

April 13, 2015

**Draft Language for NND Citizenship Code**

Note: Numbering will have to be fixed to conform to rest of Constitution

New Definitions for **Part II** (may be others)

*“Nacho Nyak Dun Beneficiary”* means a person who is enrolled under the First Nation of Nacho Nyak Dun Final Agreement in accordance with section 3.2 of the First Nation of Nacho Nyak Dun Final Agreement.

*“Nacho Nyak Dun Citizen”* means a Nacho Nyak Dun Beneficiary.

*“Nacho Nyak Dun Mother”* means a female Nacho Nyak Dun Citizen who is a Nacho Nyak Dun Beneficiary under sections 3.2.2.1 or 3.2.2.2 of the First Nation of Nacho Nyak Dun Final Agreement.

*“Nacho Nyak Dun Father”* means a male Nacho Nyak Dun Citizen who is a Nacho Nyak Dun Beneficiary under sections 3.2.2.1 or 3.2.2.2 of the First Nation of Nacho Nyak Dun Final Agreement.

*“Adult”* means a person who is 18 years of age or older.

*“Transfer”* means to cease to be enrolled under another one land claims Agreement in Canada and begin to be enrolled under another.

**PART V -- CITIZENSHIP CODE**

**16. AUTHORITY FOR CITIZENSHIP MATTERS**

16.1 All matters pertaining to Nacho Nyak Dun citizenship are within the exclusive jurisdiction of the First Nation of Nacho Nyak Dun, and shall be determined according to this Constitution and Nacho Nyak Dun Laws.

**17. PERSONS WHO ARE NACHO NYAK DUN CITIZENS**

17.1 A Nacho Nyak Dun Citizen is a person who is a Nacho Nyak Dun Beneficiary, and:

17.1.1 is not enrolled under any other land claims agreement in Canada; and

17.1.2 is not a Citizen of any other First Nation in Canada.

**18. PERSONS WHO ARE ELIGIBLE TO BE CITIZENS OF MORE THAN ONE FIRST NATION IN CANADA**

- 18.1 A child of a Nacho Nyak Dun Mother and a father who is a Citizen of another First Nation in Canada is a Nacho Nyak Dun Citizen.
- 18.2 A child of a Nacho Nyak Dun Father and a mother who is a Citizen of another First Nation in Canada is a Citizen of the mother's First Nation.
- 18.2.1 If the mother's First Nation does not accept the child as a Citizen, the child shall be a Nacho Nyak Dun Citizen.
- 18.3 Any time between the ages of 18 and 25, a child of one parent who is a Nacho Nyak Dun Citizen and another parent who is a Citizen of another First Nation in Canada may make a one-time binding decision to Transfer to the First Nation of Nacho Nyak Dun.

## **19. ADULTS WHO PRIOR TO THE ENACTMENT OF THIS CODE WERE (OR WERE ELIGIBLE TO BE?) FIRST NATION OF NACHO NYAK DUN CITIZENS**

- 19.1 An Adult who at one time was (or was eligible to be?) a Nacho Nyak Dun Citizen, but prior to the enactment of this Citizenship Code was accepted as a Citizen of another First Nation in Canada may Transfer to the First Nation of Nacho Nyak Dun.
- 19.1.1 The First Nation of Nacho Nyak Dun shall endeavor to contact Adults described in 19.1. A person who does not Transfer to the First Nation of Nacho Nyak Dun within five years of contact shall forfeit his right to become a Nacho Nyak Dun Citizen.

## **20. TRANSFERS AFTER THE ENACTMENT OF THIS CODE**

- 20.1 Following the enactment of this Citizenship Code an Adult Nacho Nyak Dun Citizen who Transfers to another First Nation in Canada shall cease to be a Nacho Nyak Dun Citizen and shall not subsequently be allowed to Transfer back to the First Nation of Nacho Nyak Dun.

## **21. INDIAN REGISTRY AFFILIATION**

- 21.1 Registered Indians who become Nacho Nyak Dun Citizens must transfer their Indian Register affiliation to the First Nation of Nacho Nyak Dun.

## **22. LOSS OF NACHO NYAK DUN CITIZENSHIP**

- 22.1 A person ceases to be a Nacho Nyak Dun Citizen:
- 22.1.1 Upon providing written notice to the Elders Council renouncing his Nacho Nyak Dun Citizenship;

22.1.2 Upon becoming a Citizen or Beneficiary of another First Nation in Canada;  
or

22.1.3 When the Elders Council decides, after appropriate notice and consideration of all relevant information, that a person was enrolled by mistake or fraud, and did not initially qualify as a Nacho Nyak Dun Citizen.

### **23. NACHO NYAK DUN ENROLLMENT BOARD**

23.1 The Nacho Nyak Dun Enrollment Board will be established to make all initial decisions regarding Nacho Nyak Dun Citizenship

23.2 The Nacho Nyak Dun Elders Council will designate 4 persons to sit on the Nacho Nyak Dun Enrollment Board.

### **24. CITIZENSHIP APPEALS**

24.1 Decisions of the NND Enrollment Board may be appealed to the NND Elders Council.

24.2 Decisions of the NND Elders Council may be appealed to a single arbitrator appointed by the chairperson of the Dispute Resolution Board, pursuant to 3.10.2.2 of the First Nation of Nacho Nyak Dun Final Agreement.