



Nak'azdli Band Membership Code

The Nak'azdli Membership Code is developed with the intention of protecting the Integrity and Quality of Life of all Nak'azdli People.

Nak'azdli Whut'enne are a holistic community that believes in maintaining and enhancing our traditional values by learning, living and teaching our culture and heritage. Nak'azdli is a vibrant, self-determined community made up of diverse individuals and businesses working together to promote education, health and economic progress.

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Purpose of the Membership Code

The purpose of the Nak'azdli Membership Code is to determine the method to accept individuals applying to become a member of Nak'azdli Band.

Definitions

Band Council – means the Chief and Council of Nak'azdli Band as elected from time to time through custom election.

Band List – means the register of persons enrolled as Nak'azdli Band Members and is kept by the Membership Clerk of the Nak'azdli Band.

Membership Clerk – means the person employed by Nak'azdli Band who has the responsibility to document all vital statistics information of registered Nak'azdli Band Members.

Child – means a person under the age of eighteen born to a Nak'azdli Band Member.

Adopted – means legally adopted and removed from the Band list and put on the General Registry of Aboriginal Affairs and Northern Development Canada.

Marriage – means the legal union of two persons as defined by Canadian Law.

Cohabitated – means living as a “common law” couple for a minimum of two years.

Elector – means a Member of Nak'azdli Band who is eighteen years or older.

Vote – means casting a secret ballot or a show of hands, depending on the circumstances.

Blood ties – means a demonstrable blood relation between two or more individuals.

Proxy Vote – means a Member allocating his/her vote to another individual to use on his/her behalf.

Common Knowledge – means anything that is generally known by a large number of people at a certain time.

Member – means a member of Nak'azdli Band and registered on the Nak'azdli Band List.

Membership – means having blood ties to Nak'azdli and may or may not include those who have “status” as defined by the Indian Act or who may or may not be on the Band List.

Section 1: Eligibility for Enrollment

The following person(s) may be entitled to enrollment as member(s) of Nak'azdli Band and to be registered on the Band List provided that:

- a) They were born to parents who are on the Nak'azdli Band List.
- b) They were born to one parent who is on the Nak'azdli Band List and are entitled to be registered according to the Indian Act or Bill C-31.

- c) They are entitled to be registered under Bill C-3, have blood ties to one or more Nak'azdli Band member(s) and are applying for membership to Nak'azdli Band.
- d) They have legally married a registered Nak'azdli Band Member and are registered with another First Nation.
- e) They have cohabitated with a registered Nak'azdli Band Member for two years or more and are registered with another First Nation.
- f) They were registered with Nak'azdli Band, transferred to another Band sometime during their life, and now wish to be re-instated as a member of Nak'azdli Band.
- g) They have not lost their entitlement to Indian Status under the Indian Act through a Treaty.
- h) They were born to a Nak'azdli Band Member and were adopted out to non-First Nation parents and now wish to be re-instated as a member of Nak'azdli Band from the General Registry.
- i) They have proof of documented family ties to Nak'azdli Band Member(s) and wish to apply for membership.
- j) They have passed all the requirements as outlined in the Nak'azdli Membership Code.

Anyone wishing to become a member of Nak'azdli Band must apply to be a member. In the case of a), b), and c), a simple application to be registered as a Band Member is required. Please contact the Nak'azdli Membership Clerk for the necessary forms and information. All other applicants must follow the application procedure explained below.

Section 2: Requirements for Application

Except in the case of Eligibility for Enrollment a), b), or c), an applicant must submit a completed application package to the Nak'azdli Membership Committee on or before March 31st of each year in order to be considered to become a member of Nak'azdli Band.

Part 1: The Application

The application package will include:

- a) a letter that includes the following:
 - The request for membership with full name(s) of the applicant(s)
 - Reasons for applying for Membership with Nak'azdli Band
 - What benefits or contributions the applicant can bring to Nak'azdli Band
 - The section of the Nak'azdli Membership Code under which the applicant is applying
- b) three letters of support and character reference. These should include a letter from most recent employer, from a Nak'azdli Band Member, and if applicable, from the First Nation the applicant is leaving. If the applicant is self-employed or unemployed, then two additional letters from individuals supporting the applicant's character will be required.

