



# **ACKNOWLEDGEMENTS**

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# **IMPORTANT NOTICE - PLEASE READ**

The information in this document is not a comprehensive overview of the legal and administrative aspects of co-operative development. The information is not to be solely utilized as the primary basis of any transaction or legal opinion.

The objective of this document is to act as a guide to co-operative development and to facilitate a general understanding of the regulatory environment and suggested processes of developing a co-operative for First Nations to participate in economic development.

Readers are advised to seek legal and professional expertise prior to entering any legal agreements or pursuing any legal transactions.

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### **ABOUT US**

The SFNEDN assists First Nation economic development practitioners and corporations in becoming better integrated into the provincial economy. Housed at the Office of the Treaty Commissioner, it is a member driven, not for profit organization with strategic priorities to assist and promote First Nation economic development, capacity-building through partnership engagement and the forging of new effective partnerships.

SCA is a provincial coalition of co-operatives and credit unions. Incorporated as a community service co-operative, SCA works to support and promote the co-operative model for community and economic development. SCA educates young people about co-operatives, leadership and teamwork, provides co-operative development services, and educates people in Saskatchewan about co-operatives.

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### INTRODUCTION

First Nation peoples are facing a wide range of challenges as they seek to secure the future of members of the communities, including future generations. In seeking to create sustainable communities, economically, socially, and politically, First Nations must also try to develop ways to circulate financial resources as frequently as possible within their communities, rather than see the money used at other businesses outside the community.

Communities have four options to consider, they can: choose to foster the development of individual entrepreneurs, form alliances with "Corporate Canada," develop the capacity of Aboriginal governmental organizations (band councils), or encourage the development of co-operatives that both function in the marketplace to serve their members' needs and work together, with clear lines of accountability. Each type of economic activity has its place in a strong economy, with no single type of activity able to meet all economic challenges on its own.

A co-operative is one accommodating approach that First Nation communities can come together collectively to meet the economic needs of a community. Co-operatives are not a new form of organization within Canadian First Nation communities. Co-ops exist in many sectors of the Canadian economy such as fishing, energy, forestry, housing, financial services, consumer goods, and arts and crafts. Co-ops fill an important role in economic capacity-building, providing skills development, business development, mentoring, and employment.

The purpose of this guide is to increase your understanding of co-operatives and co-operative business development, and to assist you in deciding whether a co-operative is a good fit for your community in pursuing economic development.

There are several reasons the Saskatchewan First Nations Economic Development Network (SFNEDN) and the Saskatchewan Co-operative Association (SCA) believe this guidebook may be of interest:

- 1. There are similarities between First Nation and co-operative values
- 2. The co-operative structure is flexible to fit communities' needs and goals
- 3. A co-op can be made to suit the cultural desires of the community
- 4. A co-operative is twice as likely to survive as a corporation because it accommodates communal expectations
- 5. First Nations communities may find that co-operative business offer more options
- 6. The co-operative business model is a useful and needed part of the mix of economic activity for Aboriginal communities

Survival Rate of Business After	5 years	10 years	Long Term
Co-operatives	64%	46%	30%
Corporations	36%	20%	N/A

### ABOUT CO-OPS

#### WHAT IS A CO-OP?

The co-op model has many applications. A co-operative is a legal business structure. A co-op is formed by a group of people who want to provide themselves with goods and services, to produce and sell the products of their labour, or to create their own jobs. Co-operatives are owned in common by their members and operated under democratic principles (one member, one vote).

#### **BENEFITS OF A CO-OP**

Co-operatives can be established in any sector of the economy depending on the need. Co-ops provide a business structure through which primary producers, such as farmers and fishers, can work together to reduce costs and maintain a fair price for their products.

Co-ops can provide community services such as health care, childcare and housing. Co-ops combine economic and social objectives in their business pursuits. By providing a model for community economic development, they generate community investment facilitating local control of resource development.

- · Canada is home to 8,500 Co-operatives and Credit Unions, with over 18 million members
- 1,280 co-operatives operate in Saskatchewan with over 1 million members more than 50% of the population!
- 133 co-operatives in Canada are First Nation, Metis, or Inuit-controlled or operated. Of these co-operatives 77 are in the Northwest Territories, Nunavut, Nunavik, Northern Quebec and Northern Saskatchewan
- In Saskatchewan, 15,000 people work at co-operatives, in Canada -150,000, and over 100 million people globally
- · First Nations and Metis-controlled co-operatives employ 1,400 people with an average of 18 people per co-operative
- Retail co-operatives under First Nations and Métis control represent 71% of Aboriginal co-operatives, and account for 93% of annual sales of \$250 million



# **CO-OPERATIVE DEVELOPMENT**

#### **Pre-Confederation**

Co-operatives and co-operation were forces in Saskatchewan well before the formation of the province in 1905. For thousands of years, Aboriginal collaborative societies prospered.

1761 The earliest recorded co-operative is formed in Scotland. Local weavers sold the contents of a sack of oatmeal at a discount, forming Fenwick Weavers' Society.

**1895** First co-operative in Saskatchewan, a butter creamery, is formed in Saltcoats.

**1910** The Jewish Colonization Association forms 1st Western Canadian Credit Union in Wapella, SK.

1928 Retail co-op stores work together to form a wholesale co-operative, Federated Co-operatives Limited.

1930s The Métis leaders James Brady and Malcolm Norris are involved in establishing important co-operatives in the North of the province. They were also influential in the formation and early years of the Co-operative Commonwealth Federation (CCF) political party.



Pre-Confederation 1800s

1900s

1910s

1920s

1930s

**1844** Rochdale Society of Equitable Pioneers establish a store owned by its members. They develop the 'Rochdale Principles' forming the basis for the modern co-operative movement.

**1850-1864** Credit unions (financial co-operatives) are established in Germany.

**1905 - 1929** Saskatchewan farmers begin 'pooling' their resources and marketing their products as a group. Buying clubs are formed during this period, leading to the formation of retail co-op stores.

**1906** Prairie farmers led by E.A. Partridge organize the Grain Growers' Grain Co., the first co-operative to register in the newly incorporated Province of Saskatchewan.

