

Aboriginal Affairs

Annual Report
2018–2019

**Aboriginal Affairs
Annual Report 2018-2019**

Province of New Brunswick

PO 6000
Fredericton (New Brunswick) E3B 5H1
CANADA

www.gnb.ca

ISBN 978-1-4605-2356-8 (Bilingual print edition)
ISBN 978-1-4605-2357-5 (PDF: English edition)
ISBN 978-1-4605-2358-2 (PDF: French edition)

ISSN 1496-6220 (Bilingual print edition)
ISSN 1496-6239 (PDF: English edition)
ISSN 1496-6247 (PDF: French edition)

12560 | 2019.11 | Printed in New Brunswick

Transmittal letters

From the Minister to the Lieutenant-Governor
The Honourable Brenda Murphy

Lieutenant-Governor of New Brunswick

May it please your Honour:

It is my privilege to submit the annual report of the Department of Aboriginal Affairs, Province of New Brunswick, for the fiscal year April 1, 2018, to March 31, 2019.

Respectfully submitted,



Honourable Jake Stewart
Minister

From the Deputy Minister to the Minister
Honourable Jake Stewart

Minister of Aboriginal Affairs

Sir:

I am pleased to be able to present the annual report describing operations of the Department of Aboriginal Affairs, Province of New Brunswick, for the fiscal year April 1, 2018, to March 31, 2019.

Respectfully submitted,



Cade Libby
Deputy Minister (Acting)

Table of contents

Minister’s message	1
Deputy Minister’s message	2
Top Government Priorities.	3
Highlights	4
Performance measures.	5
Overview of departmental operations	8
Division overview and highlights	9
Financial information	12
Summary of staffing activity	13
Summary of legislation and legislative activity.	14
Summary of Official Languages activities	14
Summary of recommendations from the Office of the Auditor General	15
Report on the <i>Public Interest Disclosure Act</i>	15
Appendix A	16

Minister's message

The past year has been one of progress with a focus on building stronger relationships and advancing reconciliation.

For the first time in our province's history, Aboriginal Affairs became a stand-alone department. Being dedicated solely to this portfolio gave me the opportunity to meet regularly with First Nation Elders, Chiefs and Councils, community leaders, and Aboriginal organizations to better understand how we can move the province forward while at the same time building economic sustainability for First Nations in New Brunswick.

In December 2018, I attended the Assembly of First Nations Special Chiefs meeting in Ottawa. It was a great learning experience for me, having gained an incredible amount of knowledge and insight through discussions with federal representatives and Chiefs and Councils from Atlantic Canada. I left with a truer appreciation of what can be accomplished by forging a new relationship built on respect and honesty.

Among the many highlights from this past year was reconnecting with my former professor during a tour of post-secondary Indigenous cultural centres. Elder David Perley is the Director of the Mi'gmaq-Wolastoqey Centre at the University of New Brunswick and a leader in Indigenous education. He and his wife, Imelda Perley, Elder in Residence at the Mi'gmaq-Wolastoqey Centre, have been instrumental in the preservation, revitalization and promotion of Aboriginal identity and language. I am inspired by their dedication and commitment to creating a strong, healthy and sustainable future for generations to come.

I was equally inspired by youth and child advocate, Cassey Perley, and the children who participated in Have a Heart Day, which is a child and youth led reconciliation event that raises awareness about issues that affect First Nations children directly. During an event held in Fredericton, Cassey presented Premier Blaine Higgs and I with letters and large red hearts, signed by First Nations children. Every child deserves equitable services, education and healthcare, and I will continue to work with Chiefs and Councils to advance reconciliation and to help build a stronger, more inclusive province, for all our children to live in.

Since becoming Minister, one of my first priorities was to begin the process of implementing the sacred Eagle Feather into the New Brunswick court system. Providing First Nations with the option of swearing an oath on the Eagle Feather will recognize and respect their cultural protocols and help create a system that is more inclusive for all peoples.

It was also in this fiscal year that Finance Minister Ernie Steeves hosted a pre-budget session with First Nations Chiefs from around the province. This was the first time that First Nation leadership was invited to hear the upcoming budgetary challenges and to discuss the priorities that were being brought forward prior to the release of the provincial budget.

I am proud of the work that the department has accomplished this past year in ensuring government has met its commitment to develop and maintain positive relationships with First Nations communities in our province. The friendships that have been made are truly valued and I recognize the importance of working together to achieve mutually beneficial results.



Honorable Jake Stewart
Minister of Aboriginal Affairs

Deputy Minister's message

The Department of Aboriginal Affairs leads the Government of New Brunswick's efforts to strengthen its relationships with First Nations communities. Over the 2018-2019 fiscal year, Aboriginal Affairs provided guidance to other government departments on engagement, consultation and collaboration with Aboriginal governments and organizations. The duty to consult process was enhanced through the development of new tools and templates for completing assessments and other aspects of the process.

Aboriginal Affairs continued to work toward meaningful implementation of Aboriginal and treaty rights during the period of this report. For example, the department worked with the Department of Energy and Resource Development to negotiate and sign a second annual interim rights implementation agreement with the Peskotomuhkati peoples for a special moose harvest. In addition, new bilateral negotiation tables were struck with the Mi'gmaq and Wolastoqey Nations.

The department participated in the tripartite Indigenous Economic Roundtable which had the objectives of working toward a better economy for Aboriginal peoples and the province, and promoting collaboration between the federal government, the provincial government and Aboriginal leadership. A tripartite working group was established to carry out the vision of tripartite collaboration.

Capacity funding from Aboriginal Affairs provides a stable base for Aboriginal organizations and communities to participate meaningfully in the duty to consult process as well as bilateral and tripartite negotiation tables. Small grant funding is equally important, usually with other funding partners, to investigate the feasibility of community projects, to support small entrepreneurs in their next phase of development, to build specialized sector capacity, and to enable individuals to participate in sport, music, training and cultural events that might otherwise be too costly.

