

**VUNTUT GWITCHIN FIRST NATION**

***CONSTITUTION***

**CONSTITUTION OF THE VUNTUT GWITCHIN FIRST NATION**

We, the Vuntut Gwitchin First Nation of the North Yukon, having boundless pride in our ancient cultural heritage and ancestral homeland and desiring to exercise our inherent right of self government to exercise responsibility for the general welfare of our citizens and to provide for the good government of our communities, lands and resources, hereby adopt this Constitution:

## **ARTICLE I - OBJECTS**

1. The objects of the Vuntut Gwitchin First Nation are to:
  - a) have and be the government authority in respect of communities and lands of the Vuntut Gwitchin First Nation and the occupants thereof;
  - b) promote and enhance the general welfare of the Vuntut Gwitchin First Nation;
  - c) promote, enhance and protect the history, culture, values, traditions and rights of the Vuntut Gwitchin First Nation;
  - d) promote respect for the ancestral homeland of the Vuntut Gwitchin First Nation including the natural resources thereof;
  - e) use, manage, administer and regulate the lands of the Vuntut Gwitchin First Nation including the natural resources thereof;
  - f) control the disposition of rights and interests in and to the traditional lands and resources for the Vuntut Gwitchin First Nation;
  - g) use, manage and administer the money and other assets of the Vuntut Gwitchin First Nation, including any and all benefits to be realized by the Vuntut Gwitchin First Nation from the settlement of the land claims of the Vuntut Gwitchin;
  - h) promote and carry out community development and charitable works for the benefit of the Vuntut Gwitchin First Nation;
  - i) establish and administer services, programs and projects for citizens in the Yukon and also for residents of North Yukon who are not citizens;
  - j) exercise the powers and carry out the duties conferred upon the Vuntut Gwitchin First Nation or its predecessor by any legislation, by any land claim agreement or self-government agreement which involves the Vuntut Gwitchin First Nation, or by this Constitution;
  - k) maintain a registry of citizens, and;
  - l) do such other things related to the foregoing as may be conducive to the general welfare and good government of the Vuntut Gwitchin First Nation.

## **ARTICLE II - VUNTUT GWITCHIN FIRST NATION AUTHORITY/LOCATION**

1. Subject to the terms of the Vuntut Gwitchin Final Agreement and the Vuntut Gwitchin Self-Government Agreement, the operations and authority of the Vuntut Gwitchin First Nation shall extend to and over all land and resources, all citizens, all occupants of Settlement Land and all matters within the jurisdiction of the Vuntut Gwitchin First Nation, and to the collective rights and interests of our citizens.
2. The seat of government for the Vuntut Gwitchin First Nation shall be located within the Traditional Territory of the Vuntut Gwitchin First Nation on lands of the Vuntut Gwitchin First Nation in such place as the General Assembly in its sole discretion deems advisable.

## **ARTICLE III - CITIZENSHIP**

1. Citizenship of the Vuntut Gwitchin First Nation shall include all persons entitled to citizenship as provided for within the Citizenship Code of the Vuntut Gwitchin.

## **ARTICLE IV - RIGHTS OF CITIZENS**

1. The Constitution hereby guarantees the rights and freedoms hereinafter set out subject only to such reasonable limits as can be demonstrably justified in a free and democratic Vuntut Gwitchin society.
2. Every citizen has the following fundamental freedoms:
  - a) freedom of conscience and religion;
  - b) freedom of thought, belief or opinion and expression;
  - c) freedom of peaceful assembly; and,
  - d) freedom of association.
3. Every individual is equal before and under the laws of the Vuntut Gwitchin First Nation and has the right to the equal protection and equal benefit of Vuntut Gwitchin First Nation law without discrimination.
4. Every citizen has the right to life, liberty and security of the person and the right not to be deprived thereof, except in accordance with the principles of fundamental justice.

