



MEMBERSHIP CODE  
OF  
RAINY RIVER FIRST NATIONS

PREAMBLE

*We have been here since time immemorial.*

*Rainy River First Nations is now an amalgamation of seven historical Rainy River Saulteaux Bands: Hungry Hall (Bishop), Hungry Hall (Paskonkin), Little Forks, Long Sault 1, Long Sault 2, Manitou Rapids 1 and Manitou Rapids 2. Our ancestors come from the shores of the Rainy River: from the mouth of Rainy Lake in the east, to the mouth of Lake of the Woods in the west.*

*For decades, the Federal Government, in partnership with the Church, has attempted assimilation by way of Indian Residential Schools, and legislation, including the Indian Act, a racist and colonial legal scheme. As the settler government legislated the extinction of Status Indians to be rid of any Treaty responsibilities, we have worked to hold on to our languages, songs, ceremonies, ways of life, teachings, stories and law.*

*We are still here. Our people are of this land. Our identity and membership in our community, has been and will always be determined by our relationships and our responsibilities within them. This is our law, and living it is fundamental to our survival as a community. Looking ahead through next generations, we will continue to decide who belongs to our community – all of our relations in life.*

*This Membership Code was drafted in community consultation with the Rainy River First Nations Membership throughout Toronto, Thunder Bay, Winnipeg, Minneapolis and in the Rainy River First Nations Community.*

## Definitions

Adoption – means the caring for a child on a permanent basis by parents other than the child’s biological parents, as taking place through provincial adoption laws, or Anishnaabe custom adoption practice as defined by the Membership Committee pursuant to section 43(h) of this Code

Band Member or Member – an individual who fits the definition as laid out in this Membership Code and has the rights and responsibilities of belonging to Rainy River First Nations (“RRFNs”)

Code – this code of Membership rules and any amendments of the same

Council – the Council of RRFNs chosen according to the election rules

Material harm – destructive behaviour as defined by the Membership Committee pursuant to section 43(i) of this Code

Membership List – a list containing the name of every individual who is a Member of RRFNs, pursuant to this Code, to be maintained solely by RRFNs

Membership Registrar – an individual tasked with the administrative duties related to this Code

Non-Probationary Member – a Member who was never subject to the probationary period referred to in this Code, or is no longer subject to the probationary period referred to in this Code

Permanently Separated– no longer being in a romantic partnership on a permanent basis as defined by the Membership Committee pursuant to section 43(j) of this Code

Probationary Member – a Member subject to the probationary period referred to in this Code, who is not yet a Non-Probationary Member

Spouse – a partner by way of legal or traditional marriage to a person, or by way of being in a common-law relationship of at least two years with a person

### I. ENACTMENT AND AMENDMENT OF THE MEMBERSHIP CODE

1. The purpose of the Rainy River First Nations Membership Code (“Code”) is to provide a clear set of rules to determine who is a Band Member of RRFNs.
2. This Code shall be enacted by way of a community vote whereby every Member of RRFNs who is the full age of eighteen (18) years and whose residence address is known by RRFNs, is provided the opportunity to take part in the voting process. The Code is considered to be approved by the Members if at least 25 Members participate in the vote, with 60% or more of votes cast in favour of passing the Code.

3. On the day that this Code is enacted, every prior Membership Code is repealed.
4. Any Member of RRFNs may propose reasonable amendments to the Code by submitting those amendments to the RRFNs Council. The Council shall, in its sole discretion on the basis of reasonableness, forward notice of the proposed amendments to the Members in writing thirty (30) days in advance of a meeting scheduled by Council for the purposes of voting on the amendments. The notice shall contain the text of any proposed amendment and an explanation as to why the amendment(s) are being proposed. Council shall schedule at least one (1) meeting per calendar year to consider and vote on any amendments to the Code.
5. This Code shall be amended at a community vote of the Members whereby every Member of RRFNs who is the full age of eighteen (18) years and whose residence address is known by RRFNs is provided the opportunity to take part in the voting process. The amendment is considered to be approved by the Members if at least 25 Members participate in the vote, with 75% or more of votes cast in favour of the amendment(s).