The Department of Aboriginal Affairs plays a key role in providing advice to other departments as they develop programs, policies and initiatives that are relevant to Aboriginal peoples. Delivering on this mandate requires a dedicated team and I thank the staff of Aboriginal Affairs for their commitment and diligence over the past year. We remain dedicated to building stronger relationships, improving social conditions, and supporting economic opportunity and sustainability in First Nations communities.

We all need to do our part to advance reconciliation by removing barriers and building relationships. I urge all New Brunswickers to increase your knowledge of the unique languages, diverse cultures, and outstanding achievements and contributions of the Mi'gmaq, Wolastoqey, and Peskotomuhkati peoples.



Cade Libby
Deputy Minister (Acting)

Top Government Priorities

Strategy and Operations Management

The Government of New Brunswick (GNB) uses a Formal Management system built on leading business practices to develop, communicate and review strategy. This process provides the Public Service with a proven methodology to execute strategy, increase accountability and continuously drive improvement.

The development of the strategy, using the Formal Management system, starts with our government's roadmap for the future of New Brunswick that focuses on key priorities and the importance of public accountability.

Our Top Priorities:

Affordable and responsive government

Getting our financial house in order will make it possible for government to be responsive and provide sustainable and high-quality public services for all New Brunswickers.

Dependable public health care

New Brunswickers deserve a sustainable, high-quality health-care system where they are able to access the services they need when they need them.

World-class education

New Brunswick's young people need access to a world-class education, so they can make the most of their lives and compete in future job markets.

Energized private sector

All New Brunswickers benefit from a thriving private sector. Increasing private sector investment, growing our labour force and being home to successful businesses of all sizes is good for our province.

Vibrant and sustainable communities

Vibrant communities are places people want to call home. More vibrant and sustainable communities make for a more resilient province.

High-performing organization

All New Brunswickers benefit when engaged and empowered civil servants use their talents and skills to make our province a better place.

Highlights

During the 2018-2019 fiscal year, the Aboriginal Affairs Secretariat focused on these strategic priorities through:

- Supporting the Indigenous Economic Development Roundtable held in Moncton. Participants at the roundtable included Mi'gmaq, Wolastoq and Peskotomuhkati Chiefs and Ministers of the provincial and federal governments. Its goal was to honour the commitment to work together to advance economic opportunities in all New Brunswick communities.
- Supporting the first pre-budget consultation meeting between the province and Aboriginal Nations, in which the parties met as partners to openly and constructively discuss how to include the priorities of Aboriginal Nations. Participants at the meeting included Mi'gmaq, Wolastoq and Peskotomuhkati Chiefs, the Minister of Aboriginal Affairs and the Minister of Finance.
- Celebrating "Have a Heart Day" on February 14, which is a day for Aboriginal children to join voices in friendship, and to practice their democratic rights to raise awareness about issues that affect them directly. The secretariat hosted an event in Fredericton in partnership with Mawiw Council Inc. where children presented letters and pictures to the Premier and signed large red hearts that were displayed in the lobby of Chancery Place.
- Coordinating two information sessions for First Nations' Capital Directors and tribal councils on the Integrated Bilateral Agreement (IBA), which is part of the Investing in Canada Infrastructure Program. The sessions provided an overview of the IBA and its requirements, as well as a brief overview of Indigenous Service Canada's infrastructure programming.

Performance measures

Affordable and sustainable government	Measures
Balance the provincial budget.	Ratio of actual to budgeted expenditures.
Energized private sector	Measures
Ensure responsible development of our natural resources.	Percent of planned duty to consult resource documents produced.

Affordable and sustainable government

Objective of the measure

Balance the provincial budget.

Measure

Ratio of actual to budgeted expenditures.

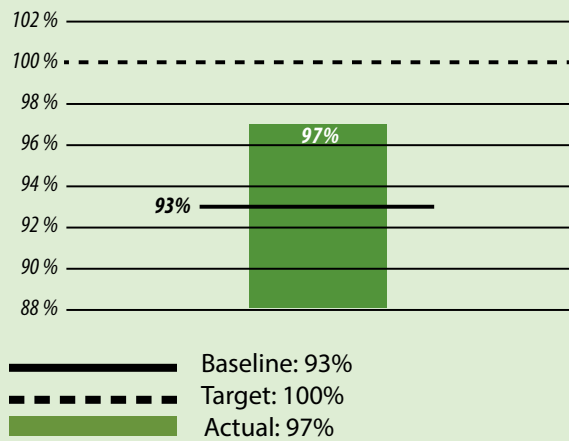
Description of measure

The ratio measures whether the secretariat is over or under budget. The ratio will exceed 100 per cent when spending is over-budget and be less than 100 per cent when spending is under budget.

Overall performance

The secretariat's budget was set at \$3,350,000. After close monitoring of expenditures, the secretariat closed out the fiscal year \$113,481 under budget.

Ratio des dépenses réelles aux dépenses budgétées



Why do we measure this?

This indicator measures the ability of the secretariat to manage its overall expenses as compared to budget. The secretariat must ensure that expenses are managed in accordance with the budget and be prepared to take corrective action if expenses are projected to be over budget during the year.

What initiatives or projects were undertaken in the reporting year to achieve the outcome?

The secretariat closely monitored expenses to ensure that the fiscal targets were met.

Energized private sector

Objective of the measure

Ensure responsible development of our natural resources.

Measure

Percent of planned duty to consult resources produced.

