canadian Heritage regarding activities and projects to be funded under the budgetary envelope allocated to Cooperation with the Community Sector.

15 The Agreement is not a contract and does not confer any legal rights or obligations on the parties. The legal instrument is the Contribution Agreement by which Canadian Heritage enters into a contractual relationship with organizations to produce deliverables and achieve expected results.

2.0 GOALS

16 This Agreement pertains to the cooperation between the OLSP and the community sector to ensure that necessary mechanisms are in place to:

- 17
- identify the community's development issues;
 - set priorities for action and expected results;
 - target intradepartmental, interdepartmental and intergovernmental action;
 - benefit from community knowledge in guiding funding decisions and developing public policy and programs; and
 - streamline administrative procedures and evaluate the status of cooperation between the parties.

2.1 Identify the community's development priorities

18 The SANB will establish an open, informed and sustained dialogue within the province's community to identify common development strategies derived from the community's evidence-based information.

2.2 Set priorities for action and expected results

19 Taking into account the community's development priorities, the objectives of the OLSP and Canadian Heritage departmental priorities, the SANB and Canadian Heritage will agree on priorities for action and expected results. These priorities may be considered in funding decisions and/or intradepartmental, interdepartmental and intergovernmental collaboration initiatives.

2.3 Target intradepartmental, interdepartmental and intergovernmental action

20 The community sector and Canadian Heritage will work with the various orders of government and departments to target intradepartmental, interdepartmental and intergovernmental action based on the established priorities.

2.4 Benefit from community knowledge in guiding funding decisions and developing public policy and programs

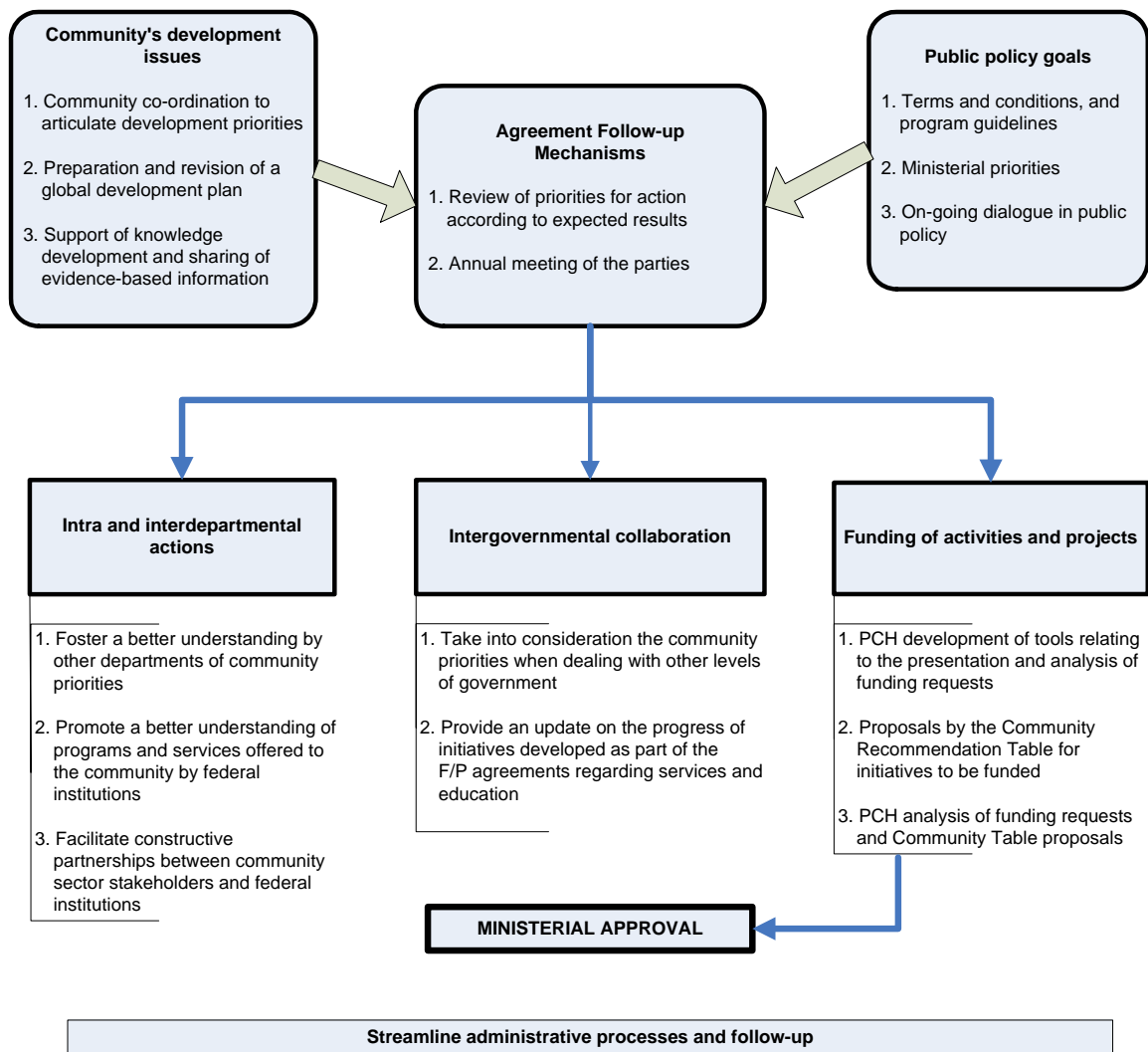
21 The community will make recommendations to Canadian Heritage with regard to projects and initiatives that may be funded through the budget envelope allocated to Cooperation with the Community Sector. Canadian Heritage will also be guided by the priorities of the community with regard to its policy and program initiatives.