## II. MEMBERSHIP

6. There are two types of Membership outlined in the Code: Conditional Membership and Full Membership. Each type of Membership requires a different type of application, and confers different Membership rights. Some new Members are subject to a probationary period.
- 6.1 An individual may not be a Member of RRFNs and a member of another First Nation in Canada at the same time.

### *ELIGIBILITY FOR FULL MEMBERSHIP*

7. The following individuals are entitled to Full Membership:
  - (a) Any individual whose name appeared on the Membership List on the day prior to the date of enactment of this Code;
  - (b) Any individual who had the right to be a Member on the day prior to the date on which RRFNs first assumed control of the Band List from the federal government; and
  - (c) Any individual with at least one parent (by birth or adoption) who has Full Membership or is/was entitled to have Full Membership under this Code, whether that parent is living or deceased.
- 7.1 If an individual becomes a Full Member through section 7 (c) by way of adoption, his or her child, unless he or she has another Full Member parent, shall not be entitled to Full Membership pursuant to this Code, but may apply for Conditional Membership through section 16 (b).

*FULL MEMBERSHIP APPLICATION PROCESS*

8. All individuals who fall under section 7(a) are automatically deemed Full Members and are not required to submit an application.
- 8.1 All individuals who fall under section 7(b) and (c) who wish to become Full Members must submit the Full Membership Application form (**Appendix A**). Where the Applicant is less than 18 years of age, the Application Form may be completed by someone else on the Applicant's behalf. The completed Application Form shall be submitted to the Membership Registrar along with a birth certificate, a court adoption order, or signed affidavit evidence, as required. The Application form and requisite supporting documentation constitute the "Application Package."
9. The following individuals wishing to become Members are required to submit additional evidence along with their respective Full Membership Application forms, pursuant to the provisions of this Code:
  - (a) Any individual meeting the eligibility criteria set out in section 7 (b) or (c) who is transferring from another Indian Band within Canada provided the applicant undertakes to renounce his or her Membership in his or her former Band by signed affidavit evidence.
  - (b) Any individual meeting the eligibility criteria set out in section 7 who is reapplying after loss of Membership for any reason.
  - (c) Any individual who meets the criteria in section 7(c) but:
    - i. whose parents, grandparents, and great-grandparents have not held Full Membership, even though eligible for it under this Code; and/or
    - ii. has only one parent who is/was a Member or eligible to become one.
- 9.1 For greater clarity, an individual who has one parent who is/was eligible for Full Membership and one parent who is/was a Conditional Member does not fall within the category of individuals described in section 9(c)(ii).
10. Any individual within the category of individuals set out in section 9 shall:
  - i) If over 18, provide-three letters of support and affidavit evidence: a) disclosing any criminal convictions, if applicable; (b) stating whether the individual has been subject to a penalty imposed by a court, administrative tribunal or regulatory body, if applicable; (c) attesting to the completion of any sentence or penalty, if applicable; and (d) disclosing if there are other matters in the individual's past or present circumstances that may place the individual's character at issue;
  - ii) If applying under section 9(a), provide an affidavit renouncing membership in his or her former band, and evidence that the former band will release the individual from its membership list; and

- iii) If applying under section 9(c), provide affidavit evidence setting out kinship.
11. The Membership Committee reserves the right to request any and all further documentation required to make its determination on Membership. The application form and requisite supporting documentation constitute the “Full Membership Application Package.”
  12. The Membership Registrar shall review every Full Membership Application Package for completeness. The Membership Registrar will advise an applicant in the event that further information or documentation is required, and will forward all complete Full Membership Application Packages to the Membership Committee within thirty (30) days of receiving all requisite documents.
  13. The Membership Committee shall review all Full Membership Application Packages received from the Registrar and advise, within (90) days of the receipt of the completed Full Membership Application Package, both the Registrar and the applicant via letter whether the application is approved. If the applicant meets the criteria established in this Code, the Membership Committee shall approve the application.
  14. If the Application for Full Membership is approved by the Membership Committee, an individual is a Full Member of RRFNs as of the date of Application.
  15. An individual, 18 years of age or older, falling within the categories under section 9 of this Code, and who successfully applies for Full Membership, is subject to a two-year probationary period outlined at sections 26 to 36 of this Code. Individuals, regardless of age, who are reapplying pursuant to section 9(b) (after a loss of Membership), are also subject to the two-year probationary period under the Code.

