

SQUAMISH NATION

MEMBERSHIP CODE

We, the people of the Squamish Nation, recognizing our inherent right to govern ourselves within our traditional territories, and in order that we may survive as a distinct people within Canada in a manner consistent with our heritage, our culture and our values, do hereby proclaim the Squamish Nation Membership Code.

DEFINITIONS

“Adopted” means to take into one’s family the Indian Child of another by legally prescribed channels or in accordance with Indian custom.

“Band List” means a list of members that is maintained by the Squamish Nation.

“Band Registrar” means the officer of the Squamish Nation who maintains the Band list.

“Indian” means a person who, pursuant to the **Indian Act**, is registered as an Indian or is entitled to be registered as an Indian.

“Indian Child” includes a child of Indian descent adopted by the traditional laws and customs of the Squamish Nation and a child of Indian descent adopted by the laws of the Province, and a child born in or out of wedlock.

“Married” means:

- (a) Married by the traditional laws and customs of the Squamish Nation, or
- (b) Married in accordance with the laws of a Province or other jurisdiction.

“Member” means the Squamish Indian Band as defined by Section 2(1) of the **Indian Act**.

BAND LIST

1. The membership of the Squamish Nation shall consist of those persons whose names are, from time to time, then registered on the band list maintained by the Band Registrar.

MEMBERSHIP

2. Subject to sections 9, 10 and 11, the following persons are entitled to membership in the Squamish Nation:
 - (a) any person entered on or entitled to be entered on the Band List of the Squamish Nation immediately prior to the coming into effect of this code,
 - (b) any person whose name has been entered on the Band List or who is entitled to have their name entered on the Band List immediately prior to the establishment of this Membership Code by virtue of the amendments to the **Indian Act** given Royal Assent on June 28th, 1985, or
 - (c) any person with at least 50 per cent Squamish blood and one of whose natural parents is or, if no longer living, was at the time of death a natural born member of the Squamish Nation.
3.
 - (a) For the purposes of this Code, any person who acquires membership by marriage or adoption, or so acquired membership prior to the coming into force of this Code, shall be deemed not to be a natural born member of the Squamish Nation.
 - (b) Any person whose name is entered on the Band List other than a person identified in sub-section (a) shall be deemed to be a natural born member of the Squamish Nation.
4. For the purposes of this Code, all natural born members identified on the Band List on the day this Code comes into effect shall be deemed to possess 100 percent Squamish Blood.

5. For the purposes of this Code, any child born to one natural born Member of the Squamish Nation and a natural born member of another Indian Band shall be deemed to possess 100 percent Squamish Blood.
6. The following persons may apply for and acquire membership in the Squamish Nation:
 - (a) any Indian child under the age of 18 who has been adopted by parents, both of whom are members of the Squamish Nation, and
 - (b) any female person who is a member of another Indian Band or whose name appears on the Indian Register, except a female person who previously acquired Indian status by marriage, and is married to a natural born member of the Squamish Nation, and
 - (c) any person who is a member of another Indian Band, and who previously was a natural born member of the Squamish Nation, and is divorced or widowed.
7. No application shall be considered by a member of another Band unless the applicant agrees to relinquish such membership upon admission to the Squamish Nation and such admission shall be conditional upon such relinquishment.
8. A non-Indian child who is adopted by a Member of the Squamish Nation is not eligible for membership in the Squamish Nation.

CEASING TO BE A MEMBER

9. Notwithstanding anything to the contrary contained in section 2, no person may be a Member of the Squamish Nation at the same time he or she is a member of another Band and a person ceases to be a member of the Squamish Nation if he or she voluntarily becomes a member of another Band immediately upon becoming a member of that other Band.
10. A person ceases to be a Member of the Squamish Nation if he or she gives notarized notice in writing to the Band Registrar that he or she does not wish to be a Member of the Squamish Nation.

11. A person who has become an Indian solely by reason of that person's marriage to an Indian ceases to be a Member of the Squamish Nation immediately upon becoming divorced from the person from whom Indian status was acquired.
12. The Band Registrar shall delete from the Band List those persons who have ceased to be entitled to be Members of the Band pursuant to sections 9,10 or 11, upon becoming aware of such disentitlement.

ADMINISTRATION OF BAND LIST

13. The position of Band Registrar shall be created within the Band administration and the Band Registrar shall report to the Band Council.
14. All applications for a person to be registered on the Band List shall be made to the Band Registrar by the applicant on such application form as is approved as to form and content by Band Council.
15. The Band Registrar shall be responsible for maintaining the Band List, including:
 - (a) receiving applications for membership in the Squamish Nation,
 - (b) considering such applications,
 - (c) adding, refusing to add or deleting names from the Band List in accordance with the provisions of this Membership Code within 21 days of receiving the application,
 - (d) notifying applicants of decisions made pursuant to their application, together with reasons for the decision,
 - (e) notifying applicants of their right to appeal any decision of the Band Registrar,
 - (f) notifying the Membership Committee of all decisions made pursuant to applications,

- (g) ensuring that copies of Notices of Appeal are provided to the chairman of the Membership Committee,
- (h) providing such assistance to the Membership Committee and the Band Council as may be requested from time to time, and
- (i) displaying at the Band office during office hours, notices of decisions and Notices of Appeal.

APPEALS

- 16. A Membership Committee shall be established consisting of three elders and four additional Band Members.
- 17. Members of the Membership Committee will be selected by the Band Council.
- 18. Members of the Membership Committee will hold office for a term of three years.
- 19. An appeal of the Band Registrar's decision made under section 11 may be commenced by the applicant, or any other Member of the Squamish Nation, within three months of the notice of the decision being provided.
- 20. No member of the Membership Committee shall participate in any proceeding where that member's participation would constitute a conflict of interest.
- 21. An appeal shall be made to the Membership Committee by leaving a copy of the Notice of Appeal with the Band Registrar and the Notice of Appeal shall be displayed by the Band Registrar in the band office for at least 30 days prior to the hearing of the appeal.
- 22. The Membership Committee shall review the decision of the Band Registrar together with all materials provided to the Band Registrar and any further material submitted by the appellant.
- 23. The Membership Committee may also consider such other material as it, in its discretion, considers to be relevant and, in particular, it may rely upon its own judgement as to what is in the best interest of the Squamish Nation.

- 24 . Upon completion of its review, the Membership Committee shall render a decision either upholding the decision of the Band Registrar, ordering the Band Registrar to add or remove a name or names from the Band List, or making any other order that the committee deems appropriate.
- 25 . The decision of a majority of the Membership Committee is final and conclusive.
- 26 . The Band Registrar shall immediately notify in writing the appellant of the decision of the Membership Committee and shall display a copy of the decision in the Band office for a period of 30 days.

AMENDMENTS TO THE CODE

- 27 . The membership rules and Code may only be amended with the consent of a majority of the Members of the Squamish Nation who are of the full age of 18 years.
- 28 This Code shall be amended in accordance with the procedures set out in section 10 of the **Indian Act**.