

Appendix 57

SEMWG Term of reference updated

**AGNICO EAGLE MINES LIMITED (“AEM”) PROJECTS SOCIO-ECONOMIC MONITORING
WORKING GROUP**

TERMS OF REFERENCE

1 PURPOSE

- 1.1 This document sets out the terms of reference (“Terms of Reference”) for the Socio-Economic Monitoring Working Group (the “Working Group”) for AEM Kivalliq Projects in its activities in relation to the Socio-Economic Monitoring Program (the “Program”) for AEM Kivalliq Projects. This Working Group aims to support the Kivalliq Socio-Economic Monitoring Committee (the “KvSEMC”) in its regional monitoring initiatives, and to support the Program. The Working Group will identify areas of mutual interest to the Parties and socio-economic monitoring priorities of the KvSEMC related to AEM’s projects in the Kivalliq region.
- 1.2 The purpose of the Program, from a socio-economic point of view, is described in Section 135 of the *Nunavut Planning and Project Assessment Act* (“NuPPAA”) and Article 12, Part 7 of the *Nunavut Land Claims Agreement* (“NLCA”), the relevant provisions of which provide as follows:

NuPPAA section 135(3):

(a) measure the impact of the project on the ecosystemic and socio-economic environments of the designated area;

...

(d) assess the accuracy of the predictions contained in the project impact statement.

NLCA section 12.7.2:

(a) to measure the relevant effects of projects on.... socio-economic environments of the Nunavut Settlement Area;

...

(d) to assess the accuracy of the predictions contained in the project impacts statements.

- 1.3 The establishment of the Working Group is to satisfy and to fulfil parts of the terms and conditions set out in the Meadowbank Project Certificate (PC004), the Meliadine Project Certificate (PC006), and the Whale Tail Project Certificate (PC008) issued by the Nunavut Impact Review Board (the “NIRB”) in respect of AEM projects within the Kivalliq Region (the “Projects”) to the extent that these project certificates address socio-economic monitoring.

2 KVSEMC AND REGIONAL MONITORING BACKGROUND

- 2.1 The KvSEMC is a forum for stakeholders to meet on an annual to semi-annual basis and present data, and consider socio-economic impacts and benefits of mining projects on the Kivalliq region.
- 2.2 The KvSEMC reviews the Program results annually, including the consideration of areas of mutual interest and socio-economic monitoring priorities as identified by the Working Group.
- 2.3 The KvSEMC supports a collaborative monitoring framework by providing data to support socio-economic impacts monitoring, recommending the prioritization of identified areas for monitoring and mitigation, and providing recommendations for areas of monitoring and mitigation that have yet to be identified.

3 WORKING GROUP MEMBERSHIP AND MEMBER ROLES AND RESPONSIBILITIES

- 3.1 The Working Group consists of:
 - a. At least one AEM representative (who is chair of a meeting if it relates to Projects monitoring)
 - b. At least one Government of Nunavut representative (who is chair of a meeting if it relates to territorial monitoring); and
 - c. At least one Government of Canada representative
 - d. Representatives of communities
- 3.2 Each member is responsible for the costs they incur to participate in activities of the Working Group.
- 3.3 AEM will:
 - a. identify indicators and share Project-specific data that relates to the Program;
 - b. participate in the collaborative analysis and interpretation of data for reporting purposes;
 - c. present for review the effectiveness of AEM's socio-economic mitigation measures; and
 - d. prepare and provide presentations summarizing annual Program report findings and conclusions for the KvSEMC.
- 3.4 The Government of Nunavut will:
 - a. identify indicators and share government-sourced data that relates to the Program and other KvSEMC reporting requirements;
 - b. participate in the collaborative analysis and interpretation of data for reporting purposes; and
 - c. review the effectiveness of AEM's socio-economic mitigation measures.

3.5 The Government of Canada will:

- a. identify indicators and share applicable socio-economic data from the Nunavut General Monitoring Plan;
- b. participate in the collaborative analysis and interpretation of data for reporting purposes; and
- c. review the effectiveness of AEM's socio-economic mitigation measures.