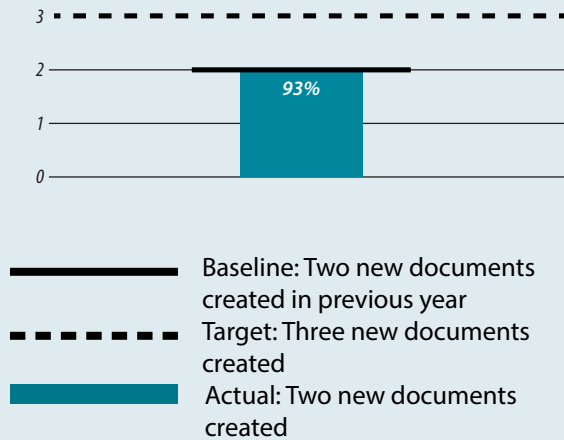
Description of measure

This measure tracks the development of duty to consult process-related resource documents for use by GNB employees/departments and industry proponents.

Overall performance

The secretariat developed two of the three planned duty to consult process-related resource documents.

Duty to Consult Resource Documents Produced



Why do we measure this?

The duty to consult resources are documents and tools created to support and enable GNB departments and industry proponents in the consultation process with Aboriginal Nations in New Brunswick. The secretariat measures progress on the number of documents completed to ensure that the targeted resources are available.

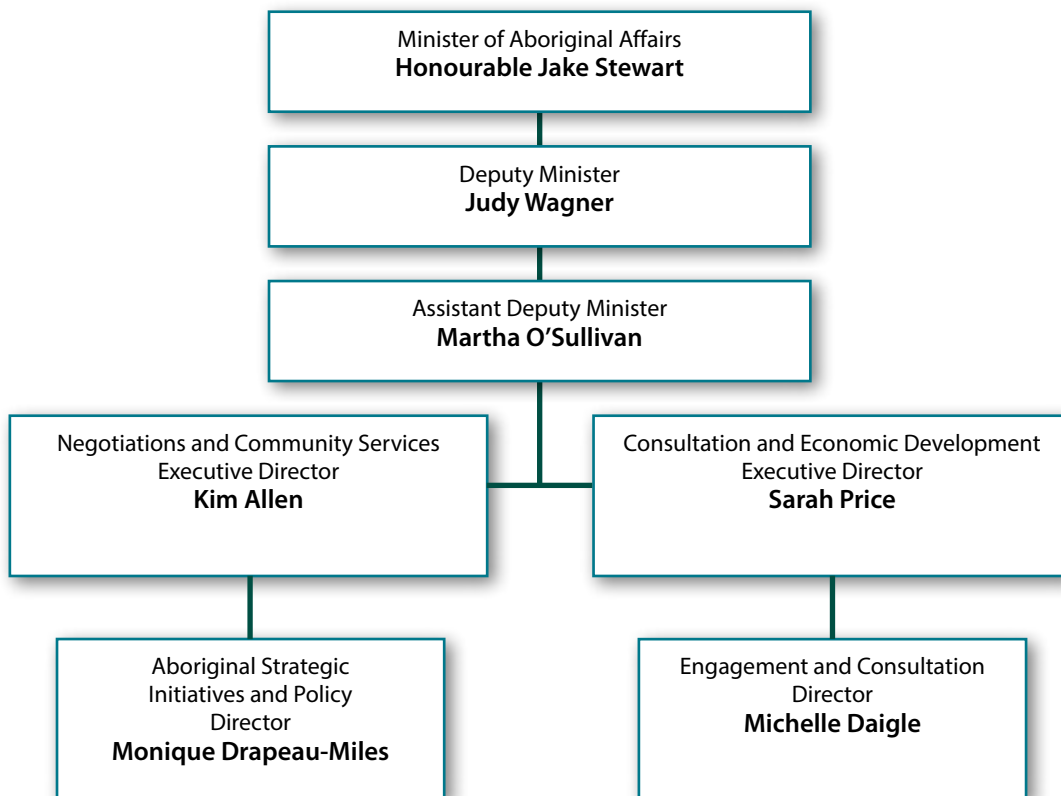
What initiatives or projects were undertaken in the reporting year to achieve the outcome?

The initiative that was undertaken to achieve this outcome was: Review of the consultation process related to duty to consult.

Overview of departmental operations

The Aboriginal Affairs Secretariat implements a coordinated governmental approach on matters related to Aboriginal peoples; represents the interests of GNB in multilateral initiatives and negotiations; supports consultation with Aboriginal peoples; and provides research, analysis and policy advice to GNB on Aboriginal matters.

High-level organizational chart



Division overview and highlights

The Aboriginal Affairs Secretariat employed 28 individuals on a full-time, casual or contract basis in 2018-2019. The organization also experienced changes with the appointment of a dedicated Minister of Aboriginal Affairs.

The secretariat is internally divided into two main divisions: 1) Negotiations and Community Services; and 2) Consultation and Economic Development.

Negotiations and Community Services Division

The **Negotiations and Community Services Division** consists of two branches: Aboriginal Strategic Initiatives and Policy Branch and Negotiations Branch.

Aboriginal Strategic Initiatives and Policy Branch

The **Aboriginal Strategic Initiatives and Policy Branch** provides a range of key supports and direct services to the secretariat. The branch works in partnership with other branches of the secretariat to assist in the success of the organization's finances, information management, research, evaluation, planning as well as policy and strategic initiatives. The branch is the departmental lead on several interdepartmental tables and represents GNB on intergovernmental forums related to Aboriginal matters.