2.5 Streamline administrative procedures and evaluate the status of cooperation between the parties

- 22 In the spirit of the new Policy on Transfer Payments, both sides agree on the importance of streamlining administrative procedures. A joint evaluation will determine whether the expected results have been achieved or how much progress has been made, as well as determine the effectiveness of the Agreement's implementation mechanisms.

3.0 IMPLEMENTATION MECHANISMS

- 23 To reach the goals set out in the previous section, both parties undertake to implement the following mechanisms:



3.1 Community co-ordination

- 24 Co-ordination will give the community the opportunity to articulate its needs and development priorities. In this regard, the community has prepared a global development plan that defines overall development priorities and establishes consistency among contributions from various agents of change in society. This co-ordination will establish funding priorities and target intradepartmental, interdepartmental and intergovernmental coordination activities.
- 25 The community has adopted a Plan de développement global de l'Acadie du Nouveau-Brunswick 2009-2014 that sets out overall strategies and objectives to be reached during this period. The SANB will be responsible for promoting a co-ordinated approach that will ensure that both established and new community groups are included.
- 26 Canadian Heritage will share its expertise and the results of available research to support the development of an environmental scan.

3.2 Agreement follow-up mechanisms

- 27 Canadian Heritage and the SANB will meet to determine the development priorities to be considered in selecting initiatives and projects to be funded or that may require a targeted intradepartmental, interdepartmental and/or intergovernmental approach. Both parties agree to consult each other at least once a year to review priorities for action given expected results:

3.2.1 - Follow-up to intradepartmental and interdepartmental actions

- 28 Canadian Heritage will foster better understanding within federal institutions of their obligations to support communities and promote the use of French.
- 29 Both parties agree to work together to foster better understanding within the community regarding programs and services offered by federal institutions and to provide federal institutions with a better understanding of the community and opportunities for co-operation.
- 30 Both parties undertake to help establish and maintain constructive relationships between community sector stakeholders and federal institutions to facilitate the implementation of community development objectives. In that context, Canadian Heritage, in co-operation with representative organizations, will seek to develop, improve and maintain a lasting relationship with the New Brunswick Federal Council and/or any appropriate provincial forum for federal government matters.
- 31 One of the preferred ways to do so will be through the Community-Government Discussion Table where a proactive, strategic and ongoing dialogue will be established between federal institutions and the Acadian community of New Brunswick in order to:
- 32
- enhance the vitality of the Acadian community in New Brunswick;
 - support the development priorities of the Acadian community in New Brunswick;

- promote the full recognition and use of French in New Brunswick;
- develop cooperation with provincial departments to enable them to actively participate in the work and accomplishments of the Community-Government Discussion Table.

33 A management plan (2009-2013) was established and sets out the following objectives:

- operationalize the mandate given to the Community-Government Discussion Table and provide direction on the initiatives and strategies to undertake;
- establish a permanent working relationship between federal institutions and the Acadian community of New Brunswick.

