

SEP 14 2007

**Consultation Agreement Between
Ministry of Economic Development
Ministry of Community Services
Union of BC Municipalities**

A. Agreement on Consultation

Whereas the Province of BC and the Province of Alberta have entered into an agreement known as the Trade, Investment and Labour Mobility Agreement (TILMA) effective April 1, 2007;

And whereas it is an obligation of both provinces to extend the scope of the agreement to their government entities, which includes municipalities and municipal organizations (i.e. local governments) by April 1, 2009;

And whereas TILMA's Article 9 calls for consultations and negotiations to determine any required special provisions, exclusions and transitional provisions to meet the obligation to extend the agreement to government entities;

And whereas on April 20, 2007 Honourable Colin Hansen, Minister of Economic Development wrote to the Union of British Columbia Municipalities (UBCM) to advise that:

UBCM's request to nominate someone to participate in TILMA negotiations pertaining to local governments would be welcomed;

UBCM's expertise and knowledge of local issues will benefit the discussions required to ensure maximum benefits as TILMA's coverage is extended to the broader public sector;

UBCM's request to consider a Consultation Agreement as provided in s. 277 of the *Community Charter* was supported;

And whereas the Minister of Economic Development is responsible for implementation of TILMA and the Minister of Community Services is the minister responsible for the *Community Charter*;

Therefore be it resolved that pursuant to s. 277 of the Community Charter, this Agreement sets out the consultation requirements between the Ministry of Economic Development, the Ministry of Community Services and the UBCM (Parties) regarding consultations relating to the extension of the TILMA to local governments.

B. Purpose of the Consultation Agreement

The purpose of this Consultation Agreement is to establish an effective intergovernmental mechanism to obtain and share information between the Parties, in order to inform negotiations to extend the TILMA to local governments in BC. This Consultation Agreement establishes the framework by which the Parties will consult on and negotiate any proposed special provisions, exclusions and transitional provisions related to the required negotiations with Alberta.

C. Consultation Body

Under this Agreement, consultations shall take place between the Ministry of Economic Development and the designated UBCM representative. Once designated, the UBCM representative may not be substituted, unless unable to continue to function as the UBCM representative, and will be bound by this Agreement's confidentiality provisions (Section F).

D. Consultation Process

The UBCM representative will sit at the negotiating table as an observer when BC and Alberta negotiators meet to discuss the extension of TILMA to municipalities and municipal organizations. At the negotiating table, the UBCM representative will be free to bring forward issues of priority for local governments for discussion and negotiation. The observer status recognizes that municipalities and municipal organizations are not parties to the TILMA.

Under TILMA, municipalities and municipal organizations are included with the broader MASH and Crown Corporation sectors. The UBCM representative's participation will be limited to negotiations involving matters concerning the extension of the TILMA to municipalities and municipal organizations.

The UBCM will provide the Ministry of Economic Development with input on the anticipated implications of TILMA for BC local governments. Subject to this Consultation Agreement's confidentiality provisions, the UBCM representative will:

- provide updates to the Ministry of Economic Development as to the status and substance of discussions with the UBCM members and Executive; and

- seek direction and bring forward recommendations to the Ministry of Economic Development with respect to requests for special provisions, exclusions or transitional provisions that may be sought by BC local governments.

The Ministry of Economic Development will acknowledge in writing its receipt of all material communications arising from the consultation process with the UBCM.

The Ministry of Economic Development will consider UBCM's input, including any proposals or recommendations, in developing its negotiating position with the Province of Alberta for the application of TILMA to local governments.

It shall be understood that any exceptions, special provisions or additional time needed to negotiate and implement the application of TILMA to local governments will require the agreement of both the Province of BC and the Province of Alberta.

E. Term of the Consultation Agreement

This Consultation Agreement will be in effect until April 1, 2009 at which time Parts II, IV and V of the TILMA are scheduled to apply to all transitional measures. The Parties may agree to amend or terminate this Consultation Agreement at any time with one month's advance notice.

F. Confidentiality

The designated UBCM representative will not, without the prior written consent of the Ministry of Economic Development, use, publish, reproduce, disclose or permit to be used, published, reproduced or disclosed, information pertaining to or gained during TILMA negotiations or information that could compromise the position of the Province of BC in its negotiations with the Province of Alberta.

G. Administration of the Consultation Agreement

The key contacts for administering this Consultation Agreement are:

- Assistant Deputy Minister, Economic Competitiveness Division, Ministry of Economic Development
- Assistant Deputy Minister, Local Government Department, Ministry of Community Services
- Executive Director, Union of British Columbia Municipalities

H. Commitment

In Witness of an Agreement to adhere to the terms established in this Consultation Agreement, the parties have executed this Agreement.

SIGNED on behalf of the Province of British Columbia and the UBCM by:



Honourable Colin Hansen
Minister of Economic Development

SEP 08, 2007
Date

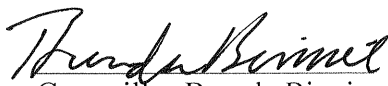
VANCOUVER.
City



Honourable Ida Chong
Minister of Community Services

Sept. 12/07
Date

VICTORIA
City



Councillor Brenda Binnie
UBCM President

Aug 29th/2007
Date

Castlegar
City