The branch's responsibilities include:

- Provide effective direction and strategic advice to departments and agencies concerning Aboriginals' educational and social matters.
- Provide advice and recommendations on Memorandums to Executive Council that may have an impact on Aboriginal people.
- Undertake research and policy development in support of GNB initiatives and the secretariat's operational objectives.
- Represent the secretariat on interdepartmental and intergovernmental committees related to social matters (i.e., Missing and Murdered Indigenous Women and Girls, New Brunswick Advisory Committee on Violence against Aboriginal Women, Housing, Mental Health and Addictions, Domestic Violence, Emergency Management, First Nations Committee on the Action Plan for Mental Health, Health Services Integration Fund Committee, Suicide Prevention Task Force, etc.).
- Coordinate federal/provincial/territorial (FPT) relations in relevant forums, provide ministerial support for the FPT Indigenous Forum and participate in relevant sub-committees.

- Coordinate an integrated strategic planning cycle, including accountability reporting and financial administration.
- Administer the Aboriginal Affairs Grants Program which supports small-scale, non-profit projects/initiatives of a social, cultural and educational nature such as pow wows, National Aboriginal Day celebrations, and National Aboriginal Science Camp.
- Coordinate responses to requests under the *Right to Information and Protection of Privacy Act*.
- Coordinate GNB's response to Addition to Reserve (ATR) requests and ensure linkages between the federal and provincial processes.
- Coordinate responses to inquiries and investigations by the Ombud, the Integrity Commissioner, the Commissioner of Official Languages, the Child and Youth Advocate and the New Brunswick Human Rights Commission

Highlights

- ♦ Filed two Memorandums to Executive Council (MECs) and coordinated the review of 42 MECs from other departments that had the potential to impact Aboriginal peoples in New Brunswick.
- ♦ Coordinated and reviewed documents and prepared responses for three requests under the *Right to Information and Protection of Privacy Act*, down from seven in the previous year.
- ♦ Coordinated provincial review and responses to five ATR proposals from Indigenous Services Canada on issues such as the availability of Crown lands, impact on taxation revenue, resource benefits and infrastructure.
- ♦ Supported management in ensuring that the secretariat delivered services and initiatives while managing its budget.
- ♦ Provided \$40,974 to 26 recipients through the secretariat's small grants program.
- ♦ Provided \$6,500 towards Eel Ground First Nation's Powwow Sun Shelter project.

- ◆ Provided \$45,000 towards Aboriginal sports and recreation such as the New Brunswick Indian Summer Games and the North American Indigenous Games. The New Brunswick Indian Summer Games are a five-day sporting event that draw about 1,200 athletes, coaches, and community volunteers from Mi'gmaq and Wolastoqey communities across the province. The 2018 event was held in Esgenoôpetitj First Nation.

Negotiations Branch

The **Negotiations Branch** strives to resolve rights related issues and provides a means to operational clarity as long-term negotiations continue on land, resources and governance related matters. The overarching goals are to enhance clarity on Aboriginal and treaty rights through agreements and policies by continuing discussions with Canada and First Nations, and to foster a positive and productive partnership.

The branch is the provincial lead for tripartite negotiations with the Nations and federal government, and leads and/or provides guidance, assistance, and advice to GNB departments at a number of bilateral or tripartite negotiations tables.

Highlights

- ◆ Received a mandate to enter into the Comprehensive Land Claims Negotiations process with Crown-Indigenous Relations and Northern Affairs (formerly Indigenous and Northern Affairs Canada) and the Peskotomuhkati Nation at Skutik.
- ◆ Collaborated with the Department of Energy and Resource Development to negotiate and sign an interim rights implementation agreement with the Peskotomuhkati peoples for a special moose harvest. This was the second year that an interim agreement was struck.
- ◆ Established a multi-year funding agreement with the Mi'gmaq to support longer term planning.
- ◆ Coordinated a traditional Mi'gmaq harvesting demonstration of birch bark and spruce root for government officials to increase the understanding of practicing Aboriginal and treaty rights.
- ◆ Established a tripartite (federal, Mi'gmaq and provincial) Technical Wildlife Advisory Committee table to discuss challenges (conservation, protection and enforcement) with respect to hunting and the practise of communal rights under section 35 of the *Constitution Act*, 1982.

- ◆ Developed trilateral (federal, First Nation and provincial) work plans for 2018-2019 with the Peskotomuhkati and Mi'gmaq Nations, and a bilateral work plan with the Wolastoqey Nation.
- ◆ Provided capacity funding under bilateral and tripartite agreements for the Mi'gmaq, Wolastoqey and Peskotomuhkati Nations in the amount of \$625,000

Consultation and Economic Development Division

The **Consultation and Economic Development Division** consists of two branches: Engagement and Consultation Branch and Economic Development Branch.

Engagement and Consultation Branch

GNB recognizes the Supreme Court of Canada decisions regarding the duty to consult with First Nations when contemplating actions or decisions that may infringe on proven or asserted Aboriginal and treaty rights. The **Engagement and Consultation Branch** coordinates the development and implementation of consultation approaches in collaboration with GNB departments, Aboriginal peoples and industry. The branch works with industry partners to find employment and economic opportunities for Aboriginal communities.

The branch's responsibilities include:

- Provide effective coordination and strategic advice to departments and agencies.
- Coordinate project assessment processes/procedures.
- Coordinate approach to consultation.
- Improve relationships/early engagement and partnerships.
- Make recommendations on accommodation options for GNB.
- Research and develop ethnohistoric reports for the province.
- Provide training to GNB employees.

Highlights

- ◆ Provided consultation, advice and guidance on several resource development files. The branch provided information and advice on the degree of infringement on Aboriginal and treaty rights for each Environmental Impact Assessment (EIA) as well as for proposals that do not require EIA review, plus initiatives and strategies involving resource development.
- ◆ Provided input on 46 projects through its participation on the Technical Review Committee under the EIA process.