5. Every citizen has the right to be secure against unreasonable search and seizure.
6. Every citizen has the right not to be arbitrarily detained or imprisoned.
7. Any person charged with an offence contrary to a validly existing Vuntut Gwitchin First Nation law has the right:
  - a) to be informed without unreasonable delay of the specific offence ;
  - b) to be tried within a reasonable time;
  - c) not to be called as a witness in proceedings against the person in respect of the offence;
  - d) to be presumed innocent until proven guilty according to Vuntut Gwitchin First Nation law and to a fair and public hearing before an independent and impartial justice tribunal;
  - e) not to be denied reasonable bail without just cause; and
  - f) if finally acquitted of the offence, not to be tried for it again and if finally found guilty and punished for the offence and if the punishment of the offence has been varied from time of the commission and the time of sentencing, to have the benefit of the lesser punishment.
8. Every citizen has the right not to be subjected to any cruel or unusual treatment or punishment.
9. A witness who testifies in any proceedings has the right not to have any incriminating evidence so, given to be subsequently given against that witness in any other proceedings, except in a prosecution for perjury or for the giving of contradictory evidence.
10. Any part or witness to any proceedings who does not understand or speak the language in which the proceedings are conducted or who is deaf, has the right to the assistance of an interpreter.
11. Gwitchin is the official language of the Vuntut Gwitchin First Nation.
12. Everyone has the right to use the Vuntut Gwitchin language or English in any debates or other proceedings of the General Assembly or Council.
13. The laws, records and journals of the Vuntut Gwitchin First Nation shall be printed and published in English and may be translated to the Vuntut Gwitchin language.

14. Either the Vuntut Gwitchin language or English may be used by any person in any pleading issuing to any Court or published by the Vuntut Gwitchin Council within the Vuntut Gwitchin First Nation Traditional Territory.
15. Anyone whose rights or freedoms as guaranteed by this Constitution have been infringed upon or denied may apply to the Vuntut Gwitchin Court to obtain such remedy as the Court considers appropriate and just in the circumstances. Until a Court is established, any such person may also apply to any other court of competent jurisdiction.
16.
  - a) Every citizen shall have reasonable access to information about him or her (and his or her minor children) personally which has been provided to or obtained by the Vuntut Gwitchin First Nation and which is within the possession or control of the Vuntut Gwitchin First Nation.
  - b) The Vuntut Gwitchin First Nation may keep and use such personal information as any person may provide to it or as it may otherwise obtain in connection with the enrollment of that person as a beneficiary of the Vuntut Gwitchin Final Agreement or as a citizen of the Vuntut Gwitchin First Nation, or in connection with the access to or the provision of any program, service or benefit, or the application of any law, of the Vuntut Gwitchin First Nation by or to that person, provided that such information shall be kept protected by such security safeguards as are appropriate to its sensitivity;

#### **ARTICLE V - ORGANIZATION OF THE VUNTUT GWITCHIN FIRST NATION GOVERNMENT**

1. The Vuntut Gwitchin First Nation government shall have four branches: the General Assembly, the Elders Council, the Council and the Vuntut Gwitchin Court. A branch of the government shall not exercise the powers of another branch, except as this Constitution may permit.

#### **ARTICLE VI - VUNTUT GWITCHIN FIRST NATION GENERAL ASSEMBLY**

1. There shall be a General Assembly composed of the citizens of the Vuntut Gwitchin First Nation.
2.
  - a) A meeting of the General Assembly shall be held annually during the month of August, and additional meetings of the General Assembly may be held at the call of the Council at any other time.