- c) a current criminal record check for all applicants over the age of 12 years.
- d) proof of Indian Status (if applicable) and a long form birth certificate.
- e) proof of documented familial or blood ties to a Nak'azdli Band Member.
- f) an application fee of \$50 (non-refundable).

All documents must be current and valid and will be verified by the Membership Committee.

Applicants who are known to the community to participate in criminal activities, even if they do not have a criminal record, will not be considered by the Membership Committee.

Part 2: Verbal Application

- a) All applicants who are being considered for Membership will be notified of a date and time when they will be required to introduce themselves before a duly convened meeting of Nak'azdli Band Members.
- b) All applicants must provide a verbal explanation of their reason for applying for Membership to the Nak'azdli Band Members in attendance.

Any applicants who withdraws their application will lose their application fee and will not be reconsidered for membership for a minimum of two years.

Part 3: Membership Clerk Responsibilities

The Membership Clerk will be responsible for:

- a) receiving the applications;
- b) checking to make sure all required documents are included;
- c) returning the application to the applicant if application is incomplete;
- d) checking all legal documents for authenticity and validity;
- e) preparing file for Membership Committee;
- f) bringing all completed applications to Nak'azdli Membership Committee Chair at their duly convened meeting;
- g) upon recommendation by the Membership Committee, posting in a public place all names of applicants to be considered for acceptance. This will be done fourteen days prior to the Annual General Assembly to allow for Nak'azdli Band member general review.
- h) treating all information received as confidential;
- i) arranging Band Council Resolutions to be prepared and signed by Nak'azdli Band Council, after applicant successfully accepted as a Band member;
- j) processing Band transfers, where necessary, after successful probationary period of applicant.

Part 4: Membership Committee

Composition: five (5) members of Nak'azdli Band that have applied and been accepted by the Nak'azdli Band Council

Term: five years

Eligibility: registered Nak'azdli Band members over 21 years of age.

Responsibility:

- review applications
- determine eligibility
- investigate common knowledge concerns
- present applicants to Nak'azdli Annual General Assembly
- hire an Electoral Officer to carry out the voting in accordance with Membership Committee instructions
- post and notify all applicants of the voting results
- review and make recommendations of the Membership Code to Nak'azdli Band Council
- review concerns and make recommendations to Nak'azdli Band Council on any applicant serving their one year probation period.

Part 5: Voting Process

All applicants put forward by the Membership Committee will be voted on by the following process:

- a) an Electoral Officer will be hired by the Membership Committee and will receive instruction on the voting process;
- b) ballots will be by individual or family group with all applicants of one immediate family listed on the ballot;
- c) voting will be done by secret ballot and 60% in favour is required for a successful vote;
- d) proxy voting will not be allowed;
- e) voting will take place at the location, date and time stated on the public notice of applicants;
- f) names of successful applicants will be posted in Nak'azdli Dustlus and Nak'azdli website.

Part 6: Probationary Period

All applicants, upon being accepted for membership, will be required to serve a one-year probationary period which includes the following:

- a) will not be entitled to any Nak'azdli benefits or rights during the probationary period;
- b) will not be able to vote in any Nak'azdli Band processes;
- c) cannot join any standing committees;

d) any serious concerns or breaches of the law, either formal or informal, and considered common knowledge may result in Nak'azdli Band Council and Membership Committee in revoking the applicant's application for membership;

e) any person who does not successfully pass the probationary period will have his/her acceptance revoked and will not be entitled to re-apply for membership for five (5) years;

Upon successful completion of the probationary period, the applicant(s) will be added to the Nak'azdli Band List and will be entitled to rights and benefits as a Nak'azdli Band Member, except those for which specific exclusions apply in other legislation, policies, and/or agreements.

Part 7: Amendments

From time to time, it may become necessary to amend Nak'azdli Membership Code to address changes in law or, changes requested by Nak'azdli Membership. The following process will be applied:

a) proposed changes will be in writing, delivered door to door, a minimum of thirty (30) days prior to the Annual General Assembly;

b) proposed changes will be presented at the Nak'azdli Annual General Assembly;

c) Nak'azdli Band members will vote by a show of hands on proposed amendments;

d) the amendments will pass if 60% of eligible voters present at the time of voting, vote in favour;

e) an updated version of the Membership Code will be posted on the Nak'azdli website and available to membership upon request.