- ◆ Completed nine ethnohistorical briefs to support the consultation process.
- ◆ Provided capacity funding for First Nations Resource Development Consultation Coordinators for both the Mi'gmaq and Wolastoqey Nations in the amount of \$750,000.
- ◆ Established monthly meetings with Mi'gmawe'l Tplu'taqnn Inc. (MTI) to discuss resource development files.
- ◆ Continued to enhance and improve the duty to consult process by developing new tools and templates for completing assessments and other aspects of the process.

Economic Development Branch

The **Economic Development Branch** continues to identify opportunities to improve economic prosperity for New Brunswick's Aboriginal peoples and communities, which will increase participation of Aboriginal peoples and strengthen the economy.

The branch's responsibilities include:

- Foster Aboriginal economic growth.
- Support community development projects.
- Identify and develop training/skills opportunities and coordinate financial support.
- Represent the secretariat on interdepartmental and intergovernmental committees related to economic development.

Highlights

- ◆ Provided \$105,000 to the Joint Economic Development Initiative (JEDI), which aims to strengthen entrepreneurship and economic development opportunities for First Nations. JEDI provides programs and services to support Indigenous entrepreneurship, economic development, workforce development, and partnership with the public and private sectors.
- ◆ Participated in the tripartite Indigenous Economic Roundtable with the objective of promoting collaboration between the federal government, provincial government and Aboriginal leadership, working toward a better economy for Aboriginal peoples and New Brunswick. A tripartite working group was established to carry out the vision of tripartite collaboration.
- ◆ Provided \$20,000 toward Tobique First Nation's Saw Mill Training Program in partnership with the Department of Post-Secondary Education, Training and Labour.
- ◆ Provided \$70,125 in capacity funding to Mi'gmawe'l Tplu'taqnn Inc. (MTI) toward the continuation of the economic development branch within its organization. This branch was created to develop a strategic approach to allow for the creation of community based projects within the Mi'gmaq Nation in New Brunswick.

Financial information

This financial overview was prepared based on the best available information at the time of publication and therefore may not correspond exactly with the figures that were subsequently published in GNB’s Public Accounts.

- A. Ordinary Budget – The Ordinary Budget expenditures cover the day-to-day operations of the secretariat.
- B. Additional Budget from Regional Development Corporation (RDC) – RDC provides AAS with additional funding for special projects and initiatives.

Table 1: Departmental Expenditure

Status report by program/primary

Fiscal year ending March 31, 2019

	Budget (\$)	Actual (\$)
Personal services	2,104,000	1,883,845
Other services	209,600	326,899
Material and supplies	11,600	3,447
Property and equipment	8,500	9,029
Contributions, grants and subsidies	1,196,300	1,193,299
TOTAL	3,530,000	3,416,519

The secretariat was under budget by \$113,481.

Table 2: Funds provided by Regional Development Corporation

Status report by program/primary

Fiscal year ending March 31, 2019

	Budget (\$)	Actual (\$)
Contributions, grants and subsidies	1,489,500	1,489,500
TOTAL	1,489,500	1,489,500

Summary of staffing activity

Pursuant to section 4 of the *Civil Service Act*, the Deputy Minister of the Department of Human Resources delegates staffing to each Deputy Head for his or her respective department(s). Please find below a summary of the staffing activity for 2018-2019 for Aboriginal Affairs.

Number of permanent and temporary employees as of Dec. 31 of each year		
Employee type	2018	2017
Permanent	20	17
Temporary	3	4
TOTAL	23	21

The department advertised six competitions, including four open (public) competitions and two closed (internal) competitions.

Pursuant to sections 15 and 16 of the *Civil Service Act*, the department made the following appointments using processes to establish merit other than the competitive process:

Appointment type	Appointment description	Section of the <i>Civil Service Act</i>	Number
Specialized Professional, Scientific or Technical	An appointment may be made without competition when a position requires: – a high degree of expertise and training – a high degree of technical skill – recognized experts in their field	15(1)	0
Equal Employment Opportunity Program	Provides Aboriginals, persons with disabilities and members of a visible minority group with equal access to employment, training and advancement opportunities.	16(1)(a)	0
Department Talent Management Program	Permanent employees identified in corporate and departmental talent pools, who meet the four-point criteria for assessing talent, namely performance, readiness, willingness and criticalness.	16(1)(b)	0
Lateral transfer	The GNB transfer process facilitates the transfer of employees from within Part 1, 2 (school boards) and 3 (hospital corporations) of the Public Service.	16(1) ou 16(1)(c)	0
Regular appointment of casual/temporary	An individual hired on a casual or temporary basis under section 17 may be appointed without competition to a regular properly classified position within the Civil Service.	16(1)(d)(i)	0
Regular appointment of students/ apprentices	Summer students, university or community college co-op students or apprentices may be appointed without competition to an entry level position within the Civil Service.	16(1)(d)(ii)	0

Pursuant to section 33 of the *Civil Service Act*, no complaints alleging favouritism were made to the Deputy Head of the secretariat and no complaints were submitted to the Ombud.

Summary of legislation and legislative activity

The secretariat did not have any legislative activity.

Summary of Official Languages activities

Introduction

The secretariat's 2015-2020 action plan, which complements GNB's *Plan on Official Languages – Official Bilingualism: A Fundamental Value*, determines the activities, evaluation methods and anticipated outcomes for each of the four focus areas. The plan allows for all employees to feel supported in working in their Official Language of choice as well as ensuring the public receives quality service in their Official Language of choice at all times. The secretariat continues to create objectives to assist in the achievement of quality service in both Official Languages.

Focus 1

The secretariat continued to ensure all new employees completed the training modules on Language of Service upon commencement. The Official Languages coordinator continued to conduct random audits to verify that the active Offer of Service was made in both Official Languages by telephone, in person, through signage, correspondence and all electronic services.

