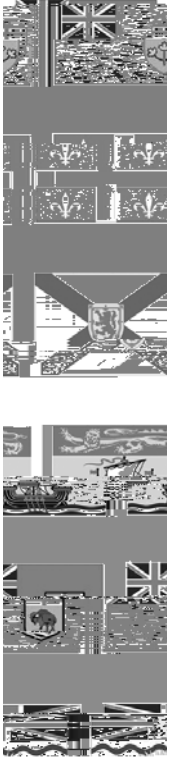


Council of the Federation Founding Agreement



Preamble

Premiers agreed to create a Council of the Federation, as part of their plan to play a leadership role in revitalizing the Canadian federation and building a more constructive and co-operative federal system. Premiers recognize that:

Canada was established as a federation in 1867.

Under the Constitution, Canada's two orders of government are of equal status, neither subordinate to the other, sovereign within their own areas of jurisdiction; and accordingly, they should have adequate resources to meet their responsibilities.

Federalism is based on shared principles including respect for the Constitution and the division of powers, while being aware that Quebec has not agreed to the *Constitution Act, 1982*, and accepting that there are differences among the provinces and territories and that governments may have different policy priorities and preferences.

There is a need to institute a new era of intergovernmental collaboration by promoting a constructive dialogue between the partners of the federation.

It is important to participate in the evolution of the federation and to demonstrate their commitment to leadership through institutional innovation.

The Council of the Federation will be an enduring and evolving institution that will be flexible, efficient and able to anticipate and act quickly to make Canada work better for Canadians.

Mandate of the Council

4. In pursuit of these objectives, the Council will:
 - a) serve as a forum where members can share and exchange viewpoints, information, knowledge and experiences;
 - b) provide an integrated and co-ordinated approach to federal-provincial-territorial relations through the development of shared common analysis and positions, where appropriate;
 - c) reinforce the work of sectoral intergovernmental forums by providing direction, when appropriate, on issues that are of concern to the Council;
 - d) analyse actions or measures of the federal government that in the opinion of the members have a major impact on provinces and territories. This could include joint review and comment on bills and acts of the Parliament of Canada, as is currently done by provinces and territories individually. One of the purposes of this analysis is to support productive discussions with the federal government on issues of importance to Canadians.
 - e) develop a common vision of how intergovernmental relations should be conducted in keeping with the fundamental values and principles of federalism; and
 - f) address any issue of priority which, in the opinion of the members, requires the pooling of expertise, a greater dialogue between them or the co-ordination of their actions.

Organization of the Council

Representation on the Council

5. The members shall be represented on the Council by their premier. In exceptional circumstances, a premier may designate a minister as a substitute representative for a meeting of the Council.
6. Notwithstanding the foregoing, no meeting of the Council can take place if the majority of the members are not represented by their respective premiers.

Chair

7. The premiers of the provinces shall take turns chairing the Council according to the rotation established by the Annual Premiers' Conference. The term of office of the chair is one year. The chair shall act on behalf of the Council according to the mandates received from it.
8. The deputy chair shall be the premier who will chair the Council the following year.

Meetings

9. There will be an annual meeting of the Council of the Federation each summer in the province of the incoming chair. In addition, there will be at least one other meeting to be held in a province or territory each year in a location to be determined by the Council.
10. The decisions of the Council will be reached by consensus, in accordance with the established practice of the Annual Premiers' Conference.

11. The Council may decide, from time to time, to hold special meetings to which it may invite the Federal Government.

Funding

17. The Secretariat shall be funded by the members on a *pro rata* basis formula according to their respective populations.

Other Bodies

18. The Premiers' Council on Canadian Health Awareness is under the responsibility of the Council of the Federation.
19. The Secretariat for In ocratioanfOr(19934.000.42 TDO.0002 Tc0.0018 TCo-opFederatiatiFiscal Imbalan opuunderadifectiyeambeafuunderss ag Agreem comenesng effesp..

24. This Founding Agreement shall come into effect on December 5, 2003.

Signed at Charlottetown, Prince Edward Island, this 5th day of December, 2003, by the premiers of the provinces and territories.

Ontario

Québec

Nova Scotia

New Brunswick

Manitoba

British Columbia

Prince Edward Island

Saskatchewan

Alberta

Newfoundland and Labrador

Northwest Territories

Yukon

Nunavut