1935 The farmers in Regina establish Consumers' Co-operative Refineries Ltd., now owned by Federated Co-operatives Ltd.

1937 The first officially chartered Credit Union in Saskatchewan, the Regina Hebrew Savings and Credit Union is formed in Regina.

## **TIMELINE**

1940s-50s Throughout Northern Saskatchewan there are Métis, First Nations and Aboriginal active co-ops including fishing, fur and trapping, trading, wood products, farm co-operatives and even a credit union.

#### 1949

The Cumberland House Fisherman's Co-op is established.

**1961** La Ronge Childcare Co-op Ltd. is founded in La Ronge, SK.

1962 Universal Medicare is launched in Saskatchewan. As a result of the Medicare program, the first co-op community health clinic opened in Saskatoon.

**1985** The first debit card is piloted by credit unions in the Swift Current area.

**1995** Welcome Bay Fishermen's Co-op is established.

1995 The Many Nations Co-op Ltd., a brokerage house specializing in pensions, benefits, and insurance policies for First Nations, establishes bands in Edson, SK.



**1945** The fishers' co-op at Kinoosao on Reindeer Lake, is the first Aboriginal co-op incorporated in northern Saskatchewan.

**1945** A group of Saskatchewan farmers work together to start 'The Co-operators' by pooling their money to offer insurance.

**1972** Arctic Co-operatives Ltd, a co-operative federation owned and controlled by 31 co-operatives in Nunavut, Northwest Territories, and northern Manitoba forms and operates in both English and Inuktitut.

**1974** Access Communications incorporates in Regina. Today this telecommunications co-operative operates across the province.

**1977** Sherwood Credit Union in Regina introduces world's first Automated Teller Machine (ATM).

**2009** Ohpahow Wawesecikiwak Arts Marketing Inc., an arts and crafts workers co-op, is established on the Big River First Nation.

**2010** The Flying Dust Cree 8 Worker Co-op Ltd., an employment/member owner co-op with a market garden and greenhouse, is established on the Flying Dust First Nation.

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### **ANALYZING CO-OPS AS MARKETPLACE BUSINESSES**

Co-ops are businesses and can do many things that non-profit associations cannot. Co-ops combine the basic principles of community development with a business approach, enabling people to turn local strengths into viable community owned enterprises.

Co-operatives differ from private corporations and non-profit corporations in three main ways:

#### 1) USER-OWNED

The people who use a co-op usually buy a membership first, which makes them an owner. Membership gives them an equal share in the co-operative business.

#### 2) USER-CONTROLLED

Co-operatives are democratic, which means each member gets one vote. Members elect a board of directors, and vote on all major decisions or issues.

#### 3) USER-BENEFITTING

One of the main purposes of a co-operative is to give benefits to its members. Operations are geared to benefit members, including providing access to products or services that members weren't able to get in their community before.

#### Differences between a co-operative, a private business and a non-profit corporation:

	Community Service (Non-profit)Co-operative	Non-profit Co-operation	For-profit Corporation	For-profit Co-operative
Purpose	To meet social, cultural and economic needs of members or the broader community.	To meet social, cultural and economic needs of members or the broader community.	Profit for shareholders on investment of time or money.	Service and saving for members.
Ownership	By members.	By members.	By members.	By members.
Control (voting)	One member, one vote, no proxy voting	One member, one vote, unless otherwise specified in the articles or bylaws	The number of voting shares held per shareholder	One member, one vote, no proxy voting
Liability	Members limited to membership amount. Directors can be liable.	Limited to the investment. Directors can be liable	Shareholders limited to share subscription. Directors can be liable.	Members limited to share subscription. Directors can be liable.
Distribution	Surplus remains in co-op. Surplus goes to another non-profit group at time of dissolution.	Surplus remains in corporation. Surplus goes to membership or to another charitable organization at time of dissolution.	Dividends paid on shares. Rate set by Board of Directors.	To members in proportion to use of service. Allocated, but members may choose to reinvest.

Source: Enterprise Saskatchewan

### 7 CO-OP PRINCIPLES

Every co-operative believes in and is formed around the same seven principles, known as the Co-operative Principles. The Principles outline how co-operatives put their values into action. These Principles are part of the International Co-operative Alliance's Statement on the Co-operative Identity:

#### 1. VOLUNTARY AND OPEN MEMBERSHIP

Co-ops are voluntary organizations, open to everyone able to use their services and willing to accept the responsibilities of membership.

#### 2. DEMOCRATIC MEMBER CONTROL

Co-ops are democratic organizations controlled by their members, who set policies and make decisions. The elected Board is accountable to the membership. Members have equal voting rights (one member, one vote).

#### 3. MEMBER ECONOMIC PARTICIPATION

Members contribute equally to their co-operative's capital (money or other assets). At least part of that capital is usually the common property of the co-op. Members usually receive limited compensation, if any, on the money they contributed to the co-op for their membership. Extra funds not spent on running the co-op may go to further developing the co-op and supporting other activities approved by the membership.

#### 4. AUTONOMY AND INDEPENDENCE

Co-ops are autonomous, self-help organizations controlled by their members. If they enter into agreements with other organizations, including governments, or raise capital from external sources, they do so on terms that guarantee democratic control by their members and maintain their autonomy.

#### 5. EDUCATION, TRAINING AND INFORMATION

Co-ops provide education and training for their members, elected representatives, managers, and employees so they can help effectively in developing their co-op. Educating new members - either by direct job-related training or even just about the various benefits of membership - is essential. A co-op is its members; without the members, the co-operative wouldn't exist.

#### 6. CO-OPERATION AMONG CO-OPERATIVES

Co-ops serve their members better and strengthen the co-operative movement by working together on local, national, regional and international levels.

#### 7. CONCERN FOR COMMUNITY

Co-ops work to sustainably develop their communities through policies approved by their members. Co-ops are created to meet needs identified by community members. In some cases, this may mean access to healthy food or adequate housing, or with its surplus, the co-op may choose to contribute resources to the community directly.

### SHARED VALUES OF FIRST NATIONS AND CO-OPS

Co-operatives reflect many of the same values and beliefs found among First Nations. Given the collaborative and co-operative basis on which First Nations and non-First Nations worked together for years, it should come as no surprise that co-ops reflect many of the same values and beliefs found among First Nations.