- b) Any citizen of the General Assembly may speak in the traditional language of the Vuntut Gwitchin and, where possible, translation may be made available.
  - c) A notice of a meeting of the General Assembly with the proposed agenda shall be posted throughout the community of Old Crow and such notice shall be given no less than two weeks before the meeting. Notice of any meeting of the General Assembly shall be given through print and the electronic media and such notice shall allow sufficient time to make arrangements to permit the members to be present.
  - d) The quorum for a General Assembly shall be 25 members present and eligible to vote in the General Assembly.
  - e) Agreement by consensus at all meetings of the General Assembly will be encouraged and in cases where general agreement cannot be reached the majority vote of those eligible members present shall be required for the approval of motions.
  - f) Only members who are sixteen years of age or older may vote in meeting of the General Assembly.
3. The powers, duties and responsibilities of the General Assembly shall include:
- a) consideration and approval of reports including financial reports received from the Council;
  - b) consideration and approval of reports from the Court and Elders Council;
  - c) determining general policy guidelines and directions for the Vuntut Gwitchin First Nation and Council for the forthcoming year; and
  - d) amending this Constitution.
4. The General Assembly has exclusive jurisdiction to hear and determine disputes and to make findings and decisions respecting the interpretation and application of this Constitution.

#### **ARTICLE VII - ELDERS COUNCIL**

- 1. There shall be an Elders Council comprised of all Vuntut Gwitchin First Nation members who are 60 years of age or older.
- 2. The Elders Council shall advise the Council on all matters and may administer

such Vuntut Gwitchin First Nation programs and services for elders as the Council may approve.

3. The Elders Council shall assist in the determination of First Nation membership as provided for in the Vuntut Gwitchin First Nation Citizenship Code.
4. The Elders Council shall appoint the Elder's representative to the Review Council.
5. The Elders Council shall determine their own rules and procedures for the conduct of their business.

### **ARTICLE VIII -COUNCIL COMPOSITION**

1. There shall be a Council elected by the eligible voters of the Vuntut Gwitchin pursuant to the Election Rules and Regulations appended to this Constitution.
2. The Council shall consist of one Chief and four Councillors.
3. In the event that the required number of nominees have not been nominated to fill all the positions on the Council, the Elders shall recommend suitable candidates to the community at large in a duly called public meeting. All recommended candidates shall be consulted prior to nomination and the membership at large in Old Crow must, by consensus, approve the recommendations prior to the affirmation of the recommended candidate under this process.
4. The quorum of the Council shall be three members, including the Chief (or in the absence of the Chief, the Deputy Chief) acting in consultation with the other members, to the extent that is practical.
5. The terms of office for the Chief and four Councilors shall be four years, commencing on the 2<sup>nd</sup> Wednesday of January immediately following their election. For greater certainty, the Chief and Councilors holding office on the day of the election remain in office until the 2<sup>nd</sup> Wednesday of January.
6. The Council shall determine their own rules and procedures for the conduct of their business. The Council shall make all decisions by consensus. In the event a consensus cannot be reached by the Council, the Council shall make the decision by majority vote.
7. The Council shall hold regular public meetings and shall hold special meetings at the call of the Chief or upon written request signed by three or more of its Councillors.

## **ARTICLE IX - COUNCIL DUTIES AND POWERS**

1. The Council shall have and may exercise all the legal capacity, rights powers and privileges of the Vuntut Gwitchin First Nation as a legal entity and in accordance with this Constitution may authorize the doing of such things as it may deem conducive to the exercise of such rights, powers and privileges in the best interests of the Vuntut Gwitchin First Nation.
2. The Council may enact such laws as it deems conducive to the general welfare and good government of the Vuntut Gwitchin First Nation. All laws enacted by the Council shall be consistent with the objects of this Constitution and the policy established from time to time by the General Assembly. The Council shall establish, by law, after not less than 30 days written notice in advance, a general procedure for the enactment of laws.
3. Without limiting the foregoing, the duties and powers of the Council also shall include:
  - a) implementing the direction of the General Assembly and adhering to its general policies;
  - b) setting clear policies and guidelines and ensuring good management and reporting in all aspects of the Vuntut Gwitchin First Nation Government within the jurisdiction of the Council;
  - c) enacting land use codes pertaining to Settlement Lands and other lands under the ownership or jurisdiction of the Vuntut Gwitchin First Nation;
  - d) establishing a system of laws according to the traditions, needs and ideals of the Vuntut Gwitchin First Nation and in accord with the objectives of this Constitution;
  - e) exercising all jurisdiction, power and authority of the Vuntut Gwitchin First Nation and fulfilling any duties of the Vuntut Gwitchin First Nation pursuant to the Vuntut Gwitchin First Nation Final Agreement and the Vuntut Gwitchin Self-Government Agreement;
  - f) as they deem advisable, establishing any trust for the benefit of the Vuntut Gwitchin First Nation, constituting any persons as trustees thereof and vesting therein any property of the Vuntut Gwitchin First Nation;
  - g) exercising such powers and doing such things as may be necessary to fulfill the objects of this Constitution; and
  - h) exercising such other powers as may be incidental to the exercise of their