Focus 2

The secretariat continued to ensure all new employees completed the training modules on Language of Work upon commencement. The secretariat provided outgoing communication to employees in both Official Languages and encouraged employees to work in their Official Language of choice. The secretariat continued to ensure that performance reviews were offered and conducted in the employee's Official Language of choice. During the annual performance review, managers reviewed the Language of Work and Language of Service policies with their employees to ensure they understood their right to work in their Official Language of choice as well as their obligation to provide an active offer of service in both Official Languages.

Focus 3

The secretariat continued to consider the potential impact of all policies and programs on both Official Linguistic communities when it submitted Memorandums to Executive Council and briefs to the Executive Council Office.

Focus 4

The secretariat continued to implement procedures to ensure it provided services in both Official Languages and to ensure that employees had thorough knowledge of their obligations under the *Official Languages Act*. The secretariat continued to monitor employee compliance with the *Official Languages Act* and the Language of Service policy.

Conclusion

The secretariat did not have any Official Languages complaints for fiscal 2018-2019.

Summary of recommendations from the Office of the Auditor General

The secretariat did not have any recommendations from the Office of the Auditor General in the current reporting year and the previous four years.

Report on the *Public Interest Disclosure Act*

As provided under section 18(1) of the *Public Interest Disclosure Act*, the chief executive shall prepare a report of any disclosures of wrongdoing that have been made to a supervisor or designated officer of the portion of the public service for which the chief executive officer is responsible. The secretariat did not receive any disclosure(s) of wrongdoings in the 2018-2019 fiscal year.

Appendix A

Aboriginal peoples in New Brunswick

In New Brunswick, there are nine Mi'gmaq communities and six Wolastoqey (Maliseet) communities, totalling 15 communities with 29 reserve locations across the province. Each community is governed by an elected Chief and Council. The type of system used by a community in the selection of its Chief and Councillors can be that provided for under the *Indian Act*, the *First Nations Elections Act* or the provisions of a self-governing agreement, or a custom system. Most communities in New Brunswick have now moved to the election system under the *First Nations Election Act*, which is a four-year term, apart from three communities that still use the system under the *Indian Act*, which is a two-year term, and one community that has a custom system, which is a five-year term.

The Peskotomuhkati (Passamaquoddy) Nation is currently considering Band status options. A claim by the Peskotomuhkati Nation at Skutik living in Southwest New Brunswick has been received by the federal government who has a mandate to negotiate with the group. Recognition of rights and/or status is under the jurisdiction of the federal government. The province had been participating as an observer in these negotiations between the federal government and the Peskotomuhkati. The province now has a mandate to enter into a Comprehensive Land Claims Negotiations process with Crown-Indigenous Relations and Northern Affairs and the Peskotomuhkati Nation at Skutik.

According to the federal Indian Registry System, as of December 31, 2018, 16,246¹ First Nation peoples lived in New Brunswick, both on- and off-reserve (See Table 2). However, based on the 2016 census, it is estimated that there are 29,380² Aboriginals (Aboriginal identity) living in New Brunswick. "Aboriginal identity" includes persons who reported being an Aboriginal person (First Nations [North American Indian], Métis or Inuk [Inuit]) and/or those who reported Registered or Treaty Indian status (registered under the federal *Indian Act* and/or those who reported membership in a First Nation or Indian band). Aboriginal peoples of Canada are defined in section 35(2) of the *Constitution Act*, 1982 as including the Indian, Inuit and Métis peoples of Canada.

New Brunswick's total population in 2018 was 772,238³, meaning that First Nations accounted for two per cent. Even though this may seem a small percentage, based on Statistics Canada's 2011 and 2016 census, the First Nations population had a much higher population growth of 12 per cent compared to the -0.5 per cent for New Brunswick overall (See Table 3 and Table 4 below). The 2016 census also indicated that the Aboriginal population was much younger than the rest of the population, in both New Brunswick and Canada. The median age of the First Nation population in New Brunswick was 32 compared to 45 for the population as a whole.⁴

1 Source: NAC's Indian Registry System as of Dec. 31, 2018

2 Source: Statistics Canada, 2016 Census of Population.

3 Source: Statistics Canada, Table 17-10-0009-01 Population estimates, quarterly

4 Source: Statistics Canada, National Household Survey, 2016.

Table 1

New Brunswick and First Nations population		
Year	New Brunswick population	First Nations population
2018	772,238	16,246

Chart 1

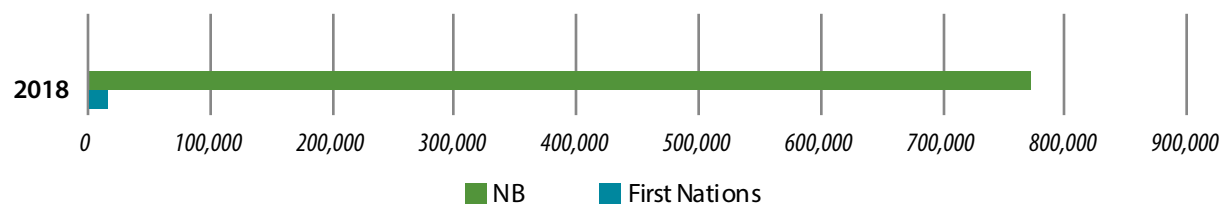


Table 2

	Total	On-reserve	Off-reserve
New Brunswick	16,246	9,781	6,465
Buctouche Micmac (Tipogtotjg)	123	81	42
Eel Ground (Natoaganeg)	1,068	596	472
Eel River Bar First Nation (Ugpi'ganjig)	753	363	390
Elsipogtog First Nation (Big Cove)	3,381	2,634	747
Esgenoôpetitj First Nation (Burnt Church)	1,927	1,375	552
Fort Folly (Amlamgog)	131	36	95
Indian Island (L'nui Menkiuk)	200	109	91
Kingsclear (Pilick)	1,043	734	309
Madawaska Maliseet First Nation (Kapskuksisok)	374	153	221
Metepenagiag Mi'kmaq Nation (Red Bank)	694	472	222
Oromocto First Nation (Welamakotuk)	713	328	385
Pabineau (Oinpegitjoig)	324	106	218
Saint Mary's (Sitansisk)	1,926	926	1,000
Tobique (Negotkuk)	2,497	1,572	925
Woodstock (Wolastokuk)	1,092	296	796

NOTE: On-reserve numbers for each First Nation should not be taken to represent the true population for the following reasons:

- 1) They contain no information on any non-registered individuals who may be living on reserve, and
- 2) Similarly, they contain no information on any members registered to other bands who may be living on reserve.