# **TYPES OF CO-OPERATIVES**

#### **Insurance and Financial Co-operatives:**

These co-operatives offer deposit, loan and investment services for members. Credit unions are the most common example of this type of co-operative.

#### **Retail Co-operatives:**

These co-ops provide their members with goods such as food, hardware, clothing and recreational gear. They range in size from small purchasing groups to large supermarket and retail supply organizations.

#### **Service Co-operatives:**

These co-ops provide services to their members for the benefit of the public or general welfare of the community. Types of services include housing, childcare, water supply, communications, energy, health care, transportation, communication, fire and rescue, and municipal services.

#### **Producer & Marketing Co-operatives:**

They act on behalf of producers to sell their products and/or allow members to share processing and packaging equipment and pool their marketing to reach more customers.

#### **Worker or Employment Co-operatives:**

These co-ops supply jobs to their workers. The workers are the member owners who run the business. They make all the important decisions, such as wages, production methods, and finances. Examples include: organic foods production, arts and entertainment, forestry, construction and home care sectors.

#### **Multi-Stakeholder Co-operatives:**

These co-ops have different categories of members, such as employees, investors and service recipients. They usually operate in the community development, home care and health care sectors. This type of co-op is not currently allowed under Saskatchewan legislation.

#### **New Generation Co-operatives:**

This is a newer type of co-operative that is usually involved in value-added agricultural processing, and which combines the features of a co-op with an investor-owned corporation.

Canada is home to 9,000 CO-OPERATIVES AND CREDIT UNIONS with over 18 million members.



# **ABORIGINAL CO-OPS IN CANADA**

BRITISH COLUMBIA			
Alberni District Co-op	CONSUMER	Convenience Store, Gas bar,	Diverse Aboriginal
Association (1928)	15,000 members	bulk fuel – 2 locations	Diverse Aboriginal
Spirit Dance Co-operative Community (1994)	CONSUMER 4 members	Sustainable living work-shops and organic vegetable farming	Shuswap First Nation
Tofino Consumers Co-op Association (1956)	CONSUMER 2,500 members	General retail, groceries, clothing hardware, gas bar	Nuu-chah-nulth First Nations
ALBERTA			
Blood Reserve School Bus Co-op Ltd. (1978)	CONSUMER 40 members	School bus services for children on-reserve	Blood Tribe Kanai Nation
Piikani Rural Electrification Association Ltd. (1962)	CONSUMER 365 members	Provision of electricity to rural members	Piikani First Nation
Ermineskin Rural Electrification Association Ltd. (1958)	CONSUMER 190 members	Provision of electricity to rural members	Ermineskin First Nation
MANITOBA			
Hollow Water Fishers Co-op (2009)	PRODUCER 30 members	Commercial fishing and marketing	Hollow Water First Nation
Neechi Foods Co-op Ltd. (1989)	WORKER 60 members	Groceries, bakery, restaurant, bookstore & arts centre	North Winnipeg, Diverse Aboriginal
Northwest Wild Rice Growers Co-op Ltd. (1985)	PRODUCER 4 members	Provides wild rice producers with technical support	Opaskwayak First Nation
ONTARIO			
Bearskin Consumer Co-op Ltd. (1993)	CONSUMER 600 members	General retail, groceries	Bearskin Lake First Nation
Huronia Family Housing Co-op (1986)	CONSUMER 25 members	Co-op housing: 25 family units	Mainly Anishnabek
True North Community Co-op (1993)	MULTI STAKEHOLDER 450 members	General retail, food, clothing & crafts	Diverse Aboriginal
SASKATCHEWAN			
Many Nations Co-op Ltd. (1995)	FINANCIAL 165 members	Brokerage Housing Specializing in pensions, benefits, insurance group plans for First Nation bands	Diverse Aboriginal
Meadow Lake Co-op Association Ltd. (1945)	CONSUMER 7,200 members	General retail, groceries, gas, service station, hardware & home centre, agricultural products, pharmacy, 6 locations in 3 communities	Diverse Aboriginal
La Ronge Childcare Co-op (1961)	CONSUMER 87 members	Daycare services for almost 100 children	Diverse Aboriginal
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<sup>\*</sup>See **Appendix D: Resources** for more information on other co-ops.

# FIRST NATIONS IN CANADA: THE 1<sup>ST</sup> CO-OPERATORS

The idea of a co-operative is nothing new to First Nation people who exercised co-operative development long before the co-operative business structure became popular in Canada and elsewhere. In many ways, First Nations were the first co-operators. The first Aboriginal co-op was incorporated in 1945 in Saskatchewan, and focused on conducting business in the fisheries sector. Incorporations of Aboriginal co-ops were very popular in the 1970s and 1980s, and to some extent, in the 1990s.

Over the past few years, we are seeing new Aboriginal co-ops becoming formed in Saskatchewan. Various drivers and restrictions for Aboriginal co-ops in the north and south, both based on locality and government policies under the Indian Act, reveal interesting insights into why Aboriginal co-ops have been established and their diverse range of successes.

First Nations people have worked together in achieving common goals to sustain their livelihoods and develop their communities. They have worked collaboratively and resiliently toward economic prosperity with self-sustainability always being the end goal. On contemporary First Nations communities and those living off-reserve the level of activity that occurs has been sometimes been controversial. In 2001, Aboriginal consumer co-ops were growing at a rate almost twice that of the retail sector or other consumer co-ops.

# CO-OP DEVELOPMENT: CREATING YOUR PATH

Co-operative businesses can be a way for First Nations communities to improve economic conditions while keeping decision-making powers and control with local people. Each co-operative is designed to meet the needs of the community it serves, so each co-op has a unique and locally-focused way of working. This section of the guide provides examples of how different types of co-ops are meeting the needs of their communities and looks at the benefits and challenges of developing First Nation co-operatives. Some key questions are presented for your consideration when developing a co-operative as a good option for your community.

#### PROFILE: CREE8 WORKER CO-OPERATIVE: FLYING DUST FIRST NATION

Mission Statement: "To develop sustainable, self-reliant livelihoods while promoting the need for healthy lifestyles, nutritious food consumption and food sovereignty and security at the Band level."

