

*Carcross/Tagish First
Nation*



*Citizenship
Code*

CARCROSS/TAGISH FIRST NATION CITIZENSHIP CODE

1.0 Definitions

1.1 In this citizenship code,

Acitizenship list@ means the list of citizens which is maintained by the registrar;

Acitizenship committee@ means the committee established pursuant to section 5.0 of this citizenship code

Aregistrar@ means the person designated by the Carcross/Tagish First Nation pursuant to section 4.0 of this citizenship code as responsible for maintaining the Citizenship List;

2.0 Citizenship

2.1 A person is entitled to be a citizen and enrolled on the citizenship list provided that the person:

2.1.1 is a member of the Carcross/Tagish Indian Band immediately prior to the effective date of the Carcross/Tagish First Nation Self-Government Agreement;

2.1.2 is enrolled or eligible to be enrolled as a Yukon Indian Person pursuant to the Carcross/Tagish Final Agreement; or

2.1.3 is of Carcross/Tagish ancestry.

2.2 A person who does not have Carcross/Tagish ancestry may become a citizen if:

2.2.1 he/she has a special relationship with the Carcross/Tagish First Nation;

2.2.2 his/her application for Carcross/Tagish First Nation citizenship is sponsored by a citizen; and

2.2.3 is accepted by the citizenship committee.

2.3 Each citizen, who is not a member of a clan, may be adopted by a clan and be represented by that clan=s representatives within the Carcross/Tagish First Nation government.

3.0 Loss of citizenship

- 3.1 A person ceases to be a citizen and his/her name shall be removed from the citizenship list when the following occurs.
- 3.1.1 A person, who is at least sixteen years of age, provides written notice to the citizenship committee renouncing his Carcross/Tagish First Nation citizenship.
- 3.1.2 A person becomes a member or citizen of another First Nation.
- 3.1.3 The citizenship committee determines, after appropriate notice to the affected person and consideration of all relevant information and documentation, that a person was enrolled on erroneous or fraudulent grounds and would not have otherwise qualified as a citizen. Such a person shall be deemed to never have been a Citizen.
- 3.2 Upon receiving such notification or making such a decision, the citizenship committee shall notify the registrar to remove the name of such person from the citizenship list.
- 3.3 A citizen does not lose his/her citizenship as a result of an adoption by law or custom by a person who is not a citizen.

4.0 Registrar

- 4.1 The registrar shall be appointed by the Council.
- 4.2 The registrar shall:
- 4.2.1 maintain the citizenship list;
- 4.2.2 receive and acknowledge receipt of applications from persons applying for Carcross/Tagish First Nation citizenship;
- 4.2.3 ensure that the applicant provides all necessary information and documentation before forwarding such application to the citizenship committee;
- 4.2.4 notify each applicant of the decision of the citizenship committee;
- 4.2.5 advise the applicant in writing of the appeal process if his/her application is not approved by the citizenship committee; and
- 4.2.6 place the name of the applicant on the citizenship list if his/her application is approved by the citizenship committee.

4.3 All information and documentation received by the registrar for the purposes of applying for Carcross/Tagish First Nation citizenship shall be treated as confidential and may not be released publicly without the written consent of the applicant.

4.4 A copy of the citizenship list which only lists the names of the citizens may be posted publicly.

5.0 Citizenship committee

5.1 There shall be a citizenship committee composed of six representatives. Each of the six clans shall, according to its own procedure, appoint one representative to sit on the citizenship committee.

5.2 The term of the members of the citizenship committee shall be two years. The members may be reappointed to the committee.

5.2 The citizenship committee shall:

5.2.1 provide fair and confidential hearings of applications for Carcross/Tagish First Nation citizenship;

5.2.2 publicize and provide information in respect of the eligibility process and requirements;

5.2.3 endeavour to review and determine applications within three months of receiving the application;

5.2.4 notifying the registrar in writing of its decisions;

5.2.5 record all the minutes and motions and filing such with the registrar; and

5.2.6 provide written reasons to any applicant whose application is not approved.

5.3 The citizenship committee shall have the power to make rules for the conduct of its meetings, proceedings and hearings.

5.4 The citizenship committee may seek the advice of the Elders Council on any issue.

6.0 Justice Council

- 6.1 The Justice Council shall consider any appeal made by an applicant, or his/her representative, by any citizen or by the Council of a decision of the citizenship committee within one year of the date of the decision.
- 6.2 An appeal must be made in writing to the Justice Council and contain a statement of the grounds of the appeal. Within 90 days of receipt of an appeal, the Justice Council shall make a decision.
- 6.3 The Justice Council shall have the authority to uphold, vary or rescind any decision of the citizenship committee or refer the matter back to the citizenship committee for reconsideration.
- 6.4 A decision of the Justice Council shall be final.

7.0 Transition

- 7.1 Nothing in this citizenship code shall limit or effect the jurisdiction, power or authority of the Yukon Enrollment Commission or the Carcross/Tagish First Nation Enrollment Committee established pursuant to the Yukon First Nations Land Claims Settlement Act (Canada).
- 7.2 Any other citizenship or membership code that may have been previously adopted by the Carcross/Tagish First Nation is hereby revoked and is null and void.

We, the representatives of the clans of the Carcross/Tagish First Nation have, this 28th day of March, 2003, signed this citizenship code pursuant to the resolution ratifying this citizenship code at the General Council of the Carcross/Tagish First Nation, held at Carcross, Yukon, on March 8th, 2003.

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