Chart 2A
First Nations Population – 2018

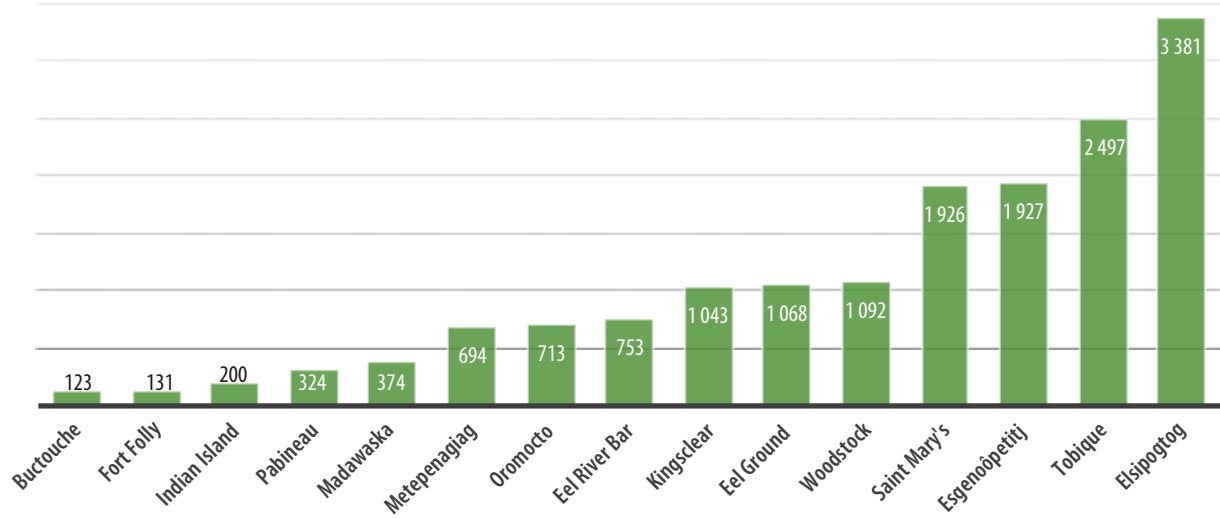


Chart 2B
On/Off-Reserve Population – 2018

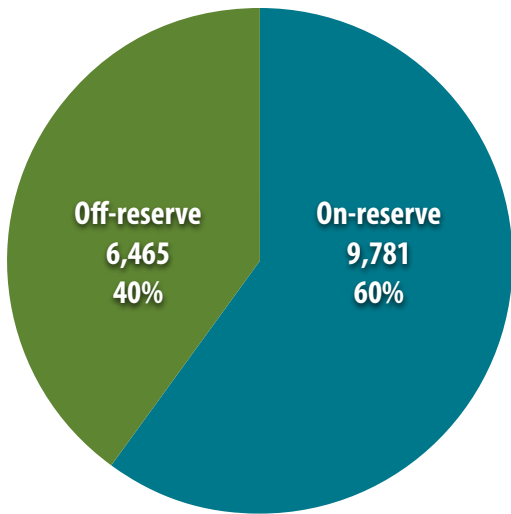


Chart 2C
Population by Nation – 2018

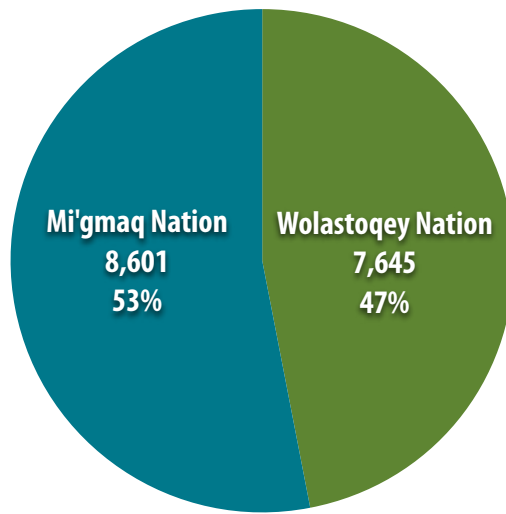
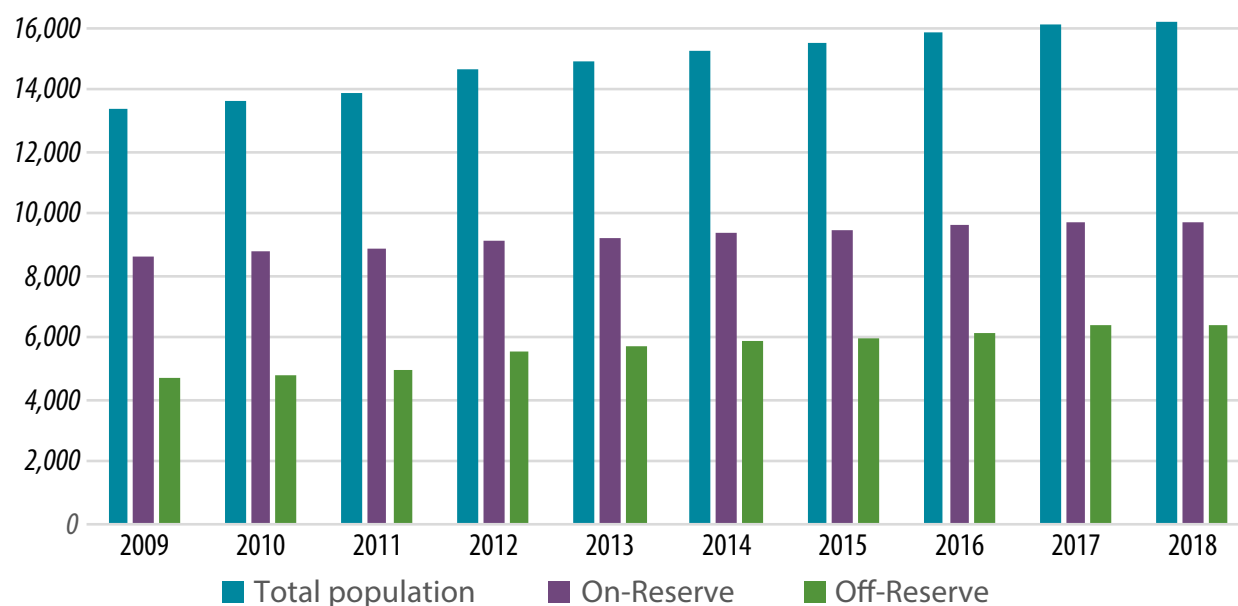


