



# **The Constitution of the Carcross/Tagish First Nation**

Ratified by the Carcross/Tagish First Nation  
General Assembly, October 1997

Amended:  
September 18 & 19, 2004;  
December 3 & 4, 2011  
September 23 & 24, 2020  
February 6 & 7, 2021  
November, 18 & 19, 2022

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## THE CONSTITUTION OF THE CARCROSS/TAGISH FIRST NATION

### MISSION STATEMENT 1997

The Carcross/Tagish First Nation is mandated to protect the environment, health and wellness, education and aboriginal rights of our citizens; to continue to preserve and protect our culture, traditions, and languages; to protect and develop our natural resources and strengthen our economy and the Carcross/Tagish First Nation Government for our future generations.

### PREAMBLE

Whereas the Carcross/Tagish First Nation shall:

- (i) recognize and celebrate the common history of the Carcross/Tagish people who make up the citizenship of the Carcross/Tagish First Nation;
- (ii) promote unity to ensure citizens work together to build a strong government and nation which will protect its lands and resources for the benefit of future generations; *(gc.Sept.24&25 2020)*
- (iii) protect the environment, land, waters, health and wellness, education and aboriginal rights of the Carcross/Tagish people; *(gc.Sept.24&25 2020)*
- (iv) preserve and protect the culture, traditions, and languages of the Carcross/ Tagish people; and
- (v) protect and develop its natural resources and strengthen the economy and government of the Carcross/Tagish people for future generations.

Therefore, we, the traditional clans of the Carcross/Tagish people, consisting of the Deisheetaan, Dakl'aweidi, Gaanaxteidi, Ishkahittaaan, Kookhittaaan Yanyeidi clans, by virtue of our inherent rights as aboriginal people and the rights recognized and affirmed by the Carcross/Tagish First Nation Final and Self-Government Agreements, do hereby adopt this Constitution and declare it to be the expression of our traditional system of government and principles for fair treatment of our citizens. *(gc.Sept.24&25 2020)*

## PART I GENERAL

### 1.1 OBJECTIVES

- 1.1.1 The objectives of the Carcross/Tagish people in adopting this Constitution are to establish a government which shall:
- 1.1.1.1 provide a unified voice for the Carcross/Tagish people and adhere to a system of government prescribed by this Constitution to ensure equality and unity of the Carcross/Tagish people;
  - 1.1.1.2 strengthen and revitalize the traditional clan system of the Carcross/Tagish people;
  - 1.1.1.3 model integrity and respect in all functions of government for the benefit and protection of its people;
  - 1.1.1.4 provide responsible government including fiscal accountability and responsibility.
  - 1.1.1.5 establish laws and policies consistent with the customs and traditions of the Carcross/Tagish people to foster the unity of the Carcross/Tagish First Nation;
  - 1.1.1.6 provide law and policy for the use, management, administration, regulation and development of the land and resources of the Carcross/ Tagish First Nation;
  - 1.1.1.7 manage and administer the finances and assets of the Carcross/Tagish First Nation including any and all benefits realized from any land claims settlement;
  - 1.1.1.8 accept a trust responsibility for those Carcross/Tagish people requiring protection;
  - 1.1.1.9 support and represent the interests of the Carcross/Tagish people in all areas of responsibility in local, regional, territorial, national and international forums;
  - 1.1.1.10 implement the Carcross/Tagish First Nation Final and Self-Government Agreements and rigorously protect the rights and benefits recognized in those agreements; *(gc.Sept.24&25 2020)*
  - 1.1.1.11 continue negotiating the recognition of Carcross/Tagish First Nation aboriginal rights and title on unsurrendered territory in British Columbia; *(gc.Sept.24&25 2020)*
  - 1.1.1.12 safeguard the Traditional Territory and treaty rights of the Carcross/Tagish people as their heritage in perpetuity; and *(gc.Sept.24&25 2020)*
  - 1.1.1.13 carry out other functions and responsibilities required to achieve the objectives of this Constitution.

## 2.0 DEFINITIONS

2.1 In this Constitution, “All Clan Meeting” means a meeting organized by the Executive Council pursuant to section 14 of the Constitution. For certainty, an All Clan Meeting is not a decision-making body but can make recommendations to Carcross/Tagish First Nation governing bodies; *(gc.Sept.24&25 2020)*

"Assembly" as defined in the Carcross/Tagish First Nation Final Agreement means the General Council as set out in this Constitution; *(gc.Sept.24&25 2020)*

"Associate Member" means a person who is entitled to be enrolled pursuant to the Carcross/Tagish First Nation Citizenship Code and who is registered in the Carcross/Tagish First Nation citizenship registry, but who is not of Carcross/Tagish ancestry, and whose rights are set out in this Constitution and prescribed from time to time by the Carcross/Tagish First Nation Government; *(gc.Sept.24&25 2020)*

“Auxaudi” means a house master of one of the six Clans; *(gc.Sept.24&25 2020)*

“Beneficiary” means an individual who meets the criteria set out in chapter 3.2 of the Carcross/Tagish First Nation Final Agreement and has been enrolled pursuant to chapter 3.2, 3.3, 3.9 or 3.10 of the Carcross/Tagish First Nation Final Agreement; *(gc.Sept.24&25 2020)*

"Carcross/Tagish First Nation Government" means all the branches of the Carcross/Tagish First Nation Government, including the administration;

"Carcross/Tagish First Nation Lands" means all lands owned by the Carcross/Tagish First Nation, including Category A Settlement Land, Category B Settlement Land, and Fee Simple Settlement Land identified in the Carcross/Tagish First Nation Final Agreement as Settlement Land of the Carcross/Tagish First Nation; *(gc.Sept.24&25 2020)*

“Carcross/Tagish First Nation Laws” means laws and regulations duly passed and enacted by the Carcross/Tagish First Nation Government in accordance with this Constitution; *(gc.Sept.24&25 2020)*

"Children of the Community" means the citizens who are not members of one of the Clans of the Carcross/Tagish First Nation *(gc. Sept.18&19/04);;*

"Citizen" means an individual who has met the requirement for citizenship as set out in this Constitution and who is registered in the Carcross/Tagish First Nation Registry; *(gc.Sept.24&25 2020)*

Citizenship Code” means the process by which the Carcross/Tagish First Nation will determine citizenship as appended to this Constitution as Schedule A; *(gc.Sept.24&25 2020)*

"Clan" means the traditional clans of the Carcross/Tagish First Nation consisting of the

Deisheetaan, Dakl'aweidí, Gaanaxteidi, Ishkahittaán, Kookhittaán Yanyeidí, clans; *(gc.Sept.24&25 2020)*

"Council" as defined in the Carcross/Tagish First Nation Final Agreement means the Executive Council as set out in this Constitution; *(gc.Sept.24&25 2020)*

"Elders Council" means the body established pursuant to section 10.1 of this Constitution; *(gc.Sept.24&25 2020)*

"Executive Council" means the executive branch of the Carcross/Tagish First Nation Government established pursuant to section 13.1 of this Constitution; *(gc.Sept.24&25 2020)*

"General Council" means the legislative branch of the Carcross/Tagish First Nation Government established pursuant to section 11.1 of this Constitution; *(gc.Sept.24&25 2020)*

"Haa Shaa du Hen" means the spokesperson of the Carcross/Tagish First Nation appointed under section 15.1 of this Constitution; *(gc.Sept.24&25 2020)*

"Judicial Council" means the body established pursuant to section 17.1 of this Constitution; *(gc.Sept.24&25 2020)*

"Member" means a person who is entitled to be enrolled pursuant to the Carcross/Tagish First Nation Citizenship Code and who is of Carcross/Tagish ancestry and is eligible to enjoy the rights set out in this Constitution or prescribed from time to time by the Carcross/ Tagish First Nation Government;

"Moiety" means one of two Clan groupings representing either wolf or crow into which all Clans fall. The two Carcross/Tagish moieties are

Wolf Moiety – Dakl'aweidí and Yanyeidí, Clans; and

Crow Moiety - Deisheetaan, Gaanaxteidi, Ishkahittaán and Kookhittaán Clans; *(gc.Sept.24&25 2020)*

