



COWS AND PLOUGHS – FREQUENTLY ASKED QUESTIONS

What is this settlement for?

In 2018, ERFN submitted a specific claim against the Government of Canada for Canada’s ongoing failure to meet its lawful obligations to Treaty 10 to provide agricultural and economic assistance. In December of 2022, Canada made a formal offer to ERFN to settle the claim. In February 2023, Council agreed to bring the claim forward to the membership for a ratification vote. A full timeline of the settlement process can be seen at erfn.net/cows-ploughs.

In October 2023, after months of community engagement and a ratification vote, ERFN membership accepted the settlement offered by Canada, as well as a Trust Agreement outlining how the settlement would be distributed. The Trust Agreement outlines the per capita distributions and how the legacy trust will be managed.

Who is eligible to receive a per capita payment?

A person, whether they are an adult (anyone 18 years of age and over) or a minor (anyone 17 years of age or younger), is entitled to receive a one-time per capita payment of \$32,000.00 (CND) so long as the person satisfies all of the requirements to be an “**Eligible Member**”.

You are an **Eligible Member** if:

- a) You had a 400 Band Number on February 6, 2023;
- b) You were shown as affiliated with ERFN on the Indigenous Services Canada List (the “ISC List”) as verified by Council;
- c) You were born **ON OR BEFORE** February 6, 2023; and
- d) You were alive on February 6, 2023.

Minors will have their per capita payments held in trust by CIBC until they turn 18.



If you **do not** have a 400 Band Number or your name is not shown as affiliated on the ISC List, then you can apply to be added to the list of Eligible Members so long as:

- a) You have applied, or in the case of a minor, someone has applied on your behalf to Canada to be added to the ISC List within **TWO (2) YEARS** of Canada paying the funds to ERFN's trust account. This application to Canada **must** be completed while the person is alive;
- b) You were born on or before February 6, 2023;
- c) You have **not** had a band number from any other First Nation at any point; **AND**
- d) Canada has allocated a 400 Band Number to you, or the minor you are applying for under the relevant provisions of the *Indian Act* in force as of February 6, 2023.

However, if the person dies after their application to be added to the ISC List and before a decision is made by Canada to allocate the person a 400 Band Number; or if Canada refuses to make a relevant decision, then Council shall determine if said person would have received a 400 Band Number under the relevant provisions of the *Indian Act* in force as of the February 6, 2023.

Finally, you can apply for status by reaching out to the regional ISC office closest to you.

How and when will I receive my per capita distribution?

ERFN is still waiting for the settlement funds to be distributed into ERFN's trust account. ERFN does not know the exact date of when the settlement funds will be released to ERFN's trust account.

What we do know is that the first payment date for the per capita payment will occur **15** days after the settlement funds have been deposited into ERFN's Trust Account (the "**First Payment Date**").

The ERFN Registry Department will **not** accept any new beneficiary forms for the per capita payment on the day Canada releases the settlement funds into ERFN's trust account. If your beneficiary form is received on the day Canada's releases the settlement funds into ERFN's trust account, then it will be reviewed for the next payment date.



For the first payment date, the ERFN Registry Department will *only* accept applications from adults applying for their per capita payment. On **Tuesday, November 14, 2023**, adults can fill out and return a completed **Adult Eligible Member Per Capita Payment Beneficiary Form** (the “Adult Beneficiary Form”) to the ERFN Registry Department at the Patuanak Band Office, in person, by email to registry@erfn.net or via mail at:

English River Band Office
C/O Registry Department
General Delivery
Patuanak, SK
S0M 2H0

The Adult Eligible Member Per Capita Payment Beneficiary Form can be found [here](#) or by picking up a hard copy at either the Patuanak or La Plonge Band Offices.

Minor and estate applications will be reviewed at a later payment date.

Finally, it is important to know:

- All *adult* Eligible Members
 - have **TWO YEARS** to be added to the list of people eligible for payment from the date of the funds being deposited in the ERFN trust account.
 - have **TWO YEARS** from the date of the funds being deposited in the ERFN trust account to apply for their per capita payment. If you do not, then you will lose your entitlement to the per capita payment.

- All *minor* Eligible Members
 - have **TWO YEARS** to be added to the list of people eligible for payment from the date of the funds being deposited in the ERFN trust account; AND
 - have **TWO YEARS** from turning 18 years of age to apply for the per capita payment. If you do not, then you will lose your entitlement to the per capita payment.

An Elder’s application form (65 years of age or older) will be prioritized. If you are an Elder and you require assistance in completing your form then please make an appointment to speak to



Marlene Wolverine, Assistant Registry Clerk, by calling reception at English River First Nation at 306-396-2055.

Adult members with questions about their eligibility or who require assistance in filling out the beneficiary form may contact reception at English River First Nation to schedule an appointment to speak with a member of the Registry Department at 306-396-2055.

How do minors access their per capita distribution when they turn 18?

For minors born on or before February 6, 2023, please ensure:

- That they meet all the requirements for an “Eligible Member” as set out above.
- They are registered as members of ERFN within two years of the settlement being deposited in the Trust account.

Please note:

- Minors have two years after they turn 18 to claim their per capita settlement by completing and submitting the minor beneficiary form.
- A minor Eligible Member’s per capita payment will be adjusted when they reach 18 years of age by the applicable Consumer Price Index (“CPI”) adjustments for each year before payment.
- CPI adjustments will cease on the Settlement Date following the minor reaching their 18th birthday or on the death of the minor before reaching 18 years of age. In that case, the per capita payment would be directed to the minor’s estate or estate administrator or executor.

Minors born on or after February 7, 2023, are not eligible for per capita distribution, however they will benefit from the legacy portion of the Trust.