



**MEMBERSHIP CODE
Of the Mississagi Indian Reserve**

We of the Mississauga Ojibway Nation hereby authorize Council the authority to administer this code.

DEFINITIONS

1. In this code,

Any reference to a male person shall also include a female person;

“Band Referendum” means the vote of eligible band members to make a final decision on a specific matter;

“Council” means the duly elected council chosen according to the election regulations of the Mississagi Indian Reserve;

“Child” means a person under the age of (18) eighteen years;

“Code” means the membership code and any amendments hereto;

“Elder” means a member of the Mississagi Indian Reserve who has attained the age of (50) fifty years;

“Indian Act” means the Indian Act, R.S.C 1980, c. 1-6 as amended from time to time;

“Member” means a person whose name is included, and who is entitled to have his name in the membership register;

“Mississagi Ojibway Nation” means the Mississauga Band of Ojibway;

“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 the membership register;

“Registered as an Indian” means a person who is registered or entitled to be registered as an Indian under the Indian Act;

“Reserve” means the Mississagi Indian Reserve on #8 made for Ponekeosh and his Band pursuant to the Lake Huron Treaty of 1850;

“Sponsor” means a person who is a member of the Mississagi Indian Reserve and is (18) eighteen years of age;

ADMINISTRATION

- 2. Council shall perform the following duties and functions and exercise the following powers under this code;**
 - A) Maintaining a register in which shall be entered the name of every person who is a member, as well as information about members date of birth, death, renunciation or loss of membership, also sex and parental names and any other information pertaining to membership.**
 - B) Receiving and recording renunciations of membership, also acceptance of such.**
 - C) Receiving, recording and reviewing applications.**
 - D) Recording transfers, protests and appeals.**
 - E) Council shall appoint a Review Committee on the Membership. This committee shall consist of (2) elders and (3) members residing on Reserve.**

MEMBERSHIP

- 3. The following are entitled to membership;**
 - A) The original members. All persons whose names appear, or who are entitled to appear on the Band list maintained in the Department of Indian Affairs under the Indian Act immediately prior to this code coming into effect. (June 26, 1987)**
 - B) New members by birth. Any person registered as an Indian, born**

after this code comes into effect, both of whose parents are, or if they are no longer living, were at the time of their death entitled to membership.

C) New members from enfranchisement. Any person who was enfranchised as a result of the enfranchisement of his parents or parent is entitled to be reinstated as a member.

4. The following may apply for membership;

A) Descendant members. Persons born of a parent who was or is entered on the band list shall upon application be considered for membership.

B) Members of other bands. An application by the person who is a member of another band shall not be considered unless the applicant agrees to renounce membership in the other Band upon admission will come into effect on the date of such renunciation.

C) Adoption. A member who adopts a child under the age of (16) sixteen must apply for registration of the child.

5. Person applying for membership must;

A) Have a sponsor.

B) Be registered as an Indian under the Indian Act.

C) Be a descendant of a member of the Mississagi Indian Reserve.

APPLICATION FOR MEMBERSHIP

6. Applicants must complete an application form as prescribed by the Council.

7. Applications shall be in writing, signed by the applicant or the person/s who have lawful custody of a child under the of (18) eighteen years, and also signed by the sponsor member.

8. Application must be filed with the membership clerk.

A) Upon receipt of application, applicant shall be notified in writing within (30) days of acknowledgement of receipt, and informed when applicant and sponsor are to appear before Review Committee.

REVIEW COMMITTEE

- 9. The membership shall set up a review Committee for reviewing applications and to make recommendations to Council for acceptance or rejection of the applicant.**
- 10. The Review Committee shall hold meetings periodically.**
- 11. The applicant and sponsor must be present to speak about the applicants suitability to become a member. The review committee shall also consider;**
 - a) connections to the Mississagi Ojibway Nation;**
 - b) knowledge of the culture and customs;**
 - c) skills;**
 - d) employment and employment history;**
 - e) residence on reserve;**
 - f) criminal record;**
 - g) health;**
 - h) degree of support or sponsorship;**
 - i) ancestry;**
 - j) community activity;**
 - k) Any other matter that is relevant to the health, safety, good order and advancement of the Mississagi Ojibway Nation.**
- 12. The applicant is then recommended to Council for rejection or acceptance by a review committee vote.**
 - a) To be recommended for acceptance or rejection the applicant must receive a quorum vote.**
 - b) A quorum shall consist of (4) four out of (6) six votes.**
- 13. The review committee shall pass their recommendation to Council.**
- 14. Council shall hold a special meeting for membership, which will be held (4) four times a year.**

- a) **Council shall supply applicant with the decision of acceptance or rejection within (30) thirty days of decision.**
 - b) **Applicant shall be provided with a written decision.**
 - c) **If the decision of Council is to reject the applicant, then the applicant shall be given a reason for denial.**
- 15. The applicant, sponsor or any person affected by the decision has the right to appeal.**
- 16. If the applicant is rejected to become a member he may appeal to the Council.**
- a) **A date shall be set by the Council to hear appeals.**
 - b) **Notice shall be given to the person who has registered the appeal.**
 - c) **Applicant, sponsor and any person affected must appear before Council and may speak to Council.**
- 17. If the decision is of rejection, the applicant may appeal to have the question of his membership decided by Band Referendum.**
- a) **A date shall be set by Council for a Band Referendum.**
 - b) **The applicant must receive (60%) sixty percent of votes cast in favor of his membership to be an accepted member.**
 - c) **The outcome of the vote of members present shall be final.**

APPEALS

- 18. Any decision that Council makes on membership can be appealed.**
- a) **Any member, applicant or person affected can register an appeal.**
 - b) **Every appeal shall be made in writing and shall be registered with the membership clerk.**
 - d) **Every appeal shall state the name of the person making the appeal, the date, and reasons for the appeal.**

- e) **No appeal can be made after more then (1) one year of the decision.**

REVIEW COMMITTEE

- 19. **Term of office shall be (3) three years. Council shall also appoint alternatives.**
 - a) **Council shall appoint the review committee by Band Council Resolution.**

ADOPTION OF MEMBERS

- 20. **A child who was originally a member, and who by reason of adoption was transferred to another Band shall have the right upon application to become a member.**

TRANSFERS

- 21. **A person whose name is removed from the register for reason of transfer to another Band shall not be entitled to any share in the Mississauga First Nation revenues, funds, or lands of the Mississauga First Nation as a result of the transfer of that members membership.**
- 22. **Where a member has become a member of another Band, that other Band shall not become entitled to any part or share of the revenues, funds or lands of the Mississauga First Nation as a result of the transfer of that member's membership.**

RENUNCIATION

- 23. **A member who is (18) eighteen years of age or older may renounce their membership by submitting a written statement to Council requesting his name be stricken from the Register on a date specified by the member.**
- 24. **A member under the age of (18) eighteen cannot renounce or have Their membership renounced.**
- 25. **A member renouncing their membership shall not be entitled to any Share in the Mississagi First Nation's revenues, funds or lands as a result of ceasing to be a member.**
 - a) **The member must dispose of any interest in real property within three months.**

RULES AND REGULATIONS

- 26. The Council may make rules and regulations not consistent with this code to carry out the purposes of this code.**

COMING INTO EFFECT OF THE CODE

- 27. This code shall have effect from the day which the Council have given notice to the minister of Indian Affairs pursuant to subsection 10(6) of the Indian Act that the Mississauga First Nation is assuming control of its own membership and provide the Minister with a copy of this code.**

AMENDMENTS TO THE CODE

- 28. This code may be amended by vote of the majority of the electors present at a meeting of which one months notice is given.**