*ELIGIBILITY FOR CONDITIONAL MEMBERSHIP*

16. The following individuals are eligible for Conditional Membership:
  - (a) An individual who is not a Band Member and who is the spouse of a current non-probationary Full Member; and
  - (b) An individual who has been approved by the will of 50% +1 of the eligible Members who attend a meeting called for such purpose to submit an Application for Conditional Membership.

**CONDITIONAL MEMBERSHIP APPLICATION PROCESS**

17. In order to apply through section 16(a), an individual must complete the Conditional Membership Application form (**Appendix B**) and submit it to the Membership Registrar. The individual must submit a marriage certificate or signed affidavit evidence for common law relationships or traditional marriages along with the application form. If the applicant is transferring from another band within Canada, the applicant must also provide an affidavit renouncing membership in his or her former band, and evidence that the former

band will release the applicant from its membership list. The application form and supporting documentation constitute the “Conditional Membership Application Package”.

18. In order to apply through section 16(b) of this Code, an individual must complete a Statement of Intent to Apply for a Conditional Membership (Appendix C) (“Statement of Intent”) and submit it to the Membership Registrar. Signed affidavit evidence is required along with the Statement of Intent, which evidence shall include information on the following:
  - (a) Whether the applicant is knowledgeable of the way of life, culture, laws and history of RRFNs;
  - (b) Whether the applicant follows a way of life consistent with the common good of RRFNs;
  - (c) Whether the applicant may support him or herself and his or her dependents, if any, in the RRFNs community;
  - (d) The length of relationship with the community of RRFNs; and
  - (e) If the applicant is transferring from another band within Canada, a statement swearing/affirming the applicant will renounce membership in his or her current band if accepted as an RRFNs member, and evidence that the current band will release the applicant from its membership list.
19. The Membership Registrar shall review every Statement of Intent received and keep an up-to-date list of names of all individuals who have submitted a Statement of Intent, and the date on which such submissions were made.
20. In consultation with the Membership Registrar, Chief and Council shall convene a meeting of the Members at least one time per calendar year for the community to consider and vote on individuals who have submitted a Statement of Intent for Conditional Membership since the last such meeting was held.
21. Prior to a section 20 meeting of the Members, each Statement of Intent and supporting evidence submitted since the last such meeting shall be reviewed by Chief and Council, who shall make a copy available for review by any Member who so requests. At the meeting, RRFNs will hold a vote regarding each individual who submitted a Statement of Intent since the last such meeting.
22. In the event that the community determines, by affirmative vote at a section 20 meeting of the Members, that an individual may apply for Conditional Membership, that individual shall complete the Conditional Membership Application form and submit it to the Membership Registrar within six (6) months of the meeting at which the individual’s eligibility to apply was confirmed. Evidence of the affirmative vote is required along with the Conditional Membership Application form.

23. The Membership Registrar shall review every Conditional Membership Application Package received for completeness. The Membership Registrar will advise the applicant in the event that further information or documentation is required, and shall forward all complete Conditional Membership Application packages to the Membership Committee within thirty (30) days.
24. The Membership Committee shall review every Conditional Membership Application Package forwarded by the Membership Registrar, and advise both the Registrar and the applicant via letter, within ninety (90) days of receipt of the Application package, whether the application is approved. The Membership Committee reserves the right to request any and all further documentation required to make its determination on Membership. If the applicant meets the criteria established in this Code, the Membership Committee shall approve the application.
25. If the Conditional Membership Application is approved, the applicant is a Member of RRFNs as of the date of the Membership Committee's letter referenced in section 23.