powers or the performance of their duties under this Constitution, the Vuntut Gwitchin First Nation Final Agreement or the Vuntut Gwitchin First Nation Self-Government Agreement.

4. It is not lawful for the Council to adopt or pass any law, vote or resolution approving the expenditure of any money for any purpose that has not been first recommended to the Council in a budget presented to the Council by the Management Committee no less than 30 days prior to the day on which the vote or resolution is proposed.
5. The Council shall by law establish a Management Committee to perform the following functions of the Vuntut Gwitchin Government:
  - (a) forecast the financial needs and affairs of the government;
  - (b) prepare in advance an annual budget for the government based on those forecasts;
  - (c) present the budget to Council for approval or rejection prior to the beginning of the fiscal year for which the budget has been prepared;
  - (d) ensure that the government's expenditures and other financial transactions remain within the budget approved by the Council.
6. The Management Committee shall consist of the Chief, one other member of the Council, and at least 2 of the most senior employees of the Vuntut Gwitchin Government appointed by resolution of the Council in accordance with any applicable legislation.

#### **ARTICLE X - CHIEF AND DEPUTY CHIEF**

1. The Chief of the Vuntut Gwitchin First Nation shall be the general spokesperson for the Vuntut Gwitchin First Nation and, subject to any law of the Vuntut Gwitchin First Nation, the chief executive in its government.
2. The Deputy Chief, who is appointed from the four Councillors shall perform such duties of the Chief or exercise such powers as the Chief, with the concurrence of the Council, may delegate to the Deputy Chief; and in the absence or incapacity of the Chief, the Deputy Chief shall, under the direction of the Council, perform all the duties and exercise all the powers of the Chief.
3. The Chief shall hold no other office except as provided in this Constitution.

4. The Chief shall be the presiding officer of the Council and the General Assembly.
5. The Chief shall have the power, in accordance with Constitution and any law and subject to the approval of the Council to:
  - a) establish committees of the Council and to appoint the members to subcommittees;
  - b) ensure that resolutions approved and laws enacted by the Council are implemented and enforced;
  - c) make recommendations to the General Assembly or to the Council and to make periodic reports of the state of the Vuntut Gwitchin; and
  - d) exercise such additional powers as may be authorized by Vuntut Gwitchin First Nation Law.

#### **ARTICLE XI - TERMS OF OFFICE AND QUALIFICATIONS**

1. Any Vuntut Gwitchin First Nation member over the age of 18 years may be nominated and elected to the position of Chief or Councilor if they are eligible to vote in the election and have not been convicted of an indictable offence in the last 5 years and are resident on settlement land.
2. The Elders shall appoint the Deputy Chief from the four elected Councillors, on the recommendation of the Chief.
3. A person who is an employee of the Vuntut Gwitchin Government is not eligible to be a member of the Council. A member of the Council other than the Chief shall perform only legislative functions, and shall not perform or be paid for performing any executive functions in or for the Vuntut Gwitchin Government. This section does not affect
  - (a) the power of the Chief under Article X; or
  - (b) the power of the Deputy Chief to act for the Chief under section 2 of Article X and to be paid for doing so.