In 2009, the Riverside Market Garden began as eight people growing organic vegetables on two acres. By 2011 the workers incorporated as Flying Dust Cree8 Worker Co-operative, a worker-controlled organic market garden social enterprise. It now spans 27 acres, growing two different kinds of potatoes, carrots, onions, beans, herbs, cucumbers, corn, squash, kale, beets, peas, and a variety of tomatoes.

In 2013, they built a state-of-the-art storage facility with retail and commercial kitchen space included. Other acquisitions helping to develop this co-operative include a potato seed cutter, a potato-harvesting machine, and two potato trucks. In 2014, they added a full time staff person to coordinate their activities.

#### PROFILE: MUSKODAY WORKERS ORGANIC CO-OP

In 1999, the community at Muskoday launched an initiative to produce potatoes and grew and harvested about 450 tonnes. The band-managed project obtained sufficient training grants to hire every employable welfare recipient in the community to work on the farm for six months. This was sufficient time to qualify for employment insurance, which in turn opened doors to further training. Once the program ended; only 5% of the people involved went back on social assistance. For a variety of reasons, the project did not continue, but in 2005, several community members decided to revive the idea, with a twist.

They formed an organic growers' co-op and began to produce potatoes and other vegetables organically, aiming to supply local and regional markets. Their co-op structure gave the participants a sense of ownership and decision-making power that reflected the collectivity of First Nations culture.

With support from their Band and Heifer International, they grew around seven hectares of potatoes and just over one hectare of other vegetables. They have also started planting fruit trees. The idea is to use mainly indigenous varieties and to avoid monocultures by inter-planting crops. A couple hundred kilometers of shelterbelts planted in the past encourage biodiversity. Project participants that take part in training that will net them a Green Certificate through Saskatchewan's on-farm training program in agricultural production and management. In a one-year period, 11 families will be trained in the knowledge and practice of indigenous organic gardening, agro-ecology and organic food entrepreneurship. Currently produce goes to the CHEP Good Food Box program in Saskatoon, to 25 community elders and to the Muskoday school lunch program.

Muskoday First Nation has been working to create sustainable healthy economic benefits for their community and their consumers with organic farming.

#### PROFILE: NEECHI FOODS CO-OPERATIVE, LTD.

This worker co-operative has its roots in Winnipeg, Manitoba and was formed in early 1990. It operates as a grocery store, restaurant, fruit and vegetable courtyard, and arts market. Neechi, meaning 'sister, brother, or friend' in Cree and Ojibwa, was created to address food and employment security as well as community-building.

Originally Opened as Neechi Foods Community store in 1990, a major expansion occurred in 2012 when it became part of the revitalization of Main Street and helped to open the Neechi Commons Community Business Complex. This centre has the capacity to expand operations, include more community members, and increase the number of workers involved. In addition to the grocery store, restaurant, and arts centre, the new business complex includes a greater area to promote more Aboriginal artisans and musicians, a farmers' market, a bakery, and specialty boutiques.

Funding for the development and expansion of Neechi Foods came in part from Provincial and Federal grants as well as from fundraising, namely the selling of shares to the general public. Slow and steady growth through stable annual sales and surplus invested back into the co-operative has created a strong foundation for all operations.

Neechi Foods Co-operative has received multiple awards, including the Green Globes certification for the design of the new building, which includes geo-thermal heating and cooling. Neechi Foods is also the recipient of the Excellence in Aboriginal Leadership Award.

Neechie Foods belongs to a number of larger business organizations including the Canadian Worker Co-operative Federation, the Aboriginal Chamber of Commerce and Food Matters Manitoba. The Co-operative is a purchasing partner of the Local Investment toward Employment program, and is a supplier partner with Winnipeg's Social Purchasing Portal. These, and other partnerships, have contributed to the success of Neechi Foods Co-operative.

#### PROFILE: AMACHEWESPIMAWIN CO-OPERATIVE ASSOCIATION

The retail co-op in Stanley Mission, located on the Churchill River in northern Saskatchewan, has taken on the name that Cree people always called the area before it was renamed by missionaries: Amachachwespimawinhk. Just as the local community has taken ownership of the name, they've also taken ownership of the co-op.

The first Co-operative Association was established in Stanley Mission through a government initiative, in 1949. Eventually, by 1959, there were 6 co-ops operating in northern Saskatchewan: La Ronge, Stanley Mission, Deschambault Lake, Cumberland House and Wollaston, which together were known as the Northern Co-op Trading Services Ltd.

In 1980, the community of Stanley Mission decided it would be more beneficial for the community to establish their own Co-operative Association Membership Board and hire their own manager. Today, the Board of Directors is made up of community members who live and work on the reserve and in the hamlet of Stanley Mission. Due to effective succession planning strategies, local community members are able to lead the co-op with excellent leadership and management skills. The current manager is a community member.

In the early years, annual sales were approximately \$300,000; and today the sales exceed \$8 million. The Co-op is able to provide a wide selection of products at very reasonable prices for a small northern store. Also, customers who shop locally benefit greatly from their equity, which is considerably more than other co-operatives in general.

The co-operative also runs the first and only restaurant in the community, as well as a gas bar confectionary. The community reinvested their dividends for a period of time in order to achieve this goal of starting up a restaurant. Members now re-invest dividends to pay out 100% of the equity to the elderly when they reach sixty-five years of age.

# BENEFITS AND CHALLENGES OF DEVELOPING A FIRST NATION CO-OPERATIVE

Developing a business as a co-operative has both benefits and challenges for any group or community. For First Nations specifically, there are additional benefits and challenges to be considered when deciding if a co-operative business will meet the needs of your community.

#### **BENEFITS**

- ✓ Shared values between the co-operative structure and First Nations people
- ✓ Co-operatives offer equitably shared profits, risk, ownership, and decision-making
- ✓ Co-operatives are a proven, sustainable business model.

#### **CHALLENGES**

- Perceptions and stereotypes
- ✓ Indian Act Legislation creates extra steps to creating a co-operative business
- ✓ Financing and securing loans can be more difficult, especially on-reserve.
- Security can be exempt from the Indian Act, although sometimes to address these challenges, co-ops can lease assets instead of owning, so the title doesn't transfer.

