

**BAND COUNCIL RESOLUTION  
RÉSOLUTION DE CONSEIL DE BANDE**

NOTE: The words "from our Band funds" "capital" or "revenue", whichever is the case, must appear in all resolutions requesting expenditures from Band Funds.  
 NOTA: Les mots "des fonds de notre bande" "capital" ou "revenu" selon le cas doivent paraître dans toutes résolutions portant sur des dépenses à même les fonds des bandes.

					Cash free balance - Solde disponible
The council of the Le conseil de <b>FIRST NATION</b>					Capital account Compte capital \$ _____
Date of duly convened meeting Date de l'assemblée dument convoquée	D - J	M	Y - A	Province	Capital account Compte capital \$ _____

DO HEREBY RESOLVE:  
DÉCIDE, PAR LES PRÉSENTES:

Loan Guarantee No. _____ Lender Loan No. _____ <b>For DIAND use only</b>
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**NOTE:** this form is to be used for a loan guaranteed by D.I.A.N.D. for an individual Indian.

1. THAT: the Council of the Band is satisfied with the reputation and financial responsibility of the applicant(s) \_\_\_\_\_, membership number(s) \_\_\_\_\_ of the \_\_\_\_\_ First Nation (also known as \_\_\_\_\_ Band pursuant to the Indian Act), \_\_\_\_\_ Region, and that said applicant(s) is/are, in the opinion of the Council of the Band, able to repay a loan of \_\_\_\_\_ \$ \_\_\_\_\_ for the purpose of construction, acquisition or renovation of housing, amortized over a period of \_\_\_\_\_ years (not to exceed 25 years).

Financing will be as follows:

Loan from: _____	\$ _____
Lender Name	
Band funds: _____	\$ _____
Equity: _____	\$ _____
Total Cost: _____	\$ _____

Quorum _____	_____	_____
	(Chief - Chef)	
_____	_____	_____
(Councillor - Conseiller)	(Councillor - Conseiller)	(Councillor - Conseiller)
_____	_____	_____
(Councillor - Conseiller)	(Councillor - Conseiller)	(Councillor - Conseiller)
_____	_____	_____
(Councillor - Conseiller)	(Councillor - Conseiller)	(Councillor - Conseiller)

**FOR DEPARTMENTAL USE ONLY - RÉSERVÉ AU MINISTÈRE**

Expenditure - Dépenses	Authority (Indian Act Section Autorité (Article de la Loi sur les indiens)	Source of funds Source des fonds <b>9</b> Capital <b>9</b> Revenue Revenu	Expenditure - Dépenses	Authority (Indian Act Section Autorité (Article de la Loi sur les indiens)	Source of funds Source des fonds <b>9</b> Capital <b>9</b> Revenue Revenu
Recommending officer - Recommandé par			Recommending officer - Recommandé par		
_____			_____		
Signature			Signature		
Date			Date		
Approving officer - Approuvé par			Approving officer - Approuvé par		
_____			_____		
Signature			Signature		
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DO HEREBY RESOLVE:  
DÉCIDE, PAR LES PRÉSENTES:

2. THAT: the loan will be used for the construction, acquisition or renovation of housing for "Indians" on "Lands" (both terms as defined in the Terms and Conditions for Ministerial Guarantees, as approved by Order in Council P.C. 1999-2000 dated November 4, 1999).
3. THAT: should a default occur, the Council of the Band will assume the borrower(s)' responsibilities under the associated Loan Agreement and Guarantee Agreement, as set out in Section 12 "Recovery on Defaulted Loans" of the Terms and Conditions for Ministerial Guarantees, as approved by O.I.C. P.C. 1999-2000, dated November 4, 1999.
4. THAT: the Council of the Band has received from the applicant(s) written consent that, upon default of the loan, he/she will:
  - (i) where applicable, initiate the transfer of any certificate of possession or occupation, location ticket or other documentation held by the applicant(s) in respect of the property referred to in the loan application, to the Council of the Band ; and/or
  - (ii) vacate the property, having been given reasonable notice by the Council of the Band.

Quorum _____	_____ (Chief - Chef)	
_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)
_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)
_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)

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DO HEREBY RESOLVE:  
DÉCIDE, PAR LES PRÉSENTES:

- 5. THAT In the event the Council of the Band has not received a written consent from the applicant as per Section 4 above, the Council may apply other remedies according to the policies of the Lands Directorate.
- 6. THAT: an environmental site assessment has been carried out on the subject property as shown in Section 2.(b) of the Terms and Conditions for Ministerial Guarantees, as approved by O.I.C. P.C. 1999-2000, dated November 4, 1999, either individually or as part of a sub-division or community assessment, in accordance with the Canadian Standards Association's standard Z768-94 for Environmental Site Assessment (or as may be revised from time to time), and that such an assessment confirms that there is no evidence of contamination that may, upon exposure, constitute an identifiable risk to human health or the natural environment.
- 7. THAT: In the event the borrower(s) default(s) in his/her obligations to the "Lender" as defined in Section 1 of the Terms and Conditions for Ministerial Guarantees, as approved by O.I.C. P.C. 1999-2000 dated November 4, 1999, the Council of the Band will cause every reasonable effort to be made to have the borrower(s) repay the arrears.

Quorum _____	_____	_____
	(Chief - Chef)	
_____	_____	_____
(Councillor - Conseiller)	(Councillor - Conseiller)	(Councillor - Conseiller)
_____	_____	_____
(Councillor - Conseiller)	(Councillor - Conseiller)	(Councillor - Conseiller)
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DO HEREBY RESOLVE:  
DÉCIDE, PAR LES PRÉSENTES:

8. THAT: the Council of the Band will, upon default under the loan, and at the request of the Minister, instruct an Agent on its behalf to commence such proceedings as may be necessary against the borrower(s) and the other members of his/her household, to take possession of the property in respect of which the loan was made.
9. THAT: In the event of default of the Borrower(s), the Council of the Band hereby consents to the expenditure of the Band's revenues, or the transfer of such other security deemed acceptable by the Minister, for the purposes of reimbursing the Consolidated Revenue Fund for payments made by Her Majesty to the Lender; and, where Section 89 of the Indian Act is applicable, the Council of the Band shall provide Her Majesty in Right of Canada with a waiver to the application of Section 89 with respect to assets other than land. The authority conferred herein is irrevocable.

Quorum _____  _____ (Councillor - Conseiller)	_____ (Chief - Chef)	_____  _____ (Councillor - Conseiller)	_____  _____ (Councillor - Conseiller)	_____  _____ (Councillor - Conseiller)
_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)
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10. THAT: where under sections 4, 5 and 6 of the Terms and Conditions for Ministerial Guarantees, as approved by O.I.C. P.C. 1999-2000 dated November 4, 1999:

- (i) the borrower(s) and the existing lender agree to renew an existing loan for another term;
- (ii) the borrower(s) and the existing lender agree to refinance an existing loan;
- (iii) the borrower transfers the loan to a new lender; or
- (iv) the lender assigns the loan to a new lender

and where the borrower(s) default(s) on the loan, the Council of the Band will continue to assume the borrower(s)' responsibilities under the associated Loan Agreement and the Guarantee Agreement, as set out in Section 12, "Recovery on Defaulted Loans" of the Terms and Conditions for Ministerial Guarantees as approved by O.I.C. P.C. 1999-2000, dated November 4, 1999.

Quorum _____	_____ (Chief - Chef)	_____
_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)
_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)	_____ (Councillor - Conseiller)
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