#### **ARTICLE XII - VACANCIES AND REMOVAL FROM OFFICE**

1. Any elected officer of the Vuntut Gwitchin Council who, during the term, during which he or she is elected, is convicted of an offense by way of proceedings of an indictment, shall automatically be suspended from his or her office pending a determination by the a Review Council consisting 2 representatives from the Council, 2 from the Elders Council, 2 from the Youth Council and 2 from the Community at large within forty-five (45) days after the conviction whether that office shall be forfeited. The Review Council may permit such a person to continue in office subject to such terms and conditions as the Review Council may deem appropriate. Any officer found guilty in any Court, of an offense reflecting upon the dignity and integrity of the Council shall be removed from office by the Review Council. Before any removal from office is taken, by the Review Council, such member or officer shall be given a written statement of charges against him or her at least thirty (30) days before the meeting of the Review Council at which time he or she is to appear and he or she shall be given an opportunity to answer any and all charges at the designated Review Council meeting. The decision of the Review Council shall be final and such council member or official shall not be eligible to be returned to office for at least six years following the action.
2. If a member of the Council fails to attend three consecutive regular meetings of the Council, he or she shall automatically cease to be a member of the Council, provided that such absence may be excused by the Council if caused by illness or other reason satisfactory to the Council.
3. Any member of the Council or officer of the Council may resign his or her office by tendering a written resignation to the Council. Upon receipt thereof it shall become effective.
4. Subject to Article VII, paragraph 3, vacancies in the membership of the Council or in the offices of the Council, shall be filled by the Review Council.

### **ARTICLE XIII -VUNTUT GWITCHIN FIRST NATION COURT**

1. There shall be a Vuntut Gwitchin First Nation Court whose membership and organization shall be established by Vuntut Gwitchin Law.
2. The Court shall have power to hear and decide all cases of alleged violation of Vuntut Gwitchin Laws and to impose such penalties as are provided by law.
3. The Court shall establish its own rules and procedures and administer their own affairs.
4. The Court shall have such additional duties and powers as may be provided under

or by virtue of Vuntut Gwitchin First Nation law, the Vuntut Gwitchin Final Agreement or the Vuntut Gwitchin Self-Government Agreement.

5. The Court may establish and administer a system of legal aid and general legal counselling for persons coming before the Court.

#### **ARTICLE XIV - VUNTUT GWITCHIN LANDS**

1. In this Article “Vuntut Gwitchin Lands” means, Vuntut Gwitchin First Nation Settlement Land pursuant to the Vuntut Gwitchin First Nation Final Agreement.
2. Vuntut Gwitchin Lands shall not be sold.
3. In the leasing of Vuntut Gwitchin Lands, first preference shall be given to citizens or an association of citizens.
4. The Council, after not less than thirty (30) days notice posted throughout the community of Old Crow, may:
  - a) issue a permit or license for the use of Vuntut Gwitchin Lands not exceeding two hectares in total interest to any person for a period not exceeding thirty (30) years; and
  - b) with the consent of the Council, grant a lease of Vuntut Gwitchin Lands not exceeding two hectares in total interest to any citizen for non-commercial purposes for a period not exceeding thirty (30) years.
5. Any permit, license or lease other than as provided for in paragraph 4 of this Article may be issued or granted by the Council first giving at least sixty (60) days written notice of the proposal, which notice shall be posted throughout the community of Old Crow and there being a public meeting held at a reasonable time during that notice period, at which meeting all information and advice relevant to the decisions to be made is disclosed and the members present are consulted as to that decision.
6. Any approved leases herein must be approved by the Council.

#### **ARTICLE XV - AUDIT OF ACCOUNTS**

1. The books, accounts and records of the Vuntut Gwitchin First Nation shall be audited at least once a year by a Chartered Accountant and the report thereof shall be submitted to the General Assembly at the annual meeting for its approval.

2. The financial records of the Vuntut Gwitchin First Nation may be inspected by any citizen at any time during office hours of the Council, by any citizen during any General Assembly or at any other time upon giving reasonable notice and arranging a time satisfactory to the Council, provided that no person shall be entitled to make copies of such records or to remove such records from the office of the Council or to publicize the contents to any person who does not have an interest therein as a member or on behalf of the Council.
3. The fiscal year of the council shall end on March 31 of each year.