"Registry" means the office responsible for oversight of the Citizenship Code; and; *(gc.Sept.24&25 2020)*

"Traditional Territory" means the ancestral lands of the Carcross/Tagish First Nation as set out in the Carcross/Tagish First Nation Final Agreement and all unceded lands of the Carcross/Tagish First Nation in British Columbia *(gc.Sept.24&25 2020)*

## **PART II CITIZENSHIP**

### **3.0 MEMBERS AND ASSOCIATE MEMBERS *(gc.Sept.24&25 2020)*;**

#### **3.1 Members of the Carcross/Tagish First Nation are eligible to: *(gc.Sept.24&25 2020)***

3.1.1 be appointed to any branch of the Carcross/Tagish First Nation Government;

- 3.1.2 speak at meetings of the General Council or Executive Council; *(gc.Sept.24&25 2020)*
- 3.1.3 make a petition for redress in relation to any act of the Carcross/Tagish First Nation Government to the Judicial Council in accordance with its procedures; *(gc.Sept.24&25 2020)*
- 3.1.4 access any programs and services provided by the Carcross/Tagish First Nation Government in accordance with the laws, policies and procedures of the Carcross/Tagish First Nation Government;
- 3.1.5 hunt, fish and gather in the Traditional Territory of the Carcross/Tagish First Nation in accordance with the laws, customs and traditions of the Carcross/Tagish First Nation;
- 3.1.6 access any rights and benefits set out in the Carcross/Tagish First Nation Final Agreement in accordance with such laws and regulations as may be in place from time to time provided the member is a Beneficiary; *(gc.Sept.24&25 2020)*
- 3.1.7 occupy, use and develop Carcross/Tagish First Nation Lands in accordance with the land use and development laws, policies and procedures of the Carcross/Tagish First Nation Government; and
- 3.1.8 access any other benefits prescribed by the Carcross/Tagish First Nation Government.
- 3.1.9 vote for the Haa Shaa du Hen. *(gc.Dec..3&4 2011)*

**3.2** Associate Members of the Carcross/Tagish First Nation may enjoy privileges, benefits and rights as prescribed by the Carcross/Tagish First Nation Government. The rights of Associate Members shall be exercised in accordance with this Constitution and the laws, customs, and traditions of the Carcross/Tagish First Nation Government, and may include the right to:

- 3.2.1 hunt, fish and gather in the Traditional Territory of the Carcross/Tagish First Nation;
- 3.2.2 access benefits prescribed by the Carcross/Tagish First Nation Government from time to time; and
- 3.2.3 reside on Carcross/Tagish First Nation Lands with the approval of the Carcross/Tagish First Nation Government.

**3.3** Associate Members of the Carcross/Tagish First Nation are eligible to: *(gc.Sept.24&25 2020)*

- 3.3.1 access any programs and services provided by the Carcross/Tagish First Nation Government for Associate Members in accordance with the laws, policies and procedures of the Carcross/Tagish First Nation Government; *(gc.Sept.24&25 2020)*
- 3.3.2 vote for the Haa Shaa du Hen; and *(gc. Feb. 6&7 2021)*
- 3.3.3 if and only if the Associate Member is a Beneficiary, access any rights and benefits set

out in the Carcross/Tagish First Nation Final Agreement in accordance with such laws and regulations as may be in place from time to time. *(gc.Sept.24&25 2020)*

**4.0 CHILDREN OF THE COMMUNITY** *(gc.Sept.24&25 2020)*

**4.1** Children of the Community may attend and participate in a meeting of any Clan of the Carcross/Tagish First Nation. *(gc.Sept.18&19 2004)*

**4.2** A Child of the Community will abide by the following process to determine their Clan: *(gc.Sept.24&25 2020)*

4.2.1 If the Child of the Community's father is a member of a Clan, the Child of the Community would assume the Clan of their paternal grandfather. *(gc.Sept.24&25 2020)*

4.2.2 If the Child of the Community's paternal grandfather does not belong to a Clan, the Child of the Community would assume the Clan of their father's maternal grandfather. *(gc.Sept.24&25 2020)*

**4.3** In the event that the Child of the Community's Clan cannot be determined in the manner set out in section 4.2, the Enrollment Committee will review their genealogy and make a recommendation to the Elder's Council as to the Child of the Community's Clan. *(gc.Sept.24&25 2020)*

**4.4** Within twelve (12) months of the coming into effect of this section, the Clan membership for every Child of the Community will be determined by the Enrollment Committee. When the Clan membership has been determined by the Enrollment Committee for each Child of the Community at the time this provision came into effect, Clan membership will be formalized through an all clan potlatch. *(gc.Sept.24&25 2020)*

**4.5** Following the all-clan potlatch set out in section 4.4, any new Child of the Community will be deemed to be formally adopted by a Clan as soon as the Enrollment Committee determines which Clan that individual belongs to. *(gc Feb 6&7, 2021)*

**5.0 Registry** *(gc.Sept.24&25 2020)*

**5.1** The Carcross/Tagish First Nation shall maintain a Registry in accordance with the Citizenship Code that contains: *(gc.Sept.24&25 2020)*

5.1.1 A current list of Members;

5.1.2 A current list of Associate Members;

- 5.1.3 A current list of Beneficiaries; and
- 5.1.4 A current list of Clan adoptees that have been submitted in accordance with the Citizenship Code. *(gc.Sept.24&25 2020)*

**5.2** The Registry shall be located in the principle administrative offices of the Carcross/Tagish First Nation Government. *(gc.Sept.24&25 2020)*

**5.3** A Citizen can request on their own behalf or on behalf of a dependent, the following information from the Registry: *(gc.Sept.24&25 2020)*

- 5.3.1 which lists the Citizen appears on;
- 5.3.2 the contact information for the Citizen; and
- 5.3.3 any other personal information related to the Citizen held by the Registry. *(gc.Sept.24&25 2020)*

## **6.0 CITIZENSHIP RIGHTS**

**6.1** Citizens of the Carcross/Tagish First Nation shall enjoy equal rights to life and liberty and the pursuit of a way of life that promotes their language, culture, and heritage.

**6.2** In exercising any of its powers, the Carcross/Tagish First Nation Government shall not:

- 6.2.1 enact or enforce any law which restricts freedom of religion, speech, the press, or the rights of citizens to assemble peaceably or to petition for redress of grievances;
- 6.2.2 violate the right of any Citizen to be secure in his or her person and in his or her places of residence against unreasonable search or seizure, or issue warrants except for reasonable cause supported by oath or information particularly describing the place to be searched and the person or thing to be seized;
- 6.2.3 subject any Citizen to be twice put in jeopardy for the same offence or compel any Citizen in any criminal proceeding to provide evidence harmful to himself or herself;
- 6.2.4 take any personal or family property or interest for public use without due process and fair compensation;
- 6.2.5 deny to any Citizen accused of an offence the right to know the full nature of the charge, to have a prompt and public trial, to hear all testimony, to have a compulsory process for having witnesses called by him or her at his or her expense, and to have counsel for his or her defense;
- 6.2.6 require excessive bail, impose any cruel or unusual punishment, or set any fine greater than five thousand dollars or any imprisonment for a term greater than six months; and
- 6.2.7 deny any citizens the equal protection of its laws.

