



## FORT NELSON FIRST NATION

### NOTICE OF PROPOSED AMENDMENTS TO THE MEMBERSHIP CODE

#### 1. Proposed Amendments

The Fort Nelson First Nation (“FNFN” or “Nation”) manages its own membership list according to the rules outlined in the *Fort Nelson First Nation Membership Code, 2004* (“**2004 Code**”). Under the 2004 Code, FNFN and its members have the authority to determine what persons may become a member of the Nation rather than relying on Indigenous Services Canada to manage the Nation’s membership list. FNFN has been managing its own membership list since 1987.

Council has been carefully reviewing the 2004 Code over the past year, and Council believes that it is in the best interest of the Nation to update and amend the 2004 Code to ensure:

- that the Nation’s traditional values, customs and practices for determining membership are accurately reflected; and
- there is a clear and transparent process for applying for membership, reviewing and voting on new membership and revoking membership, and appealing decisions to deny or revoke membership.

As such, Council has been working closely with the Nation’s legal counsel to amend the 2004 Code (“**Proposed Amendments**”) and wishes to present the Proposed Amendments to FNFN members to obtain feedback and comments before holding a formal vote on whether to approve the amendments. Council plans to present the Proposed Amendments in phases.

#### 2. Next Steps

At this time, Council invites members of the Nation to review Section 5 (Eligibility for Membership) of the Proposed Amendments. If you wish to submit written comments, your written comments must be received by the Nation at the address set out below on or before **4:00 pm on August 7, 2020**. Council will consider all written comments prior to finalizing the Proposed Amendments.

A copy of Section 5 of the Proposed Amendments is attached to this newsletter. You may also obtain a copy from the Nation at the address set out below.

For further information or questions regarding Section 5 of the Proposed Amendments or this Notice, please contact: Kristin Lowe, Executive Assistant to Chief-Clerk to Council at 2026 Kennay Yah Road, RR 1, Mile 295 Alaska Highway Fort Nelson, BC V0C 1R0, by telephone at (250) 774-7257 or by email at [kristin.lowe@gfnation.ca](mailto:kristin.lowe@gfnation.ca).

We look forward to receiving your feedback.

## ATTACHMENT

### SECTION 5: ELIGIBILITY FOR MEMBERSHIP

“**Ancestor**” means a person who is (or if no longer alive, who was):

- i. a member of one of the Slavey Nations indigenous to the traditional territory of the Nation, and whose names appears on the original 1910 payroll or annuity list or on subsequent paylists or annuity list;
- ii. a member of another First Nation, when the ancestor lived among one of the Slavey Nations as defined above and was adopted by them; or,
- iii. a member of a family adopted into the Nation prior to the reserve lands being set aside in 1966; or,
- iv. a person with proven aboriginal ancestry and historic family ties to the traditional lands of the Nation.

#### **Eligibility**

- 5.1. The following persons are eligible to become a Member of the Nation if they are an Ancestor or the descendant of an Ancestor:
  - a. A person with two biological parents whose names are both entered on the Membership List, or, if one or both parents of that person are no longer alive, who would be entitled to be entered on the Membership List;
  - b. A person of one biological parent whose name is entered on the Membership List, or if no longer living, would be entitled to be entered on the Membership List;
  - c. A person listed on ISC’s Registered Fort Nelson First Nation “A” List as adopted;
  - d. A person who is Adopted by at least one adoptive parent whose name appears on the Membership List, or if no longer alive, whose name would be entitled to appear on the Membership List;
  - e. A person who:
    - i. is a descendant of at least one Ancestor;
    - ii. has resided, or established an ongoing presence, on the Nation’s reserve land and within the community for at least 10 years;

- iii. is able to provide sufficient evidence to demonstrate that they should be accepted as a Member of the Nation based on the relevant factors set out in section 5.2: and,
- iv. is not otherwise disqualified to be accepted as a Member of the Nation under this Code.

### **Relevant Factors**

- 5.2. In determining whether a person should be accepted as a Member of the Nation under this Code, the Nation shall consider relevant factors which may include, but is not limited to:
- a. Family relationships within the Nation, cultural ties or contributions to the Nation;
  - b. Whether that person has or will contribute to the Nation; particularly:
    - i. Whether that person has a character and lifestyle that would cause granting of membership to be detrimental to the future welfare or advancement of the Nation;
    - ii. Whether that person follows a way of life consistent with the common good of the Nation;
    - iii. Whether that person is prepared and able to support themselves and their dependants; and,
  - c. Any other consideration that is relevant to the application of the health, safety, good order, and advancement of the Nation.

### **Minors**

- 5.3. A person who is eligible to become a Member under section 5.1(a) of this Code, and who provides (or whose parent or guardian provides) an application to the Membership Register to have their name appear on the Membership List on or before reaching 12 years of age, shall be entitled to accepted as a Member of the Nation without further process under this Code.

### **Transfer of Membership**

- 5.4. A person who is a member of another First Nation may be eligible to become a Member of the Nation if they are eligible to become a Member under section 5.1 of this Code.
- 5.5. A person who has their name removed from the Membership List to become a member of another First Nation under subsections 11.1(a) or (c) may only apply to transfer back onto

the Membership List if they are or were a Minor when their name was removed from the Membership List.

- 5.6. A member of another First Nation may not become a Member of the Nation unless they give up their membership to the other First Nation.
- 5.7. A person seeking to transfer onto the Membership List must sign a declaration to confirm that they will renounce their membership from the other First Nation and provide instructions to have their name removed from the other First Nation's membership list on being accepted as a Member of the Nation.

**Onus**

- 5.8. The onus is on the person who wishes to become a Member to satisfy the requirements to become a Member according to this Code.