#### **ARTICLE XVI - THE SEAL**

1. The Council shall have a seal, which shall remain with the Chief or his or her agents and shall be affixed to all documents required to be in writing under the seal.

#### **ARTICLE XVII - AMENDMENTS TO CONSTITUTION**

1. The Constitution of the First Nation may be amended at any meeting of the General Assembly provided that:
  - a) written notice of the proposed amendment is given by the Council to all citizens eligible to vote at a General Assembly at least fourteen (14) days before the meeting of the General Assembly at which the amendment is to be considered;
  - b) the quorum for the General Assembly is present at the time the amendment is considered for debate and decision; and
  - c) the amendment is approved by the affirmative vote of three-quarters of the citizens then present at the meeting of the General Assembly and eligible to vote;

#### **ARTICLE XVIII - TRANSITION**

1. This Constitution shall be the sole Constitution of the Vuntut Gwitchin First Nation.
2. Any and all laws, ordinances, resolution and agreements enacted or entered into by the Vuntut Gwitchin First Nation shall remain valid to the extent that they are consistent with this Constitution.
3. The Council shall be constituted and its members shall take office in accordance AS LAST AMENDED 23 September, 2006

with the provisions of this Constitution within one year of the ratification of this Constitution.

4. Until the members of the Council shall take office in accordance with this Constitution, the Old Crow Band Council shall have all the powers and duties of the Council.

## **ARTICLE XIX - RATIFICATION OF THIS CONSTITUTION**

1. This Constitution shall come into force as provided in the Settlement Agreements or Self-Government Agreements and when approved by a majority of the members of the Vuntut Gwitchin First Nation present and voting when assembled for the purpose by the Vuntut Gwitchin First Nation.
2. The official copy of this Constitution as approved at such assembly may be signed at the assembly by members of the Vuntut Gwitchin First Nation and shall thereafter be safeguarded as provided by the Council.

## **CONSTITUTION OF THE VUNTUT GWITCHIN FIRST NATION**

### **APPENDIX I**

#### **Election Rules and Regulations**

1. Voting shall be pursuant to the principles of the Constitution.
2. Voting shall be by secret ballot.
3. Voting for Council shall be the third Monday in November.
4. There shall be a polling station in Old Crow and a polling station in Whitehorse

and in such other locations as the returning officer may decide.

5. There shall be at least two weeks notice of the voting date. Notice shall be posted in Old Crow and in Whitehorse and shall be broadcast by radio.
6. The voting and election procedure shall be conducted by a returning officer. The returning officer shall be Vuntut Gwitchin and shall be appointed by the Council.
7. All persons who are Vuntut Gwitchin First Nation citizens are eligible to vote in an election if they are Yukon residents and sixteen years of age or older.
8. There may be an advance poll at the discretion of the returning officer, subject to any law of the Vuntut Gwitchin First Nation.
9. There may be voting by mail at the discretion of the returning officer, subject to any law of the Vuntut Gwitchin First Nation.

## **CONSTITUTION OF THE VUNTUT GWITCHIN FIRST NATION**

### **APPENDIX II**

#### **CITIZENSHIP CODE**

#### **VUNTUT GWICHIN FIRST NATION**

##### **PREAMBLE**

Whereas the ancestors of the Vuntut Gwitchin First Nation have occupied the lands

known as the northern portions of the Yukon Territory since time immemorial;

Whereas the Vuntut Gwitchin First Nation considers the control of its citizenship to be its fundamental duty and responsibility;

Whereas the Citizenship Code is a fundamental part of the Constitution of the Vuntut Gwitchin First Nation; and

Whereas the Vuntut Gwitchin First Nation has negotiated with the Government of Canada and the Government of Yukon a Vuntut Gwitchin First Nation Final Agreement and Self-Government Agreement.

## **DEFINITIONS**

“Council” means the Council of the Vuntut Gwitchin First Nation as chosen through its Constitution.