3.6 The community representatives will:

- a. identify indicators and share applicable socio-economic data from the communities;
- b. participate in the collaborative analysis and interpretation of data for reporting purposes; and
- c. review the effectiveness of AEM's socio-economic mitigation measures.

3.7 Collection, use, and disclosure of information and data under these Terms of Reference, by each member of the Working Group, is subject to any rules governing the collection, use, and disclosure of personal and/or confidential information and data, applicable to each member respectively, in accordance with the provisions of any privacy legislation or corporate policies. This obligation survives the dissolution of the Working Group and the existence of the Projects.

3.8 The Parties acknowledge that:

- a. AEM is best able to collect and provide data concerning workforce demographics, employment, training and procurement in relation to the Projects. This includes data voluntarily provided by AEM employees on relocation; and
- b. the Government of Nunavut and the Government of Canada are best able to collect and provide public statistics on general health and well-being, food security, demographics and other socio-economic indicators at the community and territorial level.

4 WORKING GROUP MANDATE

4.1 The Working Group aims to support the development of the Program framework and to undertake collaborative monitoring in order to identify and access data in relation to the Program. This data will be useful in improving the socio-economic performance of the Projects. Collaborative monitoring will involve combining Project-specific performance data with data generated or provided by other members of the Working Group in order to support adaptive-management measures implemented by the Working Group members and to minimize adverse effects and maximize benefits from the Projects.

4.2 The Working Group shall monitor the Program by analyzing the monitoring data in order to assess the accuracy of socio-economic impact predictions made in the final environmental impact statements of the Projects; assess the effectiveness of current practices to mitigate

adverse effects and enhance positive effects of the Projects; obtain early warning should mitigation measures or measures to enhance positive effects not be achieving their intended outcome; and provide timely detection of unanticipated outcomes.

- 4.3 The Working Group aims to improve understanding of prioritized socio-economic issues in order to increase confidence in socio-economic assessment predictions.
- 4.4 The Working Group will provide monitoring data and objective analysis in a manner that is focused, efficient and cost-effective.

5 REPORTING AND COMMUNICATION

- 5.1 AEM will prepare an annual socio-economic report for the Projects (the “Program Report”) and provide the Program Report to the Working Group and the KvSEMC for review, prior to its submission to the NIRB. Annual Program Reports are due for submission to NIRB on June 30 of each year, containing data with respect to the previous calendar year (January to December) and presented at the Project- and regional-scale of operations. The Program Report will further describe AEM’s participation on the KvSEMC, other collaborative monitoring processes and any activities related to understanding socio-economic processes.
- 5.2 The Socio-Economic Monitoring Program will act as a framework for the Program Report, including the indicators and metrics to be reported by valued socio-economic components (VSECs) and by Project. In the event of a modification, AEM will circulate a draft of the Socio-Economic Monitoring Program to the Working Group for review before submitting to the Nunavut Impact Review Board.
- 5.3 AEM will prepare and circulate a draft of the Program Report to the Working Group and KvSEMC for review prior to the KvSEMC meeting. The draft Program Report executive summary should be in plain language and translated for potential unilingual community representatives.

