

SCHEDULE I
TA'AN KWACH'AN COUNCIL CITIZENSHIP CODE

1.0 Definitions

1.1 In this Citizenship Code,

“Citizenship List” means the list of citizens which is maintained by the Enrollment Coordinator,

“Citizenship Committee” means the committee established pursuant to section 5.0 of this Citizenship Code;

“Enrollment Coordinator” means the officer designated by the Ta’an Kwach’an Council pursuant to section 4.0 as responsible for maintaining the Citizenship List;

2.0 Citizenship

2.1 A person is entitled to be enrolled on the Citizenship List provided that the person:

- is enrolled or eligible to be enrolled as a Yukon Indian Person pursuant to the Ta’an Kwach’an Council Final Agreement; or
- has Ta’an Kwach’an ancestry.

2.2 A person who does not have Ta’an Kwach’an ancestry may become a Citizen if:

- has a special relationship with the Ta’an Kwach’an Council;
- his application for Ta’an Kwach’an citizenship is sponsored by a Citizen; and
- is accepted by the Citizenship Committee.

2.3 Each Citizen who is not a member of a Traditional Family shall be adopted by a Traditional Family and be represented by that Traditional Family’s representative on the Board.

3.0 Loss of Citizenship

3.1 A person ceases to be a Citizen and his name shall be removed from the Citizenship List when the following occurs:

- A person, who is at least sixteen years of age, provides written notice to the Citizenship Committee renouncing his Ta'an Kwach'an citizenship;
- A person becomes a member or citizen of another First Nation; or
- The Citizenship Committee determines, after appropriate notice to the affected person and consideration of all relevant information and documentation, that a person was enrolled on erroneous or fraudulent grounds and would not have otherwise qualified as a citizen. Such a person shall be deemed to never have been a Citizen.

3.2 Upon receiving such notification or making such a decision, the Citizenship Committee shall notify the Enrollment Coordinator to remove the name of such person from the Citizenship List.

3.3 A Citizen does not lose his citizenship as a result of an adoption by law or custom by a person who is not a Citizen.

4.0 Enrollment Coordinator

4.1 The Enrollment Coordinator shall be appointed by the Board.

4.2 The Enrollment Coordinator shall:

- maintain the Citizenship List;
- receive and acknowledge receipt of applications from persons applying for Ta'an Kwach'an citizenship;
- ensure that the applicant provides all necessary information and documentation before forwarding such application to the Citizenship Committee;
- notify each applicant of the decision of the Citizenship Committee;

- advise the applicant in writing of the appeal process if his application is not approved by the Citizenship Committee; and
- place the name of the applicant on the Citizenship List if his application is approved by the Citizenship Committee.

4.3 All information and documentation received by the Enrollment Coordinator for the purposes of applying for Ta'an Kwach'an citizenship shall be treated as confidential and may not be released publicly without the written consent of the applicant.

4.4 The Citizenship List shall set out the name, birthdate and address of each Citizen. A copy of the Citizenship List which only lists the names of the Citizens may be posted publicly.

5.0 Citizenship Committee

5.1 There shall be a Citizenship Committee composed of six Citizens appointed by the Board. The term of the members of the Citizenship Committee shall be two years except for the initial appointments for which there shall be three members appointed for one year and three persons appointed for three years.

5.2 The Citizenship Committee shall:

- provide fair and confidential hearings of applications for Ta'an Kwach'an citizenship;
- publicize and provide information in respect of the eligibility process and requirements;
- review and determine applications within three months of receiving the application and notifying the Enrollment Coordinator in writing of its decisions;
- record all the minutes and motions and filing such with the Enrollment Coordinator; and
- provide written reasons to any applicant whose application is not approved.

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

5.4 The Citizenship Committee may seek the advice of the Elders Council on any issue.

6.0 Judicial Council

6.1 The Judicial Council shall consider any appeal made by an applicant, or his representative, by any Citizen or by the Board of a decision of the Citizenship Committee within one year of the date of the decision.

6.2 An appeal must be made in writing to the Judicial Council and contain a statement of the grounds of the appeal. Within 90 days of receipt of an appeal, the Judicial Council shall make a decision.

6.3 The Judicial Council shall have the authority to uphold, vary or rescind any decision of the Citizenship Committee or refer the matter back to the Citizenship Committee for reconsideration.

6.4 A decision of the Judicial Council shall be final.

7.0 Transition

7.1 Nothing in this Citizenship Code shall limit or effect the jurisdiction, power or authority of the Yukon Enrollment Commission or the Ta'an Kwach'an Council Enrollment committee established pursuant to the Yukon First Nations Land Claims Settlement Act (Canada).

7.2 Any other citizenship or membership code which has been previously adopted by the Ta'an Kwach'an Council is hereby revoked and is null and void.