Table 3

First Nations population in New Brunswick ⁵			
Year	Total	On-reserve	Off-reserve
2009	13,366	8,632	4,734
2010	13,626	8,795	4,831
2011	13,948	8,931	5,017
2012	14,649	9,113	5,536
2013	14,978	9,233	5,740
2014	15,249	9,366	5,883
2015	15,506	9,501	6,005
2016	15,830	9,644	6,186
2017	16,123	9,732	6,391
2018	16,246	9,781	6,465

Chart 3**Table 4**

New Brunswick and First Nations population		
Year	New Brunswick population ⁶	First Nations population in New Brunswick ⁷
2014	754,600	15,249
2015	753,900	15,506
2016	747,101	15,830
2017	759,655	16,123
2018	772,238	16,246

⁵ Source: INAC's Indian Registry System.

⁶ Source: Statistics Canada, Table 17-10-0009-01 Population estimates, quarterly

⁷ Source: INAC's Indian Registry System.

Chart 4A

New Brunswick population

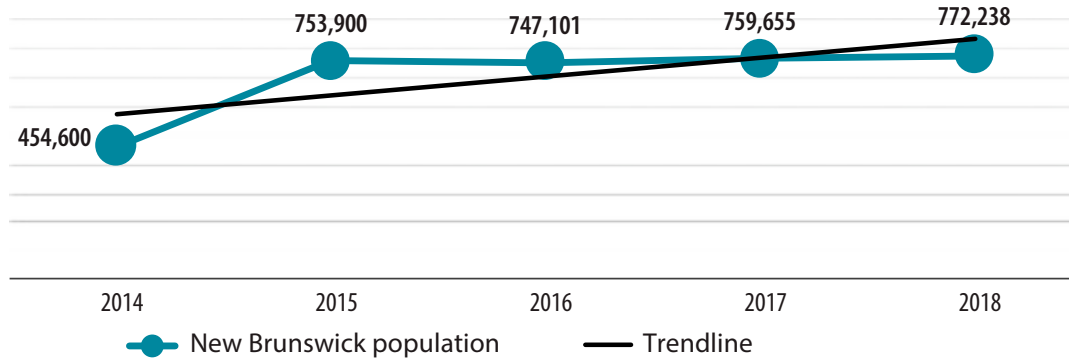


Chart 4B

First Nations population in New Brunswick

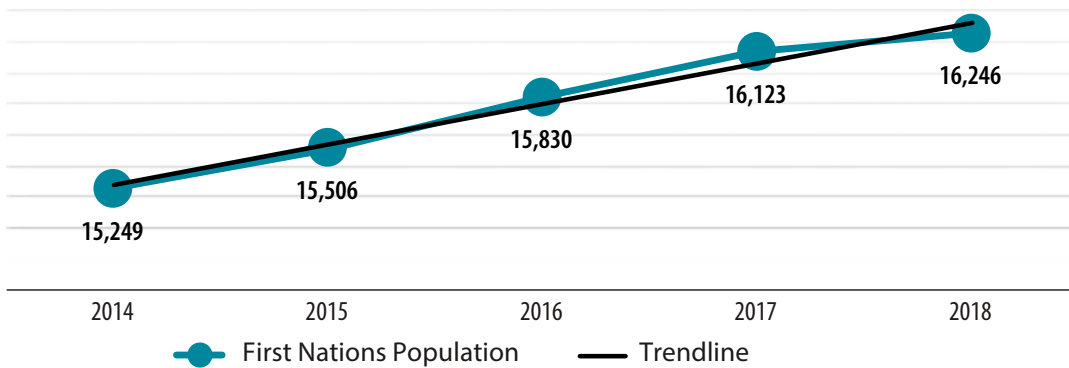


Table 5

Population growth ⁸			
Year	New Brunswick population	First Nations population in New Brunswick	Canada population
2011	751,171	13,948	33,476,688
2016	747,101	15,830	35,151,728
Population growth rate	-0.5%	12%	5%

⁸ Source: Statistics Canada, 2016 Census of Population

Chart 5

Population growth rate (in percentage) 2011-2016