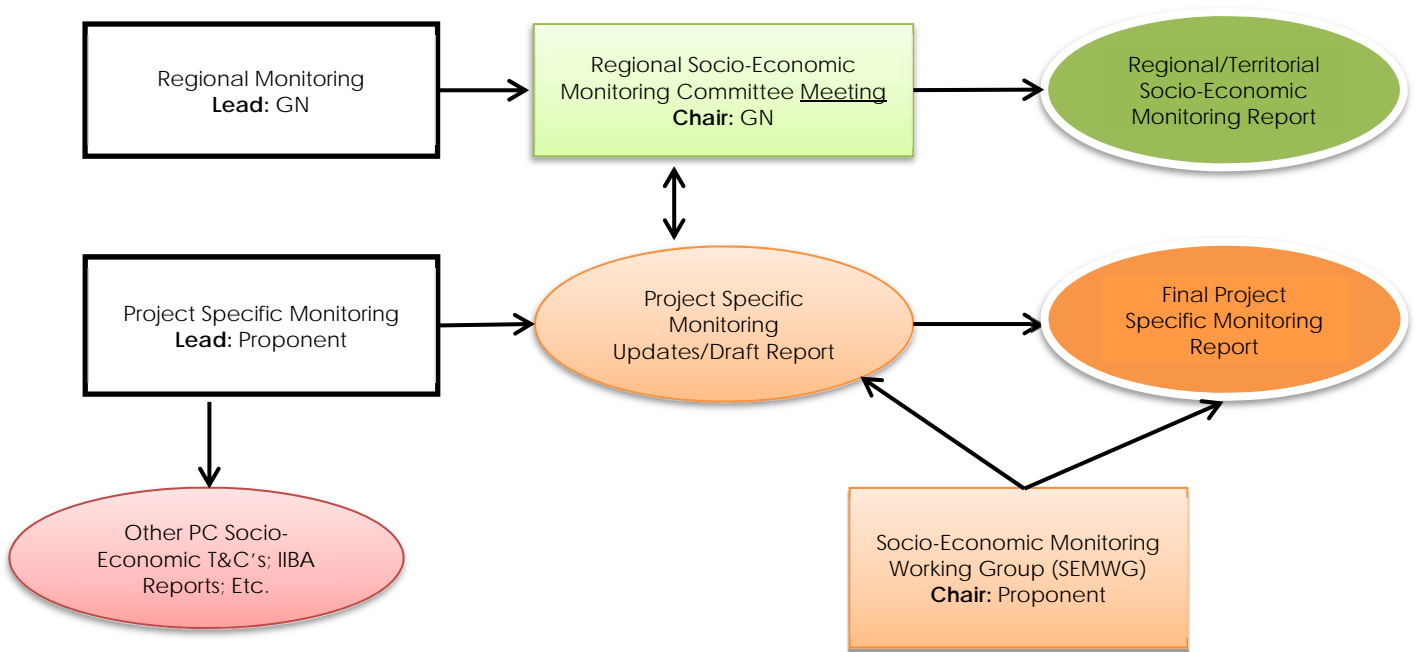
6 MEETINGS

- 6.1 The Working Group will continue to meet for as long as there remains at least one (1) Project in the Kivalliq Region.
- 6.2 The Working Group will meet at least twice per year for the purposes of reviewing and providing direction on the development of the Program Report.

- 6.3 The Working Group will meet at least once a year for its members to engage in the analysis and interpretation of data to support the SEMC Report.
- 6.4 The meeting schedule may be changed if agreed to in writing by all members of the Working Group.
- 6.5 The Working Group will endeavor to meet face to face whenever practical. However, recognizing Nunavut’s unique logistical challenges and the competing deadlines involved in reporting, teleconferences and email circulation will also satisfy meeting requirements if agreed to in writing by all members.

7 RELATIONSHIP WITH REGIONAL AND TERRITORIAL MONITORING

7.1 The diagram outlines the relationship between Project-specific monitoring and regional/territorial monitoring, and its respective reporting requirements:



8 PROJECT CLOSURE

8.1 Mine Closure

AEM will consult the Working Group and KvSEMC two (2) years in advance of the expected date of closure for each Project in order to better inform project-specific socio-economic closure planning, and keep the Working Group and KvSEMC informed of the progress of planning leading up to the submission of the project-specific socio-economic closure plan, submitted under the final

closure plan. Planning will detail specific measures that may mitigate, at least to some extent, the potential for negative effects as a result of Project closure.

8.2 Premature Mine Closure

In the event of premature (temporary or final) closure of one or more of the Projects, AEM will consult with the Working Group and KivSEMC before submitting updated project-specific Socio-Economic Management Plans to NIRB.

9 REVIEW OF TORS

These Terms of Reference may be reviewed by the Working Group periodically for any required changes that may be applicable as Projects evolve from construction, through operations and closure. Similarly, as any other exploration or mine development activities of AEM are approved within the Kivalliq Region, these Terms of Reference shall be reviewed and amended as necessary to accommodate additional terms and conditions applicable to the Project that may be issued by NIRB as part of a project certificate(s). Any changes to the Terms of Reference will be in writing.