“Elder” means a citizen who is sixty years of age or more and resides in the Traditional Territory of the Vuntut Gwitchin First Nation.

“First Nation” means the Vuntut Gwitchin First Nation.

“First Nation Citizenship List” means the list of citizens, which is maintained by the Vuntut Gwitchin First Nation.

“First Nation Citizen” or “citizen” means a person whose name is on the First Nation Citizenship List.

“Child” means a child born in or out of wedlock, a legally adopted child and a child adopted in accordance with the accepted custom or the Vuntut Gwitchin First Nation.

“Elector” means a person who is registered on the First Nation Citizenship List and who is sixteen years of age or older and who is not disqualified from voting on First Nation matters.

“Registrar” means the officer of the First Nation who is responsible for maintaining the First Nation Citizenship List.

## **FIRST NATION CITIZENSHIP ENROLLMENT**

A person shall be eligible to be a registered First Nation citizen if that person is alive, and

- a) his or her name appears on the First Nation List as of June 20, 1987; or,



- b) is 25% or more Indian blood and was ordinarily resident in the Old Crow traditional area prior to June 20, 1987;
- c) deemed by the Council and Elders Council to be eligible for registration;
- d) is a legitimate or illegitimate lineal descendant of a person who meets or would have met the criteria contained in section 3(1)(a), 3(1)(b), or 3(1)(c); or,
- e) is an adopted child of an eligible person.

### **EXCLUSIONS**

The following persons shall not be eligible to be registered as a citizen:

- a) a person who is registered in another First Nation or Indian band; and
- b) a non-Indian woman who was entitled to be registered by the former Old Crow Indian Band and who has remarried a non-citizen.

### **FIRST NATION ENROLLMENT COMMITTEE**

A First Nation Enrollment Committee shall be established and shall be composed of two members of the Council or their duly appointed representative and three members of the Elders Council who shall have the following responsibilities:

- a) publicizing and providing information in respect of the eligibility process to potential First Nation citizens;
- b) receiving completed applications for enrollment;
- c) approving and certifying eligible applicants and forwarding the same to the First Nation Registrar;
- d) forwarding the names of applicants who have been refused certification together with all relevant information and documentation to the First Nation Registrar; and
- e) determining whether or not a child has been adopted pursuant to First Nation customs.

## ENROLLMENT APPEAL BOARD

- a) An Enrollment Appeal Board shall be appointed by the Council and shall consist of four persons, all citizens, none of whom shall concurrently sit on the Committee.
- b) The Enrollment Appeal Board shall hear any appeals from the decisions of the Enrollment Committee.
- c) An appeal must be written and contain a brief statement of the grounds of the appeal.
- d) An appeal may be made by the Council, any member, or the person in respect of whose name the protest is made or his or her representative.
- e) The Enrollment Appeal Board shall have the authority to affirm, vary, rescind or refer the subject matter back to the Enrollment Committee for reconsideration or further investigation.
- f) The decision of the Enrollment Appeal Board shall be final.

## WITHDRAWAL AND TERMINATION

- a) Any member may withdraw his or her citizenship upon written application to the Enrollment Committee.
- b) The Elders Council may terminate the citizenship of any person whom it deems is acting in a manner detrimental to the objectives of the Constitution. The termination shall be for such period of time as is permitted by the Constitution.

## FIRST NATION REGISTRAR

The Council shall appoint a person to act as the Registrar who shall have the following responsibilities:

- a) notifying each applicant of the results of the findings and determination of the First Nation Enrollment Committee; and,
- b) maintaining an up-to-date First Nation Citizenship List.

## AMENDMENT

AS LAST AMENDED 23 September, 2006

The Citizenship Code of the First Nation may be amended through an extraordinary resolution of the First Nation at a Special General Assembly or at Annual General Assembly of the First Nation.

**EFFECTIVE DATE**

This Citizenship Code will become effective on the effective date of the Vuntut Gwitchin First Nation Final Agreement and the Vuntut Gwitchin First Nation Self-Government Agreement.