**6.3** Every Citizen shall have the right to petition for redress for the violation of any rights prescribed by this Constitution by any act of the Carcross/Tagish First Nation Government. A petition for redress shall be made to the Judicial Council in accordance with section 18.1 of this Constitution. *(gc.Sept.24&25 2020)*

**6.4** No right of a Citizen or any other person shall derogate or abrogate from the Carcross/Tagish First Nation’s aboriginal rights, treaty rights nor the right to protect, preserve and promote the Carcross/Tagish First Nation identity through unique institutions, norms and/or governance practices. *(gc.Sept.24&25 2020)*

**PART III GOVERNMENT**

**7.0 JURISDICTION OF THE CARCROSS/TAGISH FIRST NATION GOVERNMENT**

**7.1** The Carcross/Tagish First Nation Government shall have exclusive jurisdiction to enact laws and regulations in relation to the Carcross/Tagish First Nation Lands, Citizens and administration of the Carcross/Tagish First Nation Government in accordance with the Carcross/Tagish First Nation Final Agreement and Self-Government Agreement and the inherent rights of its Members. *(gc.Sept.24&25 2020)*

**8.0 THE CLAN SYSTEM OF GOVERNMENT**

**8.1** The Carcross/Tagish First Nation Government shall be structured upon the Clans of the Carcross/Tagish First Nation to ensure equal representation of all Clans in all its branches. *(gc.Sept.24&25 2020)*

**8.2** The Moiety and emblem of each Clan is as follows: *(gc.Sept.24&25 2020)*

| Clan          | Moiety | Emblem                                |
|---------------|--------|---------------------------------------|
| Deisheetaan   | Crow   | Split Tail Beaver                     |
| Dakl’aweidi   | Wolf   | Eagle, Killer Whale, Wolf             |
| Ishkahittaaan | Crow   | Frog                                  |
| Gaanaxteidi   | Crow   | Woodworm                              |
| Yanyeidi      | Wolf   | Wolf                                  |
| Kookhittaaan  | Crow   | Crow Raven with three babies in nest. |

**8.3** Each Clan shall identify a Matriarch and Auxaudi. *(gc.Sept.24&25 2020)*

**8.4** Each Clan shall provide written notice to the General Council regarding the succession of Auxaudis and Matriarchs. *(gc.Sept.24&25 2020)*

**8.5** The organization of each Clan shall be determined by that Clan’s traditions and customs. *(gc.Sept.24&25 2020)*

**8.6** Unless the terms of reference for a Carcross/Tagish First Nation Government board, committee or council state otherwise, a Clan appointment will be made for a four-year term. All Clan appointments including any changes to a Carcross/Tagish First Nation Government board, committee or council will be communicated in writing to the Executive Council. *(gc.Sept.24&25 2020)*

**8.7** In the event that an internal Clan dispute cannot be resolved and significantly impacts the administration of the Carcross/Tagish First Nation governance, the Executive Council may, by resolution, appoint a mediator. *(gc.Sept.24&25 2020)*

**8.8** The property of each respective Clan shall not be used by any other Clan. *(gc.Sept.24&25 2020)*,

## **9.0 GOVERNING BODIES**

**9.1** The powers, authority, and jurisdiction of the Carcross/Tagish First Nation Government shall be exercised by the following branches established by this Constitution:

9.1.1 the Elders Council;

9.1.2 the General Council;

9.1.3 the Executive Council; and

9.1.4 the Judicial Council.

**9.2** No branch of the Carcross/Tagish First Nation Government shall have authority beyond the jurisdiction prescribed to it by this Constitution.

**9.3** A Clan shall only appoint a Member who belongs to their Clan to serve on a branch of the Carcross/Tagish First Nation Government. Associate Members are not permitted to serve on any branch of the Carcross/Tagish First Nation Government. *(gc.Sept.24&25 2020)*

**9.4** The meetings of the Elders Council, General Council, and Executive Council shall be governed by the "Code of Conduct and Ethics" which is attached to this Constitution as Schedule B. Clans will be formally notified in writing of any representative who is found to have acted in contravention of the "Code of Conduct and Ethics". *(gc.Sept.24&25 2020)*

Any branch of the Carcross/Tagish First Nation Government may establish and enact as Carcross/Tagish First Nation Law terms to govern its operations, including additional criteria for representatives and rules of procedure, so long as such terms do conflict with this Constitution; and, *(gc. November 19 2022)*

**9.5** The removal of a representative from the General Council or Executive Council shall be the responsibility of that representative's respective Clan. A representative of the General Council or Executive Council may be removed for: *(gc.Sept.24&25 2020)*

9.5.1 failure to attend three consecutive regular meetings, unless the absence is approved by the representative's Clan and notice is given to the General Council or Executive Council as the case may be;

*(gc.Sept.24&25 2020)*

- 9.5.2 failure to conduct himself or herself at meetings and at all times in a manner consistent with the "Code of Conduct and Ethics";
- 9.5.3 misrepresenting the interests of his or her clan or acting independently of his or her Clan's instructions; or
- 9.5.4 any other reason the representative's Clan believes to warrant removal from the General Council or Executive Council. *(gc.Sept.24&25 2020)*

**9.6** An appointment to the General Council or Executive Council shall be revoked upon receipt by the General Council or Executive Council of a resolution, signed by the Auxaudi and at least five members of the Clan, indicating the date of removal and reasons for removal.  
*(gc.Sept.24&25 2020)*

**9.7** A Clan representative who wishes to resign must do so in writing to their Clan and the branch of the Carcross/Tagish First Nation Government on which they serve. *(gc.Sept.24&25 2020)*

**9.8** If a representative of the General Council or Executive Council is removed pursuant to the provisions of this Constitution, or if there is a vacancy in the General Council or Executive Council, the respective Clan shall immediately appoint a member to the General Council or Executive Council, according to its procedure, who shall complete the remaining term.  
*(gc.Sept.24&25 2020)*

**9.9** Any delegation of authority or responsibility by the General Council or Executive Council shall be expressly set out in writing and shall include the authorities or responsibilities delegated and any time limits on the delegation. *(gc.Sept.24&25 2020)*

## **10.0 THE ELDERS COUNCIL**

**10.1** The elders of the Carcross/Tagish First Nation are the advisors to the Carcross/Tagish First Nation Government. The Elders Council shall provide advice and guidance to the General Council and Executive Council upon request and may provide such advice and guidance on matters as it deems appropriate. *(gc.Sept.24&25 2020)*

**10.2** The Elders Council shall appoint Citizens to the Enrollment Committee and the criteria for the determination of Carcross/Tagish First Nation citizenship based on the tradition and customs of the Carcross/Tagish First Nation in accordance with the Citizenship Code. *(gc.Sept.24&25 2020)*

**10.3** The Elders Council shall appoint one elder Member to represent the Wolf Moiety and one elder Member to represent the Crow Moiety on Executive Council. These representatives shall be non-voting, advisory members of the Executive Council and shall be responsible for keeping the Elders Council informed of the business of the Carcross/Tagish First Nation Government.  
*(gc.Sept.24&25 2020)*

**10.4** The Elders Council shall consider and, if necessary, provide advice on any law, policy, or procedure directed to enhancing, maintaining or revitalizing the Clan system of the Carcross/Tagish First Nation prior to its introduction to the General Council and Executive Council. *(gc.Sept.24&25 2020)*

- 11.0 THE GENERAL COUNCIL** *(gc.Sept.24&25 2020)*
- 11.1** The General Council shall be the legislative and main governing body of the Carcross/Tagish First Nation Government. *(gc.Sept.24&25 2020)*
- 11.2** The General Council, at least once per year and not more than fifteen months apart, shall hold an informational All Clan Meeting to provide the opportunity for Citizens to voice their concerns and opinions regarding the Carcross/Tagish First Nation Government's laws, policies, procedures, direction and strategic performance *(gc.Sept.24&25 2020)*
- 11.3** The authorities and responsibilities of the General Council shall be those prescribed by this Constitution, including those recognized by any treaties concluded by the Carcross/Tagish First Nation with any other order of government. *(gc.Sept.24&25 2020)*
- 11.4** The General Council shall be comprised of eighteen representatives. Each of the six Clans shall, according to its own procedure and from its Clan membership, appoint three Members to serve as representatives, at least one of which shall be an elder, to serve on the General Council. In addition, each Clan shall designate three Members as alternates to represent their Clan at meetings of the General Council in the absence of the Clan representatives. Each Clan shall provide notice to the General Council identifying its three designated alternates. *(gc.Sept.24&25 2020)*
- 11.5** General Council representatives shall be appointed by their Clan for a period of four years. *(gc.Sept.24&25 2020)*
- 11.6** A General Council representative's four-year term will commence when they are sworn in at the General Council meeting following their appointment by their Clan. *(gc.Sept.24&25 2020)* ?
- 11.7** The rules of procedure for the meetings of the General Council shall be established by the General Council and passed as a Carcross/Tagish First Nation Law. *(gc.Sept.24&25 2020)*
- 11.8** The General Council shall hold a meeting at least twice each year as directed by the Executive Council. The General Council may hold meetings at other times when deemed necessary by the Executive Council to ratify agreements, enact laws, or to deal with urgent government matters. *(gc.Sept.24&25 2020)*
- 11.9** The quorum for the meetings of the General Council shall be fourteen, provided that at least one of the representatives, or designed alternates, from each of the six Clans are present. *(gc.Sept.24&25 2020)*
- 11.10** Each Clan shall, according to its established custom, call a Clan meeting to discuss the information provided to their General Council representatives in advance of each General Council meeting, to receive reports from Executive Council Clan representatives and to provide instruction to the representatives in relation to the business of the General Council. *(gc.Sept.24&25 2020)*
- 11.11** All business of the General Council shall strive for consensus. In circumstances where consensus cannot be reached, a motion, resolution or law may be passed if seventy-five percent of the

representatives present vote in favor of the motion, resolution or law unless otherwise set out in this Constitution. *(gc.Sept.24&25 2020)*

