

~~THE CHIPPEWAS OF GEORGINA ISLAND FIRST NATION~~  
~~MEMBERSHIP CODE~~

~~In this Code,~~

- (1) "Aboriginal" has the same meaning as in the Constitution Act, 1982 and its amendments, section 35(2);
- (2) "Chief and Council" means the duly elected council chosen according to the election regulations of the Chippewas of Georgina Island First Nation;
- (3) "Child" includes a child born of aboriginal ancestry who was adopted pursuant to an order for adoption made pursuant to the Child and Family Services Act, S.O., 1984 or according to the custom of The Chippewas of Georgina Island First Nation;
- (4) "Chippewas of Georgina Island First Nation Membership Register" is a comprehensive list containing the name, date of birth and sex of every member of the Chippewas of Georgina Island First Nation;
- (5) "First Nation" means the geographical area and populace over which the Chief and Council have authority;
- (6) "Inactive register" is a comprehensive list containing the name, date of birth and sex of every person applying for membership to the Chippewas of Georgina Island First Nation or any person whose inclusion is under protest under the provisions of the Indian Act;

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- (7) "Indian Act" means the Indian Act, R.S.C. 1970, c. 1-6, as amended from time to time.
- (8) "Member" means a person whose name is included in the membership register;
- (9) "Membership Committee" means a committee of persons appointed by the Chief and Council to act in an advisory capacity and to make recommendations to the Chief and Council.
- (10) "Non-member" means a person whose name is not included on a membership register and is not entitled to have his or her name on a membership register;
- (11) "Persons who possess at least one-half ( $\frac{1}{2}$ ) degree Indian blood" means a person one of whose parents is, or if no longer living, was entitled to be registered under the Indian Act, as amended.
- (12) "Sponsor" means a person who is on the membership register and is eighteen (18) years of age or older;
- (13) "Spouse of a Member" means either a man or a woman who is married to a member or has resided with a member as husband and wife in a relationship of some permanence that exceeds two (2) years.

2. Powers

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- (1) The Chippewas of Georgina Island First Nation hereby authorize and delegate to the Chief and Council the authority to administer membership under the provisions of this Code;
  
- (2) The Chief and Council shall perform any or all of the duties and functions and exercise any or all of the powers under this Code, including,
  - (a) The maintenance in accordance with the Code of a Membership register in which shall be entered the name of every person who is a member of the Chippewas of Georgina Island First Nation,
  
  - (b) The receiving and reviewing of applications for membership, and
  
  - (c) The Chief and Council may appoint any persons including a Registrar to assist the Chief and Council in the administration, performance and exercise of its duties, powers and functions that may be or are required to be performed or exercised by the Chief and Council under this Code.
  
- (3) The Chief and Council may appoint persons to act as a Membership Committee in an advisory capacity and make recommendations to the

Chief and Council in respect of Section 2(2).

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3 - Persons Entitled to Membership

Membership in the Chippewas of Georgina Island First Nations shall consist of the following persons:

- (1) Any person who is entitled to be registered as an Indian under the Indian Act and whose name appears and is entitled to appear on the Band list maintained in the Department of Indian Affairs under the Indian Act immediately prior to this Code having effect except for any person whose inclusion is under protest or is successfully protested under the provisions of the said Act; and
- (2) Any person who is entitled to be registered as an Indian under the Indian Act and who is the child of a parent whose name is, or the child of parents both of whose names are, on the Band List maintained in the Department of Indian Affairs immediately prior to this Code having effect.

4. Persons Entitled to Make Application for Membership

The following persons who are entitled to be registered as an Indian under the Indian Act may apply for membership in the Chippewas of Georgina Island First Nation:

- (1) Persons, their spouses and children, who possess at least one-half (1/2) degree Indian blood and who originally ceased to be a member of the Chippewas of Georgina Island Indian Band by reason of their having previously lost membership because of their enfranchisement under the provisions of the Indian Act.
  
- (2) Persons who possess at least one-half (1/2) degree Indian blood and have reached the age of eighteen (18) years and, in the judgment of the Chief and Council, have a significant commitment to, and knowledge of, the history, customs, traditions and culture of the Chippewas of Georgina Island First Nation.