#### **QUESTIONS TO CONSIDER**

- 1. Do you want a business that is owned and democratically controlled by the people who use the services?
- 2. Do you want a business that benefits the members and members have a say in making decisions?
- 3. Do you want a business that is a model for community development and job creation?
- 4. Do you have unique needs and goals that can be achieved through collective ownership?
- 5. Do you want to create self-sustainability through a shared vision of how this can be accomplished?

Note: co-op expertise and/or legal advice is always recommended.

FIRST NATIONS AND METIS controlled co-operatives employ

1,400

people with an average of
18 per co-operative.



### CO-OPERATIVE DEVELOPMENT: RECOMMENDED STEPS

#### Co-op Talk

Talk about ideas for improving your community with other community members. These talks will help you understand and identify common needs, such as access to unavailable services or access to products at fair prices. Make sure to involve the elders in your talks and invite them to share advice and support.

#### **Pre-feasibility**

This step builds confidence among potential members who are interested in participating in the co-operative. This stage informs whether a more in-depth study is needed, and identifies the areas of research that need to be focused on. The flexibility of the co-operative structure encourages adaptability, and can be tailored to provide any type of product or service, as long as the community itself values it as an opportunity for improvement. Some things to consider are:

- · preliminary market review
- · available technical and financial assistance
- · does the local community want/support a co-operative business
- is a co-operative the best structure
- · profit or non-profit co-op
- · intended benefits to members, (e.g. quality, price)
- · type of co-op
- · can the minimum number of members be attracted

#### **Co-op Development Meeting**

This meeting includes an invitation and an agenda to all prospective members before the meeting. The agenda is of a general nature, and includes room for all members to speak and be heard equally. Some of the possible agenda items could include:

- Establish organization's name, the organization's mission statement, purpose, elect a board of directors, a secretary, and a treasurer. These are temporary positions, and an official election will take place at the organization's first meeting after becoming incorporated.
- Prepare and submit an application for incorporation as a co-operative.
- SEE APPENDIX A: INCORPORATION PACKAGE

#### Conduct a Feasibility Study (also called a viability study)

This step is an in-depth look at whether an organization is economically possible or viable in the proposed community. Some of the considerations could include:

- · Defining the organization's objectives
- · Consideration of costs, such as wages, materials, production costs, and any other financial resources necessary.
- **Estimating** as accurately as possible the potential sources of revenue, such as membership fees, fundraising, grants, credit union or bank loans, and other partners.
- · Site assessment: considerations include identifying potential spaces that have the necessary facilities for the organization,
- Economic assessment: analysis of the cost effectiveness over the life-cycle of a business in terms of purchasing, operating, and maintaining an organization's resources would be conducted to guide investment choices in initial and ongoing phases of an organization's lifetime.
- Social assessment: this would be an analysis of the social environment for the proposed organization. Essentially, this area
  of study would consider how well received an organization might be, as well as how it would meet the needs of the existing
  social fabric. This is also an opportunity to make sure you build your co-operative business to incorporate and reflect First
  Nations spirituality and values into the business.
- **Risk assessment:** an organization may choose, as part of their feasibility study, to conduct a risk assessment that considers factors that have the potential to derail the project.

#### **Develop the Framework**

Discuss and determine the organization's structure and define the different members involved. Discuss and determine what the governing bodies will be and what their roles will be within the organization. For example, you could clarify how your board of directors will work together. In addition, various other committees can be formed, such as a committee to draft bylaws, which provides parameters for the organization and are a requirement of incorporation.

• SEE APPENDIX B: SAMPLE CO-OP BYLAWS

#### **Organize the Enterprise**

#### **PLAN ENTERPRISE OPERATIONS**

The first year of operational planning should be established. Create goals for the short and long-term to establish sustainable success based on the original values and aims. Some key planning steps:

#### 1. PLAN AND ORGANIZE START-UP FINANCING

This is where you decide how much financing you will need for start-up and operations projected for the next three years. Some co-operatives have started with very little money, and slowly built up a reputation, clientele, and member base in order to be able to finance expansion costs. Some considerations include:

- · Decide how much a membership will cost
- **Determine** financial operations for the first three years. This could include already identified projected costs and potential deficits or surplus
- Research potential grants, and apply to relevant opportunities.
- · SEE APPENDIX C: BUSINESS PLAN TEMPLATE

#### 2. RECRUIT AND TRAIN STAFF

Developing good human resource policy and strategy from the outset is key to any successful enterprise. At this stage, begin selecting and recruiting employees. You will need a training program and co-operative training program for each position.

#### 3. ENSURE THE LEGALITY OF ALL OPERATIONS

This is where you take care of any legal business requirements and authorizations, such as licenses, permits, a GST or Business number, etc.

#### **Hold the Initial General Meeting**

The plan for this meeting includes sending an invitation and an agenda to all prospective members before the meeting. The agenda should be of a general nature, and include room for all members to speak and be heard equally. Some key agenda items include:

 Adopt the bylaws, adopt the business plan, approve an outside auditor, approve the co-op membership, and elect the board of directors.

123 co-operatives in Canada are FIRST NATION, METIS, OR INUIT controlled or operated.

Northwest Territories, Nunavut, Nunavik, Northern Québec, and Northern Saskatchewan

are home to of these co-operatives.



# FORMS REQUIRED FOR INCORPORATION

- 1. Articles of Incorporation
- 2. Notice of Registered Office
- 3. Consent to Act as a Director
- 4. Request for Name Availability Search and Reservation

#### THE FEES TO INCORPORATE ARE:

Name Availability Search \$ 20.00 Incorporation \$265.00 Total \$285.00

OR

Name Availability Search \$ 20.00 Home Building Co-operative or Non-Profit Co-operative \$ 65.00 Total \$ 85.00

#### ALL FEES MUST BE PAID BEFORE THE FORMS CAN BE APPROVED.

Make remittance payable to Information Services Corporation, (in Canadian Funds). Payment can be made by: Cash/Cheque/Money Order or Visa/MasterCard. You may fax the incorporation documents (plus authorize payment by Visa, MasterCard). If you fax the documents DO NOT mail the originals – keep them for your files. The faxed copy must be legible and suitable for imaging. If the fax copy is not legible, you will be asked to submit the originals.

Corporate Registry public office hours are from 8 a.m. to 5 p.m., Monday to Friday.