- 11.12** The duration of the meetings of the General Council shall be the time it takes to deal with all the business of the General Council. In the event that a General Council meeting extends beyond its set time, it may be adjourned and reconvened at a later date without standard notice requirements provided the reconvened General Council proceeds with the same agenda as the General Council meeting that was adjourned. *(gc.Sept.24&25 2020)*
- 12.0 POWERS OF THE GENERAL COUNCIL** *(gc.Sept.24&25 2020)*
- 12.1** At a General Council meeting, the General Council shall: *(gc.Sept.24&25 2020)*
- 12.1.1 provide a mandate to the Executive Council, including the establishment of strategic priorities and the Carcross/Tagish First Nation Government goals;
  - 12.1.2 approve the budget and audit of the Carcross/Tagish First Nation Government as well as approve any financial practices required pursuant to Carcross/Tagish First Nation Law;
  - 12.1.3 review and approve reports from the Executive Council and senior Carcross/Tagish First Nation Government officials on the Carcross/Tagish First Nation Government, including programs and services;
  - 12.1.4 enact, amend and repeal Carcross/Tagish First Nation Laws in accordance with the legislative process prescribed by this Constitution;
  - 12.1.5 review the status of recommendations and decisions made at previous General Council meetings; and/or,
  - 12.1.6 provide direction to the Executive Council on any matter within the jurisdiction of the General Council. *(gc.Sept.24&25 2020)*
- 12.2** The General Council shall have the exclusive legislative authority to enact or rescind Carcross/Tagish First Nation Law in accordance with the Carcross/Tagish First Nation Self-Government Agreement and the inherent rights of the Members. *(gc.Sept.24&25 2020)*
- 12.3** Executive Council and Elders Council must approve a proposed or amended Carcross/Tagish First Nation Law regarding the use and allocation of Carcross/Tagish First Nation Lands prior to consideration of the proposed law or amendment by the General Council. *(gc.Sept.24&25 2020)*
- 12.4** The General Council may, as prescribed by this Constitution, delegate any of its authorities or responsibilities to any other branches of the Carcross/Tagish First Nation Government. *(gc.Sept.24&25 2020)*
- 12.5** In all matters the General Council is expected to seek and consider the advice of youth and elders. *(gc.Sept.24&25 2020)*

**13.0 THE EXECUTIVE COUNCIL** *(gc.Sept.24&25 2020)*

**13.1** The Executive Council shall be the executive branch of the Carcross/Tagish First Nation Government. *(gc.Sept.24&25 2020)*

**13.2** The Executive Council shall be comprised of seven voting representatives including a representative from each Clan and the Haa Sha du Hen. The Executive Council shall also include three non-voting members including the two elders advisors and a youth representative. *(gc.Sept.24&25 2020)*

**13.3** For greater certainty, both elders advisors and the youth representative may attend and participate in the meetings of Executive Council but shall not vote and, if a vote is required, shall not contribute to quorum of the meeting. *(gc.Sept.24&25 2020)*

**13.4** Each Clan shall appoint one representative to sit on the Executive Council for a term of four years expiring on the date *(gc.Feb 6&7, 2021)* four year anniversary of the date of their appointment by their Clan set out in the formal notice of their appointment *(gc Nov 18 &19, 2022)*

**13.5** The Executive Council shall establish a meeting schedule in order to have at least two meetings each month. *(gc.Sept.24&25 2020)*

**13.6** The meetings of the Executive Council shall be presided over by the Haa Shaa du Hen *(gc.Sept.24&25 2020)*

**13.7** The quorum for meetings of the Executive Council shall be five voting representatives. *(gc.Sept.24&25 2020)*

**13.8** The Executive Council shall strive to conduct all business by consensus. In circumstances where consensus cannot be reached, a motion or resolution may be passed if seventy-five percent of the representatives present vote in favour of the motion or resolution. *(gc.Sept.24&25 2020)*

**13.9** Each Executive Council Clan representative has an obligation to report the business of the Executive Council to their Clan including General Council representatives, the Auxaudi, the Matriarch and Clan members according to the custom and traditions of his or her Clan. *(gc.Sept.24&25 2020)*

**13.10** The Executive Council, by consensus, shall appoint one of the representatives of the Executive Council to the office of Deputy Haa Shaa du Hen. The powers of the Deputy Haa Shaa du Hen shall be prescribed by Executive Council. The Deputy Haa Shaa du Hen shall serve a term no longer than four years from the date of selection. The Executive Council will strive to appoint a Deputy Haa Shaa du Hen of the opposite Moiety of the elected Haa Shaa du Hen. *(gc.Sept.24&25 2020)*

**13.11** In the event of the resignation or removal of the Deputy Haa Shaa du Hen, or if the office of the Deputy Haa Shaa du Hen becomes vacant for any reason, the Council shall appoint a replacement in accordance with section 13.10 to serve the remainder of the term. *(gc.Sept.24&25 2020)*

**14.0 POWERS OF THE EXECUTIVE COUNCIL** *(gc.Sept.24&25 2020)*

**14.1** Unless otherwise provided in this Constitution and subject to the direction of General Council, the Executive Council shall have the following jurisdiction and responsibilities: *(gc.Sept.24&25 2020)*

14.1.1 formulate and implement laws, regulation and policy, based on the direction of the Elders Council and General Council in order to enhance, maintain and revitalize the Clan system of the Carcross/Tagish First Nation; *(gc.Sept.24&25 2020)*

14.1.2 direct the development of Carcross/Tagish First Nation Laws based on the customs and traditions of the Carcross/Tagish First Nation and in accordance with this Constitution, the Carcross/Tagish First Nation Self-Government Agreement and the inherent rights of Carcross/Tagish First Nation Members; *(gc.Sept.24&25 2020)*

14.1.3 implement Carcross/Tagish First Nation Laws passed by the General Council; *(gc.Sept.24&25 2020)*

14.1.4 provide for the establishment and maintenance of registries for the Carcross/Tagish First Nation Constitution, Laws and governing body decisions; *(gc.Sept.24&25 2020)*

14.1.5 publicize Carcross/Tagish First Nation Laws and policies; *(gc.Sept.24&25 2020)*

14.1.6 set clear policies and guidelines ensuring the good management and reporting on all aspects of the Carcross/Tagish First Nation Government within the jurisdiction of the Executive Council; *(gc.Sept.24&25 2020)*

14.1.7 approve the policies and procedures of the Carcross/Tagish First Nation Government programs, services and administration; *(gc.Sept.24&25 2020)*

14.1.8 develop, implement and oversee programs and services provided to Citizens as directed by General Council; *(gc.Sept.24&25 2020)*

14.1.9 develop annual and supplemental budgets based on priorities established by General Council; *(gc.Sept.24&25 2020)*

14.1.10 borrow money based on Carcross/Tagish First Nation Laws; *(gc.Sept.24&25 2020)*

14.1.11 approve salary, expense and honoraria rates for:

14.1.11.1 employees of the Carcross/Tagish First Nation Government;

14.1.11.2 representatives of the Elders Council, General Council, and

14.1.11.3 appointees to any other board or committee established by the Carcross/Tagish First Nation Government.