#### 5. Administration

- (1) The name of every person who is a member of the Chippewas of Georgina Island First Nation and is entitled to be registered shall be entered in the Membership Register, and the name of every applicant and the name of every person whose inclusion is under protest under the provisions of the Indian Act shall be registered in the Inactive Register.
  
- (2) Applicants shall state in the application the person who will sponsor the applicant. The sponsor shall be a member of the Chippewas of Georgina Island and shall be able to speak about the applicant's connection with the Chippewas of Georgina Island First Nation or their commitment to, and knowledge of, the history, customs, traditions and culture of the Chippewas of Georgina Island First Nation.

(3) Those persons whose application is under appeal pursuant to Section 6, whose inclusion is under protest under the provisions of the Indian Act, and applicants under Section 4 shall be listed on an Inactive Register that will be posted in a public place for sixty (60) days.

(4) The Membership Committee shall recommend the acceptance or rejection of any application for Membership to the Chief and Council. The Chief and Council shall meet four times per year to accept or reject the application for membership. Applications for membership may be accepted only upon a three quarter (3/4) majority of the Chief and Council. The Chief and Council shall provide written reasons for the decision if it does not act upon the recommendation of the Membership Committee

(5) At least thirty (30) days subsequent to the Chief and Council granting full membership or on receiving full membership after an appeal or protest, the new members shall swear an oath of allegiance to the Chippewas of Georgina Island First Nation, its laws and customs, at a time and place called by the Chief and Council for this purpose at which time the sponsor will be required to accompany the new member.

#### 6. Appeals for Membership

(1) Any member may appeal any application to the membership register or any applicant may appeal the denial of membership within thirty

(30) days of the determination of the Chief and Council and  
require that a special meeting of the membership shall be called  
to finally decide whether the application should be accepted or  
rejected. If a majority of the electors present at the meeting  
vote in favour of acceptance the application shall be accepted.  
Otherwise, it will be rejected.

7. Renouncement of Membership

- (1) A member may renounce his or her membership in the Chippewas of Georgina Island First Nation by submitting a written statement to the Chief and Council requesting that his or her name be stricken from the Membership Register on a date specified by the member.
- (2) The member renouncing his or her membership may not make claim to any funds of the Chippewas of Georgina Island First Nation.
- (3) A member under the age of eighteen (18) years may not renounce his or her membership.
- (4) The member who has renounced his or her membership will be required to sell at fair market value, or transfer, his or her real property interests situated on the Georgina Island reserve to a family member, to the Chippewas of Georgina Island First Nation or to another member.

- (5) Once the renouncement of membership has been accepted by the Chief and Council, that person may never re-apply for membership in the Chippewas of Georgina Island First Nation.
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- (6) No application shall be considered of a member of another band or First Nation unless the applicant agrees to renounce such membership upon admission to the Chippewas of Georgina Island First Nation and such admission shall be conditional upon such renunciation.

8. Persons Not Entitled to be Members

- (1) A person, having no Indian blood, who became a member of the Chippewas of Georgina Island First Nation on marriage to a member of the Georgina Island First Nation, in the event of divorce and upon a subsequent marriage to a non-member, or in the event of separation or divorce has resided with a non-member as husband and wife in a relationship of some permanence that exceeds two (2) years, after the date of this Code coming into effect shall cease to be a member of the Chippewas of Georgina Island First Nation.
- (2) A person who is the child of a person described in Section 8(1) immediately above and is also the child of a person who is not entitled to be a member shall not be entitled to be registered.



9. Rules and Regulations

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The Chief and Council may make rules and regulations not inconsistent with this Code to carry out the purposes and provisions of this Code.

10. Coming into Effect of the Code

This Code shall have effect from the day on which the Chief and Council give notice to the Minister of Indian Affairs pursuant to subsection 10 (6) of the Indian Act that the Chippewas of Georgina Island First Nation is assuming control of its own membership and provide the Minister with a copy of this Code.

11. Amendments to the Code

This Code may only be amended with the consent of a majority of the members of the Chippewas of Georgina Island First Nation who are of the full age of eighteen (18) years.

CONSENTED TO by a majority of the members of the Chippewas of Georgina Island First Nation who are of the full age of eighteen (18) years this                    day of                    , 1986.