



**TERMS OF REFERENCE  
FOR THE  
CITIZENSHIP COMMITTEE**

**June 2014  
(Revised)**

## 1.0 Authority

These amended terms of reference were approved by **Council Resolution 2014-28, dated the 4th day of June 2014.**

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Chief Doris Bill

## 2.0 Establishment of the Citizenship Committee

2.1 The Citizenship Committee is established through Schedule 2, Citizenship Code of the *Constitution of Kwanlin Dün First Nation*.

## 3.0 Mandate of the Citizenship Committee

3.1 As set out in Schedule 2, Section 2 of the Citizenship Code of the *Constitution of Kwanlin Dün First Nation*, the Citizenship Committee is responsible for:

- approving or disapproving applications for Kwanlin Dün Citizenships;
- determining the citizenship status of a person who renounces or loses their citizenship.

3.2 Council directs the Citizenship Committee to recommend eligibility criteria for citizenship as set out in Chapter 2, Section 8 (2) (b) (ii) of the *Constitution of Kwanlin Dün First Nation*. This recommendation will be in the form of legislation to be presented to Council for approval. No applications shall be formally received or processed prior to the development and approval by Council of Citizenship Legislation.

3.3 Council authorizes the Committee to review, consider and approve, if appropriate, of the 214 suspended applications, the applications of persons who are currently enrolled as Kwanlin Dün First Nation beneficiaries, inclusive of adults and children.

3.4 Council also authorizes the Citizenship Committee to exercise any other duties directly related to establishing an official citizenship list that is consistent with the *Kwanlin Dün First Nation Final and Self-Government Agreements* as well as the *Constitution of the Kwanlin Dün First Nation*, such as the issue of dual citizenship or dual beneficiary status.

## 4.0 Membership, appointment and term

4.1 The Citizenship Committee shall be comprised of:

- (a) two KDFN Elders; and
- (b) three KDFN citizens

4.2 The members of the Citizenship Committee shall be appointed for a term of three (3) years. Members may be re-appointed for another term upon the expiry of his or her term. If a Committee member resigns, Council will appoint another interested citizen to the Committee for a three year term. (Section 1, Schedule 2, *Citizenship Code of the Constitution of Kwanlin Dün First Nation*).

## **5.0 Chair**

At the first meeting, members shall appoint one member to serve as Chair of the Citizenship Committee for a term determined by the members.

5.1 The Chair shall be responsible for:

- (a) calling the meetings of the Citizenship Committee;
- (b) providing direction to support staff;
- (c) chairing the meetings of the Citizenship Committee; and
- (d) any other duties as directed by the Citizenship Committee.

## **6.0 Notice of meetings**

The Chair will provide five (5) working days notice of upcoming meeting unless otherwise agreed by the Committee members.

## **7.0 Quorum**

Quorum for the Citizenship Committee shall consist of four members.

## **8.0 Code of Conduct**

If a member is unable to attend an upcoming meeting, he/she must advise the Chair as soon as possible and provide an explanation as to why he/she is not available. If a member misses three consecutive meetings without providing a valid reason, that member will be removed from the Committee by consensus from the other members.

## **9.0 Confidentiality**

All information relating to applications for enrolment or transfer (including names, addresses, adoptions, etc.) provided to the committee must be maintained in a confidential manner . Information shall not shared with anyone other than members of the Citizenship Committee, and members shall not leave confidential committee information lying around their house or in any public area. If a Committee Member violates the confidentiality of the Committee, he/she may be removed from the Committee by consensus from the other members.

## 10.0 Decision-making

The Citizenship Committee will review all application forms for enrolment and transfer in accordance with the eligibility criteria set out in the *Constitution*, and in particular:

10.1 Chapter Two – Citizenship, Entitlement to Citizenship

Section 7.(1), (a), (b) and (c);

10.2 Chapter Two – Citizenship, Eligibility to Apply for Citizenship

Section 8.(1) (a), (b) and (c) and Section 8.(2) (a) and (b)(i) and (ii); and;

10.3 The *Kwanlin Dün First Nation Final Agreement*, Section 3.2.0, Eligibility Criteria.

The Citizenship Committee will either approve or reject the applications. The Committee Chair shall notify the Registrar of its decisions and provide the reasons for acceptance or rejection. The Registrar shall notify the applicant if the application has been accepted or if the application was rejected, the applicant will be informed of his/her right to appeal that decision to the Judicial Council. All decisions of the Citizenship Committee will be provided to the Council, the Executive Council Officer and the Executive Directors.

## 11.0 Appeals

An applicant may appeal a decision made by the Citizenship Committee to the Kwanlin Dün Judicial Council within three (3) months. The applicant shall file a Notice of Appeal with the Registrar of Citizenship. The Registrar shall forward the Notice of Appeal and all related documents to the Judicial Council.

The Judicial Council may uphold, vary, or rescind any decision of the Citizenship Committee, or refer the decision back to the Citizenship Committee for further consideration. The Judicial Council must comply with the procedures and requirements set out in Chapter 8 of the Constitution. All decisions of the Judicial Council on an Appeal under the Citizenship Code are final.

The complete appeals process is detailed in Schedule 2, Section 6 of the *Constitution of the Kwanlin Dün First Nation*

## 12.0 Written records of proceedings

The Committee shall keep written minutes of all meetings and proceedings. A copy will be filed with the Registrar's Office for safe keeping.

## 13.0 Conflict of Interest

Members of the Citizenship Committee must declare a conflict of interest when an application pertaining to a member of his/her immediate family comes before the

Committee for review. He/she shall notify the other Committee members of the conflict and provide an explanation as to why he/she is in conflict. He/she shall remove him/herself from the room and shall not participate in the Committee's deliberations on that file.

For the purpose of these Terms of Reference, the definition of immediate family shall be consistent with the definition of immediate family in the *Constitution of the Kwanlin Dün First Nation*. (spouse, parent, child, grandchild, spouse of the person's child, or the child of the person's spouse).

#### **14.0 Administrative support**

The Registrar's Office shall provide administration support for the Citizenship Committee. This will include preparing the Agenda, preparing and distributing meeting packages, taking minutes for the meetings, and arranging for payment of honoraria to Committee members.

#### **15.0 Honoraria**

Members of the Citizenship Committee will be entitled to receive honoraria in accordance with KDFN policy and practice.

#### **16.0 Amendments**

The Citizenship Committee may review and recommend amendments to these Terms of Reference to Council for consideration annually.