14.1.12 establish and mandate boards or committees or other institutions as may be required for the conduct of the business of the Carcross/Tagish First Nation Government;

14.1.13 review and approve reports from staff or consultants of the Carcross/Tagish First Nation Government;

- 14.1.14 negotiate and conclude agreements on behalf of the Carcross/Tagish First Nation;  
(gc.Sept.24&25 2020)
- 14.1.15 represent the Carcross/Tagish First Nation in inter-governmental relationships; (gc.Sept.24&25 2020)
- 14.1.16 advise the Haa Sha du Hen in the exercise of powers and responsibilities of that office;  
(gc.Sept.24&25 2020)
- 14.1.17 organize meetings of the General Council, including: (gc.Sept.24&25 2020)
- 14.1.17.1. setting the date and location of the All Clan Meeting; (gc.Sept.24&25 2020)
  - 14.1.17.2. establishing the agenda of General Council and All Clan Meetings; (gc.Sept.24&25 2020)
  - 14.1.17.3. providing notice of the date and agenda to General Council representatives at least thirty (30) days prior to each meeting; (gc.Sept.24&25 2020)
  - 14.1.17.4. providing all information necessary to understand and/or decide upcoming agenda items to General Council representatives at least thirty (30) days prior to each meeting; and (gc.Sept.24&25 2020)
  - 14.1.17.5. call special meetings of the General Council to deal with urgent business by providing written notice to General Council representatives at least twenty (20) days prior to the date of the meeting. (gc.Sept.24&25 2020)
- 14.1.18 delegate any of its authorities or responsibilities, as prescribed in this Constitution;  
(gc.Sept.24&25 2020)
- 14.1.19 exercise any other authority or responsibility delegated or granted to it in accordance with this Constitution; and, (gc.Sept.24&25 2020)
- 14.1.20 undertake other such matters that are ancillary to the forgoing. (gc.Sept.24&25 2020)
- 14.2** In the absence of a delegation pursuant to section 9.9 of this Constitution, the Executive Council shall not have the authority and responsibility to enact Carcross/Tagish First Nation Laws.  
(gc.Sept.24&25 2020)

## **15.0 HAA SHAA DU HEN**

- 15.1** The Haa Shaa du Hen must be a Member of the Carcross/Tagish First Nation over the age of 21 and shall be elected by Citizens of the Carcross/Tagish First Nation to serve a term of four years from the date of election. Each candidate must be nominated by at least fifty Carcross/Tagish First Nation Citizens. (gc. Dec. 3&4/11)
- 15.2** The Haa Shaa du Hen may be removed as Haa Shaa du Hen by a resolution of the General Council passed by consensus at a duly called meeting of the General Council at which all representatives of the General Council are present. The resolution shall set out the reason for removal. (gc.Sept.24&25 2020)

- 15.3** In the event that the office of the Haa Shaa du Hen becomes vacant for any reason within the first two years of their term, the General Council shall immediately call a by-election held in accordance with Carcross/Tagish First Nation election procedures. The newly elected Haa Sha du Hen shall complete the remaining term of the vacant office. *(gc.Sept.24&25 2020)*
- 15.4** In the event that the office of the Haa Shaa du Hen becomes vacant for any reason within the last two years of the term, the Deputy Haa Shaa du Hen shall become the Haa Shaa du Hen for the remainder of the vacant term and the Executive Council shall appoint another Deputy Haa Shaa du Hen. *(gc.Sept.24&25 2020)*
- 16.0** **ROLE AND RESPONSIBILITIES OF THE HAA SHAA DU HEN***(gc.Sept.24&25 2020)*
- 16.1** The Haa Shaa du Hen, or in his or her absence or incapacity, the Deputy Haa Shaa du Hen, shall: *(gc.Sept.24&25 2020)*
- 16.1.1 preside over meetings of the General Council, Executive Council and Elders Council; *(gc.Sept.24&25 2020)*
- 16.1.2 serve as the spokesperson and representative of the Carcross/Tagish First Nation in its relations with other orders of government;
- 16.1.3 provide leadership and direction for the development and implementation of Carcross/Tagish First Nation Laws and policies consistent with the provisions of this Constitution, including the mission statement;
- 16.1.4 ensure that the mandate provided to the Executive Council by the General Council is respected and complied with; and *(gc.Sept.24&25 2020)*
- 16.1.5 exercise such other authorities and responsibilities as delegated to him or her by the General Council or Executive Council in accordance with this Constitution.  
*(gc.Sept.24&25 2020)*
- 16.2** The Haa Shaa du Hen shall not hold any other office other than as a representative of the General Council, or Executive Council. *(gc.Sept.24&25 2020)*
- 16.3** If the Haa Shaa du Hen wishes to resign, he or she shall provide written notice to the General Council and Executive Council at least thirty (30) days prior to the effective date of the resignation. *(gc.Sept.24&25 2020)*
- 17.0** **JUDICIAL COUNCIL** *(gc.Sept.24&25 2020)*
- 17.1** The Judicial Council of the Carcross/Tagish First Nation shall be established pursuant to this Constitution. *(gc.Sept.24&25 2020)*

- 17.2** The Carcross/Tagish First Nation justice system, including but not limited to the Judicial Council, shall be established, maintained and organized so as to function independently of other Carcross/Tagish First Nation governing bodies. *(gc.Sept.24&25 2020)*
- 17.3** The procedures and authorities of the Judicial Council shall be established by a Carcross/Tagish First Nation Law, in accordance with traditional principles of Tlingit and Tagish customary law and upon the advice of the Elders Council. *(gc.Sept.24&25 2020)*
- 18. POWERS OF THE JUDICIAL COUNCIL***(gc.Sept.24&25 2020)*
- 18.1** As prescribed by legislation referred to in section 17.3 and in accordance with any agreement negotiated pursuant to section 13.6 of the Carcross/Tagish First Nation Self-Government Agreement, the Judicial Council shall be responsible for: *(gc.Sept.24&25 2020)*
- 18.1.1 Interpreting this Constitution and all Carcross/Tagish First Nation Laws; *(gc.Sept.24&25 2020)*
- 18.1.2 Hearing and deciding all cases of alleging violation of Carcross/Tagish First Nation Laws and the imposition of penalties as provided by law; *(gc.Sept.24&25 2020)*
- 18.1.3 On application, to hear, mediate, adjudicate or settle a dispute or petition for redress in relation to a Carcross/Tagish First Nation Law; and, *(gc.Sept.24&25 2020)*
- 18.1.4 Incorporating Carcross/Tagish First Nation traditional beliefs and values into the administration of justice. *(gc.Sept.24&25 2020)*
- 18.2** A decision of the Judicial Council shall be final and binding upon parties before it and shall not be liable for review by any court. *(gc.Sept.24&25 2020)*

## **PART IV LEGISLATIVE PROCESS AND REVIEW**

### **19.0 LEGISLATIVE PROCESS**

- 19.1** All Carcross/Tagish First Nation Laws shall be based on the custom and traditions of the Carcross/Tagish First Nation. *(gc.Sept.24&25 2020)*
- 19.2** The General Council shall have exclusive jurisdiction to enact laws and regulations for the Carcross/Tagish First Nation in accordance with the Carcross/Tagish First Nation Self-Government Agreement and the inherent rights of its Members. *(gc.Sept.24&25 2020)*
- 19.3** The General Council may consider, pass, amend, enact and/or rescind any Carcross/Tagish First Nation Law at a duly convened meeting of the General Council provided the draft law or proposed amendment has been developed in accordance with this Constitution. *(gc.Sept.24&25 2020)*
- 19.4** The Executive Council shall provide any draft Carcross/Tagish First Nation Law or proposed amendments to an existing Carcross/Tagish First Nation Law to the representatives of the General Council at least thirty (30) days before the date of the meeting of the Assembly at which they are proposed to be enacted. *(gc.Sept.24&25 2020)*

**19.5** Any law or regulation of the Carcross/Tagish First Nation shall be consistent with the custom and traditions of the Carcross/Tagish First Nation as set out in Book One and the provisions of this Constitution, including the rights of citizens set out in section 4 of this Constitution.