3.2.2 - Follow-up to federal and provincial actions

34 Both parties undertake to provide an update on the progress of initiatives developed as part of the Intergovernmental Cooperation on Minority-Language Services and the Intergovernmental Cooperation on Minority-Language Education for Second-Language Instruction to ensure better co-ordination of efforts deployed. Canadian Heritage will take community priorities into account in those initiatives.

3.2.3 - Funding Evaluation and Recommendations Committee (FERC)

35 The SANB will be responsible for setting up the Funding Evaluation and Recommendations Committee (FERC) to formulate recommendations to Canadian Heritage regarding projects and initiatives that may be funded through the budget envelope allocated to Cooperation with the Community Sector (see Appendix A). Such funding allocation proposals will reflect identified priorities.

36 The SANB will define a selection process for FERC members based on principles of good governance, democracy, transparency, independence and representativeness. Decisions concerning the process and composition of the FERC will be shared with Canadian Heritage.

37 To ensure the impartiality of its proposals, the FERC must have in place a policy on conflict of interest. The members of the FERC must also preserve the confidential nature of the information available to them.

38 Canadian Heritage will coordinate FERC meetings and will send to each member a folder containing funding applications, reviews carried out by agents as well as an assessment grid (assessing the long-term impact, funding diversification, organizational capacity, the action plan and links between the application and program as well as Global Development Plan objectives) jointly developed by Canadian Heritage and the SANB to support the FERC in its analysis task. Application presentation and analysis tools will serve as a basis for discussions to support the analysis task and recommendations enabling FERC to come to a consensus as to the amount to recommend.

3.2.4 - Processing of funding proposals

39 Canadian Heritage will be responsible for analyzing all funding applications submitted by organizations, conducting a critical review and making recommendations to the Minister of Canadian Heritage. Canadian Heritage will take into account the recommendations made by the FERC.

40 It is ultimately up to the Minister of Canadian Heritage to decide the specific allocation of funds, in accordance with the terms and conditions in use at Canadian Heritage. In the interest of transparency, the final allocation of funds will be presented to the FERC and made public once approved by the Minister.

4.0 STREAMLINE ADMINISTRATIVE PROCESSES AND FOLLOW-UP

41 In the spirit of the new Policy on Transfer Payments, the community sector and Canadian Heritage will work to streamline administrative processes related to this Agreement by promoting a better understanding of these processes, sharing best practices and opting for a better use of technology.

42 The implementation of the Agreement will be subject to ongoing monitoring. The two parties undertake to jointly assess the effectiveness of implementation mechanisms to improve the impact of initiatives and to smooth out the administrative process of this Agreement.

5.0 AMENDMENTS TO THE AGREEMENT

43 The Agreement will take effect upon signature by the two parties and will remain valid for as long as the parties deem it appropriate. The Agreement may be amended as needed, provided that written agreement has been obtained from authorized representatives of each party.

6.0 EVALUATION

44 The departmental evaluation plan prescribes an evaluation of the OLSP every five years. The Canadian Heritage Office of the Chief Audit Evaluation Executive is responsible for conducting the evaluation, in which the community sector will be asked to participate.

45 Three years after the Agreements come into force, the OLSP Branch will undertake a study to establish more precisely the challenges to implementing the Agreements and to suggest possible short and medium-term solutions. Representative organizations will participate in developing the framework of that study.

The Department of Canadian Heritage and the Société de l'Acadie du Nouveau-Brunswick, on behalf of the Acadian community of New Brunswick, have signed this Agreement.

FOR THE DEPARTMENT OF CANADIAN HERITAGE:

James Moore

25 mai 2010

The Honourable James Moore
Minister of Canadian Heritage
and Official Languages

Date : _____

FOR THE COMMUNITY:

Jean-Marie Nadeau

1 juin 2010

Jean-Marie Nadeau
Chairman
Société de l'Acadie du Nouveau-Brunswick

Date : _____

Appendix A: 2009-2013 Co-operation with the Community Sector Budget Envelope for New Brunswick

The budget envelope set aside for Cooperation with the Community Sector in New Brunswick is \$2,440,000 for each fiscal year from April 1, 2009, to March 31, 2013. It is allocated as follows for each fiscal year:

- The “Support for Action (programming)” component represents about 80 percent of the budget envelope; and
- The “Support for Innovation” component represents about 20 percent of the budget envelope to encourage the exploration and implementation of new initiatives, as well as activity in underdeveloped sectors.

The size of the budget envelope is subject to the annual approval of appropriations by Parliament and existing or planned budget levels for the Development of Official-Language Communities Program.