Co-operatives Incorporation Kit - Instructions and Additional Information:
Phone (306)787-2962
Fax (306)787-8999
corporateregistry@isc.ca

www.isc.ca





### SAMPLE CO-OP BYLAWS

Date	
BYLAWS OF	
(name of co-op)	

#### BYLAW CONTENTS

- DEFINITIONS
- 2. FISCAL YEAR
- CONDITIONS OF MEMBERSHIP
- 4. JOINT MEMBERSHIP
- 5. SURPLUSES
- 6. WITHDRAWAL OF MEMBERSHIP
- 7. TERMINATION OF A MEMBERSHIP BY DIRECTORS
- 8. TERMINATION OF MEMBERSHIP BY MEMBERS
- NOTICE OF MEETING
- 10. OUORUM
- 11. VOTING
- 12. BYLAWS
- 13. DIRECTORS
- OFFICERS
- 15. DISSOLUTION

BYLAWS OF
(name of co-op)

#### 1. DEFINITIONS

In these and all other bylaws of the Co-operative, unless the context otherwise requires or specifies:

(a) "Act" means the Co-operative Act, 1996 as amended or replaced from time to time, and in the case of such amendment, any references in the bylaws of the

Co-operative shall be read as referring to the amended provisions;

- (b) "the Co-operative" means the body corporate that has established these bylaws.
- (c) "the Directors", "Board" and "Board of Directors" means the Directors of the Co-operative for the time being;
- (d) "in writing" and "written" include words printed, painted, engraved, lithographed, photographed, represented or reproduced by any mode of representing or reproducing works in visible form;
- (e) the headings used in the bylaws are inserted for reference only and are not to be considered in constructing the terms thereof or to be deemed in any way to clarify, modify or explain the effect of any such terms;
- (f) all terms contained in the bylaws and which are defined in the Act shall have the meanings given to such terms in the Act;
- (g) words importing the masculine gender shall include the feminine, and words importing the singular shall include the plural and vice versa.

#### 2. FISCAL YEAR

The fiscal year of the Co-operative shall end on the \_\_\_\_ day of \_\_\_\_ in each year.

#### 3. CONDITIONS OF MEMBERSHIP

- (a) Membership in the co-operative shall be open to anyone who can use the services of the co-operative.
- (b) To become a member of the Co-operative, a person must submit a written application in a form prescribed by the Board of Directors and the said application must be approved by the Board and recorded in the minutes.
- (c) Each application for membership must be accompanied by a payment of \_\_\_\_\_ for the purchase of \_\_\_\_ shares in the co-operative.(d)Transfer of membership in the co-operative must be approved by the board of directors.

#### 4. JOINT MEMBERSHIP

There shall be no joint membership.

#### 5. SURPLUSES

Any surplus resulting from the yearly operations of the Co-operative, after allocating appropriate reserves shall be divided among the members in the form of shares or cash in proportion to the volume of business of each member at a rate determined by the board of directors.

#### 6. WITHDRAWAL OF MEMBERSHIP

- (a) A member may withdraw from the Co-operative by giving to the Secretary of the Co-operative \_\_\_\_\_notice of intention to withdraw.
- (b) The Board, by resolution, may accept any application to withdraw upon shorter notice.
- (c) The Co-operative shall pay all amounts held to the credit of a member within the time period of\_\_\_\_\_\_ of the Board's acceptance of the member's application to withdraw.

#### 7. TERMINATION OF MEMBERSHIP BY DIRECTORS

- (a) The Directors may, with a two-thirds vote at a meeting duly called, order the retirement of a member from the co-operative.
- (b) The Secretary of the co-operative shall, within ten days from the date on which the order is made, notify the member in writing of the order.
- (c) The member may appeal from the order to the next general membership meeting of the co-operative by giving written notice of their intention to appeal to the Secretary within thirty (30) days from the date he received notice.
- (d) Where the member makes the appeal, a two-thirds majority shall be required to rescind the order.
- (e) The retirement of a member is ordered in accordance with the provisions of this bylaw, the Co-operative shall pay to the member all amounts held to his credit within one year of the members retirement.

#### 8. TERMINATION OF MEMBERSHIP BY MEMBERS

- (a) Members may terminate a membership of a member where 10 days' notice of a the general meeting at which his or her membership is to be considered; and
- (b) The termination is approved by a majority of at least two-thirds of the members who are present and cast votes at the meeting.

#### 9. NOTICE OF MEETINGS

The co-operative shall give not less than 10 and not more than 50 days notice of any annual or special meeting to its members to attend the meeting:

- (a) by sending the notice by mail to the members: or
- (b) by inserting the notice in not less than two issues of newspaper circulated in the area served by the co-operative and posting the notice in a place that, in the opinion of the directors, is prominent and accessible to members. The notice of any special meeting must specify the purpose for which the meeting is called.

#### 10. QUORUM

The quorum at any annual or special meeting of the members will be the lesser of 15 members and 10% of the membership but in no case shall the number be less than the number of directors plus one.

#### 11. VOTING

- (a) Members shall vote:
  - i) by a show of hands; or
  - ii) where three members entitled to vote at a meeting so demand, by secret ballot;
- (b) There shall be no voting by mail or other electronic means and no voting by proxy.
- (c) No member is entitled to more than one vote on any question.
- (d) The Chairperson of the meeting has the right to vote but is not entitled to a second vote in the event of a tie.
- (e) (i) subject to other provisions of the Act and these bylaws, a majority of members who are present and cast votes at a meeting shall decide all questions.
  - (ii) where there is an equality of votes, the motion is to be declared lost.





#### 12. BYLAWS

Members of the Co-operative may, at any annual meeting or any special meeting called for the purpose, enact, amend, repeal, replace or confirm any bylaws where written notice of the proposed enactment, amendment, repeal, replacement or confirmation is:

- (a) Forwarded to each member of the co-operative with the notice of the meeting at which the enactment, amendment, repeal, replacement or confirmation is to be considered, by a majority of the votes cast at the meeting.
- (b) Not forwarded to each member of the co-operative with the notice described in clause a), by a two-thirds majority of the votes cast at the meeting.