*(gc.Sept.24&25 2020)*

**19.6** Any person shall have reasonable access to the register of Carcross/Tagish First Nation Laws at the principle administrative offices of the Carcross/Tagish First Nation Government during normal business hours. *(gc.Sept.24&25 2020)*

## **20.0 LEGISLATIVE REVIEW**

**20.1** Any existing Carcross/Tagish First Nation Law may be challenged by a Citizen in accordance with the process set out in this Constitution and shall be quashed by the Judicial Council if found to be inconsistent with: *(gc.Sept.24&25 2020)*

20.1.1 the custom and traditions of the Carcross/Tagish First Nation;

20.1.2 the provisions of the Carcross/Tagish First Nation Self-Government

Agreement; or

20.1.3 any provision of this Constitution.

**20.2** Any existing Carcross/Tagish First Nation Law may be reviewed and, if necessary, quashed by the Judicial Council if: *(gc.Sept.24&25 2020)*

20.2.1 a petition is submitted to the Judicial Council with: *(gc.Sept.24&25 2020)*

20.2.1.1 the signatures of any three Auxaudis and the signatures of at least thirty percent of the Citizens over the age of eighteen years; or *(gc.Sept.24&25 2020)*

20.2.1.2 the signatures of all Auxaudis *(gc.Sept.24&25 2020)*

20.2.2 the petition sets out the reasons for the review of the existing Carcross/Tagish First Nation Law; and *(gc.Sept.24&25 2020)*

20.2.3 written notice of the petition to review and quash an existing Carcross/Tagish First Nation Law is provided to all Clans and the Executive Council at least twenty (20) days before the petition is heard by the Judicial Council. *(gc.Sept.24&25 2020)*

**20.3** Upon receipt of a petition which complies with the requirements of section 20.2 of this Constitution the Judicial Council shall determine whether or not the challenged law or regulation is valid. *(gc.Sept.24&25 2020)*

**20.4** The challenged Carcross/Tagish First Nation Law shall remain in force unless it is quashed by the Judicial Council. *(gc.Sept.24&25 2020)*

## **PART V FINANCE**

### **21.0 FINANCIAL ACCOUNTABILITY**

- 21.1** The Carcross/Tagish First Nation Government shall develop, enact and maintain a Financial Administration Act in order to provide effective financial management of the Carcross/Tagish First Nation. *(gc.Sept.24&25 2020)*
- 21.2** Until a Financial Administration Act is enacted, the Carcross/Tagish First Nation Government shall be bound by its approved finance policies. *(gc.Sept.24&25 2020)*

## **PART VI AMENDMENT AND RATIFICATION**

### **22.0 AMENDMENT**

- 22.1** The General Council shall have the exclusive authority to amend this Constitution in accordance with section 22 *(gc.Sept.24&25 2020)*
- 22.2** This Constitution may only be amended if:
- 22.2.1 a notice of any proposed amendment is provided to the Clans, care of the Auxaudi and Matriarch, at least thirty (30) days prior to the meeting of the General Council at which the amendment will be tabled; *(gc.Sept.24&25 2020)*
  - 22.2.2 the notice of the proposed amendment includes the complete text of the proposed language with supporting rationale; and
  - 22.2.3 the proposed amendment is approved by the General Council at a duly convened meeting.
- 22.3** The Executive Council shall maintain a chronological record of all amendments to this Constitution with the full text of the language added and the provisions repealed. *(gc.Sept.24&25 2020)*

### **23.0 RATIFICATION**

- 23.1** This Constitution shall become the constitution of the Carcross/Tagish First Nation following its ratification by way of a resolution approved by a majority vote at a duly convened General Assembly of the Carcross/Tagish First Nation. The resolution shall specify the date at which the Constitution will be brought into effect.

We, the elected Chief and Councillors of the Carcross/Tagish First Nation have, this 5th day of October 1997, signed this Constitution of the Carcross/Tagish First Nation, pursuant to the resolution ratifying, this Constitution at the General Assembly of the Carcross/Tagish First Nation, held at the Carcross Community Club, in Carcross, Yukon, on the 4th to 6th days of October 1997.



## **SCHEDULE A – CITIZENSHIP CODE**

### **1.0 DEFINITIONS**

#### **1.1** In this Citizenship Code,

“Ancestry” means a person who can trace their direct lineage to the pre-colonial contact Carcross/Tagish First Nation;

“Associate Citizen” means a person who is not a Citizen but has been accepted as an Associate Citizen pursuant to section 5 of this Code.

“Associate Member” has the same meaning as the Carcross/Tagish First Nation Constitution;

“Beneficiary” has the same meaning as the Carcross/Tagish First Nation Constitution;

“Citizen” has the same meaning as the Carcross/Tagish First Nation Constitution;

“Citizenship List” means the list of citizens maintained by the Carcross/Tagish First Nation Government;

“Enrollment Committee” is the committee established by the Elders Council under this Code to address matters of citizenship;

“Member” has the same meaning as the Carcross/Tagish First Nation Constitution; and,

“Registrar” has the same meaning as the Carcross/Tagish First Nation Constitution.

### **2.0 CITIZENS**

#### **2.1** A Carcross/Tagish First Nation Citizen is:

2.1.1 A Beneficiary; or

2.1.2 A person who has Ancestry; and

2.1.3 Who has not terminated their citizenship or had their citizenship revoked unless they have been subsequently reenrolled by the Enrollment Committee.

### **3.0 MEMBERS**

- 3.1 A Member is any person with Ancestry who has been formally enrolled by the Enrollment Committee and has not since terminated their citizenship or had their citizenship revoked.

### **4.0 ASSOCIATE MEMBERS**

- 4.1 An Associate Member is any person who does not have Ancestry but is a Beneficiary who has been formally enrolled by the Enrollment Committee and has not since terminated their citizenship or had their citizenship revoked.

### **5.0 ASSOCIATE CITIZENS**

- 5.1 An Associate Citizen is:

- 5.1.1 A person who is not entitled to be a Member; and,
- 5.1.1.1 A non-indigenous person who has been ceremonially adopted by a Clan;
  - 5.1.1.2 A non-Carcross/Tagish First Nation indigenous person who has been ceremonially adopted by a Clan;
  - 5.1.1.3 A non-indigenous person who is legally married to a Member;
  - 5.1.1.4 A non-Carcross/Tagish First Nation indigenous person who is legally married to a Member; or
  - 5.1.1.5 A child who has been legally adopted by a Member. and
- 5.1.2 A person who has applied to and been accepted by the Enrollment Committee.

### **6.0 ENROLLMENT COMMITTEE**

- 6.1 The Elders Council shall appoint Members for a two-year term to serve on the Enrollment Committee to determine questions of citizenship and enrollment under this Code.
- 6.2 The Enrollment Committee shall
- 6.2.1 be comprised of two representatives from each Clan, at least one of which must be an elder.
  - 6.2.2 Have a quorum of six so long as each Clan is represented.
  - 6.2.3 Exercise powers under Chapters 3.9.3 and 3.10.1 of the Carcross/Tagish First Nation Final Agreement.

- 6.2.4 Include the Registrar as a non-voting member.
- 6.3 With respect to assessing Member and Associate Member applications, the Enrollment Committee shall:
  - 6.3.1 Confirm every person to be a Member if:
    - 6.3.1.1 The Registrar has provided a report pursuant to section 8 of this Code regarding that person; and,
    - 6.3.1.2 That person has Ancestry.
  - 6.3.2 Confirm every person to be an Associate Member if:
    - 6.3.2.1 The Registrar has provided a report pursuant to section 8 of this Code regarding that person; and,
    - 6.3.2.2 That person does not have Ancestry; and,
    - 6.3.2.3 That person is a Beneficiary of the Carcross/Tagish First Nation Final Agreement; or,
    - 6.3.2.4 That person is included on the Citizenship List held by the Registrar as of July 1, 2008.
- 6.4 The Enrollment Committee Shall have the sole jurisdiction in determination of citizenship and any procedural matters in relation to this Code.
- 6.5 Notwithstanding the above, the Enrollment Committee is obligated to approve for admission any person who is eligible to be a Citizen based on the criteria in this Code.

## **7.0 NON-ENTITLEMENT**

- 7.1 A person is not entitled to be enrolled as a Citizen if that person is **not** a citizen or registered member of another First Nation in Canada.

## **8.0 ENROLLMENT**

- 8.1 For persons who are being considered for citizenship pursuant to section 2.1 of this Code, the Registrar shall prepare a report including, but not limited to, the following:
  - 8.1.1 The persons name;
  - 8.1.2 The person's address and email;
  - 8.1.3 The person's parents and grandparents;
  - 8.1.4 What Clan the person belongs to;
  - 8.1.5 Whether the person has Ancestry in the Carcross/Tagish First Nation;

- 8.1.6 The Carcross/Tagish First Nation Member whose Ancestry can be traced through;
- 8.1.7 Whether the person has any siblings;
- 8.1.8 Whether the person has any children;
- 8.1.9 Whether the person is the beneficiary of another Yukon Final Agreement;  
and,
- 8.1.10 Whether the person is a citizen or registered member of another First Nation in Canada.

8.2 Except for the obligation to approve for admission any person who is eligible to be a Citizen based on sections 6.3.1 and 6.3.2 of this Code, the Enrollment Committee shall have the sole jurisdiction in determination of citizenship and any procedural matters in relation to citizenship under this Code.

## **9.0 TERMINATION OF CITIZENSHIP**

9.1 Any Citizen may terminate his or her citizenship upon written application to the Enrollment Committee.

## **10.0 REVOCATION OF CITIZENSHIP**

10.1 In the event that the Enrollment Committee following a thorough investigation determines that a Citizen meets any of the criteria for non-entitlement set out in section 7 above, the Registrar shall immediately notify the Citizen and request that the reason for non-entitlement be resolved within ninety (90) days. If the Citizen refuses to resolve the reason for non-entitlement, ignores the notice despite evidence it has been received or unreasonably delays resolving the reason for non-entitlement, the Enrollment Committee shall revoke that Citizen's citizenship.

## **11.0 REINSTATEMENT OF CITIZENSHIP**

11.1 Any person who has previously terminated their citizenship or had their citizenship revoked is not prohibited from applying for citizenship with the Carcross/Tagish First Nation through the enrollment process set out in this Code.

11.2 If an Associate Citizen pursuant to section 5.1.1.4 is no longer married to a Member, their Associate Citizenship will be deemed to end on the date the marriage ends.

11.3 Notwithstanding the above, an Associate Citizen who is widowed will remain an Associate Citizen unless, or until the Associate Citizen remarries a non-Citizen.

## **12.0 PARAMOUNTCY**

12.1 Once passed, this Code replaces any previous rules of citizenship including but not limited to the prior Carcross/Tagish First Nation Citizenship Codes and Carcross/Tagish First Nation enrollment regulations or procedures.

## SCHEDULE B –CODE OF ETHICS

### **Story: I am Strength**

*Once, all the men began to disappear from a certain village. One by one they went into the woods to gather firewood, and they never came back.*

*The people in the village thought there must be some monster in the woods that was killing their men. The remaining men banded together and went into the forest, planning to kill the monster.*

*Anxiously, the women and children of the village awaited the return of their loved ones. Day after day they waited, but to no avail. Their cooking fires went out for lack of firewood, and the youngest children cried from the cold. Finally, groups of women and children ventured fearfully into the woods to gather fuel, but none of these people returned either.*

*At last the only people left in the village were a woman and her daughter, who refused to go outside the safety of the village. The younger woman walked back and forth in front of the empty houses of her former friends, crying until her heart would break.*

*One day she cried so hard that the mucus flowed freely from her nose, running down her face. She wiped this off with her hand and flung it in a corner. After a while she noticed, from the corner of her eye, that the mucus moved. Curious, she peered closer and saw that it was like a bubble, with a little man inside. The young woman tried to break the bubble with her teeth, but in doing so, she accidentally swallowed the little man. Before long she discovered that she was pregnant.*

*In due time the woman gave birth to a baby boy. This mucus child grew very fast. When he was old enough to shoot, his mother made him a little bow and arrows with which to practice. Soon he was an expert marksman.*

*As he grew, the boy was filled with curiosity. He asked his mother why the houses in the village were all empty, except for their own. His mother answered him: "We had many friends in this village. Now they are all gone. They went into the woods and never returned. That is why we no longer go into the forest."*

*The mucus child continued to grow. He was now old enough to make his own bow and arrows. His mother fashioned a quiver from deerskin for him to hold the arrows. With his new weapons he dared to venture a short way into the woods. The mucus child didn't see anything to frighten him, so he decided to go even deeper into the forest.*

*After travelling for some time, he reached the creek of black water which ran out from under a glacier. Sitting beside the creek was an old man, who said to the boy, "Grandson, take off all*

*your clothes and get into the creek until the water is up to you neck. Sit there without moving, no matter how cold the water is.”*

*The boy did as he was told. After a long time, the old man noticed small ripples moving around the boy. He thought to himself, “The water is shaking because the boy is cold.”*

*Then the old man told the boy to come out of the water. After he had done so, the man said, “Go and try to pull up that tree over there.” This tree was fairly short, and the boy pulled it up by the roots with no difficulty.*

*Then the old man said, “Do you see that rock over there? I want you to see if you can smash it.” Again the boy did as he was told. Finally the old man told the boy to put on his clothes and return to that spot the next day.*

*Early the next morning the boy again met the man, who told him to get into the creek. When the old man saw the boy begin to shiver, he brought him out of the cold water. He pointed to a larger tree.*

*“Pull that up by the roots.”*

*The boy pulled it up easily, although it was twice as big as the previous tree. Then the man took him to a larger rock that was shiny and hard and told him to strike it. The boy did so, shattering the rock into several pieces.*

*During the next four days the boy followed the old man’s directions. Each day he pulled up a larger tree than the day before and crumbled larger and heavier rocks. On the fourth day the old man pulled off his own leggings, his shirt, and his moccasins, which were beautifully worked with porcupine quills, and put them on the boy.*

*Then he told the boy, “I am Strength. I have come to help you. Your people have been captured by the Wolf People, who live in a village at the top of the valley. Climb up the valley, keeping the glacier on your right. When you reach the top you will hear someone calling your name. It will be the Wolf People. As soon as they come within your reach, hit them with your club. The club will kill anything that it touches. Run up the hill. If you run down, they will catch you. If you get tired, think of me and you will become stronger.”*

*The boy began climbing steadily. After a while his legs began to get weary. Resisting the urge to stop and lie down, he instead squeezed his eyes tightly shut and thought of the old man. Instantly, he felt new strength coursing through his tired legs and he pressed on, renewed.*

*The boy continued up the hill as he had been directed until he heard someone call. Ahead of him he saw a very large town with people running toward him. He began clubbing them as soon as they came within his reach. Although they fell heavily, he could not even feel the club strike. When the people were all destroyed, he returned to the benefactor.*

*When Strength heard what happened, he said, "Go back, for there is another village on the other side of the hill. Go there and call to them, 'Give me my uncle's life, give me my village people's lives. If you don't give them to me, I will strike your village.' If they refuse, strike them with your club. If they allow you your demand, they will hand you a box."*

*When the boy came to the first house in the village, he asked for the lives of his townspeople, but they said, "We don't know where they are. They are at the next house." He went to that house, and they also said, "We don't know where they are. Try the next house."*

*In each of the houses they answered him in the same manner, until he reached the last house, which belonged to the Wolf Chief. Upon the boy's request, the Wolf Chief said, "Don't strike our village. I give you the lives of your people."*

*The chief handed him a box and said, "Take this box back to your village and leave it in each house for four days. At the end of four days go into the house and see what has happened."*

*The boy followed the chief's directions and waited four days to see what would happen. Early on the morning of the fifth day, he heard noises coming from the house, so he jumped up and entered the place. There were his uncle and other relatives, walking about the looking very happy. He then left the box in all the other houses in the village until he had restored all the absent ones to life.*

*When all of the villagers had returned, a great celebration was held, and the brave boy who had led his people back to the land of the living sat in the place of honour.*

This story teaches us about the importance of strength and courage in our community leaders. These values will help a community to rebuild and restore their spirit. These people will keep our community growing, sustaining, and learning together. Clan leaders and representatives will display these virtues.

Clan leaders and representatives are selected to speak on behalf of their clan, and to present decisions made by the clan. Their role is to take direction and work on behalf of their people. The leaders are just representatives; the power lies with the people.