#### 13. DIRECTORS

- (a) Directors shall be elected at the annual meeting.
- at each annual meeting the members shall determine by ordinary resolution the number of Directors to be elected;
  - ii) If the members fail to specify the number of directors at the annual meeting, the number of directors shall be equal to the number set the previous year.
  - iii) Directors hold office until the conclusion of the meeting at which their successors are elected, and are eligible for re-election
- (c) Directors shall be elected for a \_\_\_\_\_ year term.
- (d) The members of a Co-operative may, by a resolution approved by two-thirds of votes cast at a general meeting, remove any director from office.
- (e) Where there is a vacancy on the Board of Directors and;
  - ) where there is a quorum of Directors, the remaining Directors;
- a) may exercise all the powers of the Directors; or
- b) may fill the vacancy until the next annual meeting.
  - i) where there is not a quorum of Directors, the remaining Directors shall call a general meeting for the purpose of electing members to fill any vacancies.
- (f) Unless these bylaws provide otherwise, the Board of Directors shall:
  - exercise the powers of the Co-operative directly or indirectly through the employees and agents of the Co-operative; and
  - ii) direct the management of the business and affairs of the Co-operative.
  - Any remuneration paid to the directors must be approved by the Annual General Meeting.
- (h) The quorum at Board meetings shall be a majority of the Board.

#### 14. OFFICERS

The Board of Directors shall:

- (a) Elect a President and a Vice President from among the number.
- (b) Appoint a Secretary or Secretary-Treasurer who may, but need not be, a Director.
- (c) Designate the offices of the Co-operative, appoint persons as officers, specify the duties and delegate powers to manage the business affairs of the Co-operative to them.

#### 15. DISSOLUTION

Upon the dissolution of the Co-operative, assets shall be converted to cash and allocated, first to repay any debts of the co-operative and second to repurchase at par any common shares held by members. Unallocated surplus shall be donated to a non-profit organization according to the Special Resolution to Dissolve the Co-operative.

THESE SAMPLE CO-OP BYLAWS ARE TO BE USED FOR SAMPLE PURPOSES ONLY. THESE BYLAWS ARE INCOMPLETE AND NEED TO BE TAILORED TO YOUR CO-OP AND MEMBERS' NEEDS.

- PLEASE CONTACT YOUR LOCAL CO-OP EXPERTISE AND/ OR A LAWYER FOR HELP WITH BYLAW DEVELOPMENT.

### **BUSINESS PLAN COMPONENTS**

#### **COMPETITOR ANALYSIS**

• by analyzing who is already meeting the needs of the community and how well they are doing it, you have the opportunity to clarify how your co-operative business will meet their needs in a unique way.

#### COMPANY/ PRODUCTS SERVICES

 describe in detail your business, its structure, mission and successes, and your products and services.

#### **OPERATIONS PLAN**

this section will look at the scope of operations, and discuss your development plan, which will
explain how you will take the business from its current state into operations in the future.

#### MARKETING PLAN

 this part of the plan will detail who your target market is, how your product and pricing is different from your competitors', how you will advertise and promote your business, how you will reach your customers and distribute your products or services, your sales strategy and forecast your sales.

#### **MANAGEMENT & STAFF PLAN**

here you want to showcase the experience and training of the people involved which will help identify
the strengths (or gaps) in the team that will be responsible to carry out the business. This section of
the business plan will also highlight the staffing and compensation plan for the business.

#### **RISK ASSESSMENT**

 now you want to assessi the different types of risk in the business plan to help the business prepare for and minimize critical risks the business may face.

#### **FINANCIAL PLAN**

includes balance sheets, income and cash flow statements and the plans for revenues and expenses
for several years (usually five years). While the statements are estimates into the future, they can
help illustrate how your co-operative business will build financial success over the next few years.





# **RESOURCES**

#### **TECHNICAL SUPPORT**

- Aboriginal Business Service Network: www.canadabusiness.ca/eng/page/2689/
- Information Services Corporation: Forming a Co-op: www.isc.ca/CorporateRegistry/FormingaCo-operative
- Centre for the Study of Co-operatives: www.usaskstudies.co-op
- Square One, Saskatchewan's Business Resource Centre: www.squareonesask.ca
- Saskatchewan Co-operative Association: www.sask.co-op
- Saskatchewan First Nations Economic Development Network: www.sfnedn.com

#### **FINANCIAL OPTIONS**

- Affinity Credit Union District 9 First Nations Initiatives Funding: www.affinitycu.ca/Community/Funding/Pages/Dist9Fund.aspx
- Business Development Bank of Canada: www.bdc.ca/EN/articles-tools/entrepreneur-toolkit/templates-business-guides/Pages/business-plan-template.aspx
- First Nations Bank of Canada: www.fnbc.ca
- Government of Canada programs to support Aboriginal Business Development: www.servicecanada.gc.ca/eng/audiences/aboriginal/business.shtml
- Saskatchewan Indian Equity Foundation, Inc: www.sief.sk.ca
- Saskatchewan Ministry of the Economy Resources for Aboriginal Businesses:
   www.aboriginalbusinessdirectory.com/business\_resources