### **Values**

Our stories and virtues constitute a holistic, unified system of expected behaviour. The values that shape our laws, and guide our lives, nurture our capacity to gain and change in ways that bring us closer to our family, our community, and to our goal of being a healthier human being. Our values are guides for walking the "good path". They are not inflexible rules for precise behaviour, but aides in finding our way to the "good path".

These values call for us to work through, within ourselves, and with others, to find actions that give meaning to our values. Practicing them unconditionally is a daily struggle, but it is in the daily struggle to understand them inherently, that the values come alive. Gifts from the Creator include our capacity to love, to be selfless, respectful, courageous, knowledgeable, compassionate, honest, and to honour our relationships with our integrity. These are our core values.

### **Respect**

Respect is to show honour, to show consideration and expressions of regard for people of all ages. We must respect all things, animals, minerals, people, insects, birds, fish, air, water, and the land. To be respectful is to have an attitude of caring about people and treating each of them with dignity. Obedience to rules and laws is being respectful to the reasons why those rules and laws were created. It also means being obedient to your own instincts, and trusting that they too are guiding you to do what is right.

### **Selflessness**

Selflessness means to have no concern for self, to be unselfish, to be generous to others. We acknowledge that in matter of survival, the good of the whole is more important than the good of the individual. Our First Nation is founded on the concept of sharing. Sharing also encompasses the values of service and cooperation. Cooperation is the art of interacting with others in a good way for the benefit of the whole.

### **Honour**

Honour is what underlies all of our virtues and values. The values of loyalty, devotion, responsibility, and humour help honour to be practiced fully. To be loyal means to be unswerving in our allegiance to a cause, ideal, custom, institution, product, and to our lawful government. Being responsible is to be willing to answer for one's conduct and obligations and to be able to choose for oneself between right and wrong. Devotion is to devote ourselves to others and others will devote themselves to us. Humour is as necessary as breath to our people. Our sense of humour has helped bring us through the most trying of times.

### **Knowledge**

Knowledge is value that is connected with facts or ideas acquired by study, investigation, observation, or experience. The knowledge that is gained individually is shared with the collective. First Nation cultural and traditional knowledge is very elaborate and complex. Creativity allows us to expand on knowledge that we have already gained. Curiosity allows us to seek further knowledge and to learn.

### **Compassion**

Compassion is having an understanding of another person's situation, feelings, and needs as if they were your own. Compassion is more than just listening, but rather feeling and experiencing someone else's hurts and joys as if they were yours. To have unconditional love

for another is to forgive their mistakes, and love them as much after they mess up as you did before they messed up. Kindness is a form of compassion; it is showing concern and caring for the earth and her inhabitants as much, or more, than we care about ourselves.

### **Courage**

Courage is strength attained from placing emphasis on heart over mind. Courage is the state or quality of mind or spirit that enables one to face danger, fear, or change with self-possession, confidence, resolution and bravery because our heart tells us it is right. Courage involves having a great deal of faith and belief in Creator that we will be protected and it is safe to learn, grow, and change.

### **Integrity**

Integrity is a virtue that comes when we diligently follow a strict moral or ethical code. Modesty, humility, self-discipline, and moderation allow integrity to be practiced. Modesty is having selfrespect, of being comfortable with ourselves, and of expressing ourselves in a quiet, dignified way. Humility means to be humble, to recognize that every tiny particle of nature exists for a purpose. Self-discipline is having control over our words and actions.

### **Honesty**

Honesty creates the space for us to work through many difficult situations in a way that respects everyone in a safe environment. In order to be honest, we must first be truthful. Trust requires truth. We must trust others to take our opinions and views and treat them respectfully. We must be accountable. We must live our life knowing that our talk and actions are in balance and are considered to be good not only for ourselves, but for others in our home, workplace, and community.

### **Code of Ethics**

As a clan representative of the Carcross Tagish First Nation (C/TFN), I will become familiar with and abide by the C/TFN Constitution, legislation, policy, and procedures that are applicable to my position at all times.

In compliance with this Code of Ethics I will:

1. Carry out the duties and responsibilities of my position conscientiously, loyally and honestly, living up to the Values and Virtues at all times.
2. In my actions and words, promote and uphold the integrity and dignity of the Clans, C/TFN, and its services and programs.
3. In the performance of my duties and responsibilities, be prompt, courteous, and temperate toward fellow council/board/committee/team representatives (herein

after referred to as representatives), employees, C/TFN citizens, the general public, and representatives of other governments.

4. Use my initiative to find ways and means of carrying out the work of this Council/Board/Committee/Team more efficiently, effectively and economically.
5. Develop a positive attitude in dealing with fellow representatives, employees, C/TFN citizens, the Chief/Deputy (Haa Shaa du Hen) and Council, the Elders and Justice Councils, and the Assembly.
6. Follow instructions attentively, be cooperative with fellow representatives and C/TFN employees, and work as a team member.
7. Within my sphere of responsibilities, recommend changes to policy, procedures, legislation, or priorities when I believe that such changes will help to meet the goals and objectives of my program or the GC/TFN.
8. While working as a representative, conduct myself in a manner that will bring credit to my clan, the C/TFN and community members.
9. Show respect for the authority and jurisdiction of the GC/TFN, the Chief/Deputy (Haa Shaa du Hen) and Council, and all other branches of its government.
10. Continually strive toward self-improvement and professional development through self-evaluation, literature, upgrading and training.
11. Arrive at required meetings punctually unless there is a valid reason for lateness or absence, in which case, before the start of the meeting, I will contact the meeting chair, or other responsible party.
12. Attend all meetings, workshops, conferences, etc. assigned to me as an official delegate of the C/TFN and, where required, report to the Council and my Clan on the proceedings and results.
13. Release official and/or confidential information acquired during my work only with the release of such information has been authorized by the Chief/Deputy (Haa Shaa du Hen) and Council.
14. Use equipment, property, or supplies which are owned by the C/TFN for authorized purposes only, use such equipment with care, and report any maintenance required to an appropriate senior staff member.

15. Refuse any fees, gifts, other tangibles or preferential treatment offered to me in reward for duties and responsibilities performed by virtue of my position except where such tangibles or treatment benefits the C/TFN as a whole.
16. Not publicly criticize fellow representatives, C/TFN employees, or the policies of the Chief/Deputy (Haa Shaa du Hen), Councils, Assembly or individual programs but, whenever I feel changes are necessary and acceptable, provide constructive criticism and suggestions through proper channels, and seek to make the workplace as harmonious as possible.
17. Attempt to communicate openly with fellow Council members and settle internal differences in a constructive manner.

### **CONFLICT OF INTEREST**

18. If my employment position and my private interests constitute a conflict of interest, I will declare this to the Chief/Deputy (Haa Shaa du Hen) and Council who will direct in which manner the conflict of interest may be resolved.

### **OATH OF SECRECY**

19. In recognition of the compensation and other rights provided to me as a member of a Council/Board/Committee/Team of the C/TFN, **I NOW SOLEMNLY DECLARE** that I will preserve and maintain the confidentiality and secrecy of all the business dealings, affairs, records and information available or otherwise known to me in the course of during my past, present and future work with the C/TFN.
20. Specifically, I will not at any time, or under any circumstances, or in any manner, make known to any non-eligible person, persons, or organizations, the information and transactions of the CTFN relating to my work or otherwise known to me except as authorized by the Chief/Deputy (Haa Shaa du Hen) and Council. Further, I will abide by this Oath of Secrecy while representing my Clan and after leaving its service.

### **DISCIPLINARY ACTION**

21. For situations requiring disciplinary actions, representatives will receive a written warning from the Chair of the Council/Team/Committee. Any representative who receives three (3) written warnings can expect to be removed as the Clan representative, pending further direction by the Council/Team/Committee.

I have read, understand and will abide to this Code of Ethics. I will fulfill my position to the best of my ability, living the Values and Virtues in all that I do. On this day of \_\_\_\_\_, 2024.

|                               |            |
|-------------------------------|------------|
| Print Name of Representative: | Signature: |
| Position:                     |            |
| Print Witness Name:           | Signature: |