### ABORIGINAL CO-OPERATIVES IN SASKATCHEWAN

Amachewespimawin Co-op Association Ltd. Stanley Mission First Nation Stanley Mission, SK SOJ 2P0 (306) 635-2020	Kinasao Co-operative Association Ltd. General Delivery Kinoosao, SK SOP 0J0 Tel: 306-758-3058 Fax: 306-758-3050	New Beginnings Housing Co-op Ltd. River Bank Development 1350 15th Ave Prince Albert, SK S6V 5P2 (306) 763-4221 riverbankdevelopment.ca	Pinehouse Lake Co-op Ltd. Pinehouse First Nation PO Box 294 Pinehouse Lake, SK S0J 2B0 (306) 884-2112
Amachewespimawin Co-operative Restaurant Box 250 Stanley Mission, SK S0J 2P0 Tel: 306-635-2093 Fax: 306-635-2070	La Ronge Childcare Co-op Ltd. 1204 Hildebrand Dr La Ronge, SK SOJ 1L0 (306) 425-2692	Northern Saskatchewan Trappers Association Co-operative (NSTAC) c/o Box 192 Buffalo Narrows, SK SOM 0J0 Telephone: (306) 235-4733 Fax: (306) 235-4733	Pineland Co-op Association Ltd. Box 2015 Nipawin, SK S0E 1E0 (306) 862-4668 www.pinelandco-op.com
Cumberland House Fishermen's Co-op Métis & Cumberland House Cree First Nation Box 72 Cumberland House, SK S0E 0S0 (306) 888-7700	Many Nations Co-op Ltd. 300 Edson St Saskatoon, SK S7J 0P9 (306) 956-4669 www.manynations.com	Ohpahow Wawesecikiwak Arts Marketing Inc. Big River First Nations Thickwood Hills Development 269 Hafford, SK SOJ 1A0 (306) 724-4979 www.thickwoodhills.com	Prince Albert Co-op Association Ltd. 791-801 15 St E Prince Albert, SK S6V 0C7 (306) 764-9393 www.princealbertco-op.ca
Flying Dust Cree8 Worker Co-op Ltd. Flying Dust Cree First Nation Box 8159 Meadow Lake, SK S9X 1T8 (306) 240-1145	Meadow Lake Co-op Association Ltd. Box 729 Meadow Lake, SK S9X 1Y5 (306) 236-5678		Welcome Bay Fishermen's Co-op PO Box 183 Hatchet Lake, SK SOJ 3CO (306) 633-2050

# SOURCES CONSULTED

Charles, Blake. Amachewespimawin Co-operative Association Case Study. Master of Northern Governance and Development NORD 850 Internship research. *Unpublished assignment*.

Choosing a Business Structure – A Comparison (Enterprise Saskatchewan).

See more at: www.co-opzone.co-op/files/Choosing%20a%20Business%20Structure.pdf

Co-operatives, Northern – The Encyclopedia of Saskatchewan.

See more at: www.esask.uregina.ca/entry/co-operatives\_northern.html

Co-operatives in Aboriginal Communities in Canada. June 2012. Canadian Co-operative Association (CCA) See more at: www.lab.community-wealth.org/uploads/2/2/4/8/22483474/aboriginaldirectory.pdf

Elias, Peter, D. (1995) Northern Aboriginal Communities' Economies and Development. Captus Press Inc.

Financing Aboriginal Enterprise Development: The Potential of Using Co-operative Models. Lou Hammond Ketilson and Kimberly Brown (104 p., Occasional Paper), 2009.

See more at: www.usaskstudies.co-op/?page\_id=984#Aboriginal\_Co-operatives

Hammond Ketilson, L., and MacPherson, I. A Report on Aboriginal Co-operatives in Canada: Current Situation and Potential for Growth. March 2001.

See more at: www.usaskstudies.co-op/CSC%20Research%20Reports%20&%20Other%20Publications/2001\_Aboriginal\_Co-ops\_in\_Canada.pdf

Introduction to the History of Co-operatives and Co-operation in Saskatchewan. See more at: www.sask.co-op/history\_of\_co-ops.html

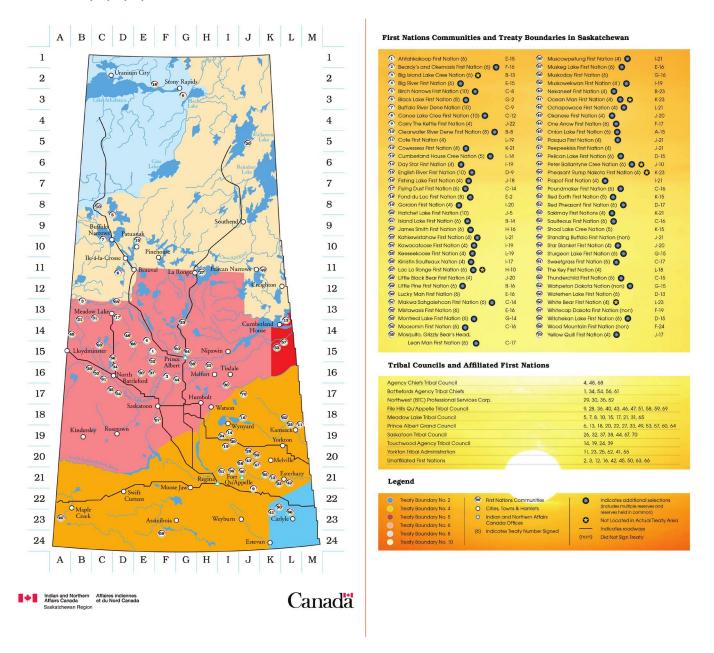
Module #1: Basics of the Co-operative Model. Newfoundland-Labrador Federation of Co-operatives. See more at: www.ibrd.gov.nl.ca/regionaldev/basics\_of\_\_co\_operative.pdf

The Co-op Development Path: The Seven Steps in Forming a Co-operative. See more at: www.co-opzone.co-op/en/developmentpath

## FIRST NATIONS IN SASKATCHEWAN

There are 70 First Nations in Saskatchewan, 61 of which are affiliated to one of the nine Saskatchewan Tribal Councils. The total registered Indian population of Saskatchewan First Nations as of February 28, 2009 is 129,138. The five linguistic groups of First Nations in Saskatchewan are Cree, Dakota, Dene (Chipewyan), Nakota (Assiniboine) and Saulteaux.

Treaties 2, 4, 5, 6, 8 and 10 cover the Province of Saskatchewan.



Source: Government of Canada, Aboriginal Affairs and Northern Development Canada, publication: First Nations in Saskatchewan (March 2009) www.aadnc-aandc.gc.ca/DAM/DAM-INTER-SK/STAGING/texte-text/fnl\_1100100020617\_eng.pdf

# TIPS FROM THE ELDERS

INCORPORATE a **CUITURALLY based EMPLOYEE ASSISTANCE PROGRAM**.

# Talk with the elders

to ask their **advice**. Ideally there will be **elders** IN THE WORKPLACE.

Support your staff to
build their SKILLS and
MAKE SURE THAT TRAINING
is SENSITIVE to
Aboriginal cultures.

Design your human resource policies and organizational culture to work with

AND FOR YOUR STAFF.

Make family a priority. **KEEP work-life balance**IN YOUR POLICIES AND BUSINESS.













#### FOR MORE INFORMATION:

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