### *PROBATIONARY PERIOD*

26. All individuals who are granted Conditional Membership, and some individuals who are granted Full Membership pursuant to section 9 (and as outlined in section 15), are subject to a two-year (2-year) probationary period running from the date of Membership approval.
27. Any Non-Probationary Member who believes a Probationary Member is not living up to the Responsibilities of RRFNs Members, outlined at section 68, may submit an application challenging the Membership of a Probationary Member. The Non-Probationary Member may do this by submitting the Application to Challenge Membership form (**Appendix G**) to the Membership Registrar, along with any supporting documentation.
28. The Registrar will review the Application to Challenge Membership for completeness. The Membership Registrar will advise the applicant in the event that further information or documentation is required, and will send a copy of all complete application forms with requisite supporting documentation ("the Membership Challenge Application Package") to the Probationary Member whose Membership is challenged. The Registrar shall provide written notice to such individual that he/she has the right to submit a written response, any supporting documentation, and the names of up to three witnesses (including the individual) ("the Membership Challenge Response Package") to the Registrar within twenty (20) days of receiving the Registrar's written notice.
29. Upon receiving a Membership Challenge Response Package within the requisite timeline, the Registrar will review it for completeness. The Membership Registrar will advise the respondent in the event that further information or documentation is required, and will send a copy of all complete Membership Challenge Response Packages to the applicant, and shall send a copy of the complete Membership Challenge Response Package along with a copy of its corresponding complete Full or Conditional Membership Application Package, to the Membership Committee.

30. The Membership Committee will review all of the information provided within thirty (30) days of receiving the documentation from the Registrar, and shall determine whether a hearing is required.
31. If no hearing is required, the Membership Committee will render its written decision within sixty (60) days of receiving the information from the Registrar. If a hearing is required, the Membership Committee will hold such hearing within sixty (60) days of receiving the information and will render its written decision within thirty (30) days of the hearing. The applicant and respondent are entitled to at least 14 days' notice of the hearing. In all instances, a written decision shall be provided to both the applicant and the respondent.
32. The Membership Committee may decide on an Application to Challenge Membership to:
  - (a) Dismiss the application;
  - (b) Extend the probationary period for a reasonable length of time; or
  - (c) Grant the application and remove the Probationary Member from the Membership List.
33. In making its decision, the Membership Committee shall take into consideration all available and relevant information, including but not limited to the conduct of the Probationary Member in question during the course of the probationary period, and his or her contribution to RRFNs during the probationary period.
34. At the end of the probationary period, if the Membership Committee has not removed the Probationary Member from the Membership List, he/she becomes a Non-Probationary Full Member or a Non-Probationary Conditional Member (based upon the original application for Membership).
35. Notwithstanding section 34, no Probationary Member shall become a Non-Probationary Member while an Application to Challenge, or an appeal thereof, is underway.
36. Under no circumstances can a Conditional Member become a Full Member under this Code unless additional facts/circumstances arise that permit the Member to entitlement pursuant to section 7.

### III. ADMINISTRATION OF THE MEMBERSHIP CODE

37. Chief and Council shall employ a Membership Registrar within ninety (90) days of the date that this Code comes into effect. The Membership Registrar shall be an employee of the Band tasked with administrative duties in relation to the Code and shall not be a Member of the Band Council.
38. The Membership Registrar will carry out the following duties:

- (a) Maintain the Membership List in accordance with the Code, including a record of the dates of additions and deletions to the Membership list, and the dates as of which such additions or deletions are effective, including recording when a Member has died;
- (b) Maintain an organized filing system for all documents and correspondence pertaining to Membership, including all Application Packages and Appeal Packages, for a period of twenty (20) years;
- (c) Receive all Full Membership, Conditional Membership, Statement of Intent to Apply for Conditional Membership, Loss of Membership, Challenge to Membership, and Appeal Package applications and supporting documents (referred to collectively as the “Applications”) and review for completeness;
- (d) Prepare and present Applications to the Membership Committee or the Membership Appeals Committee, but in the case of Statement of Intent to Apply for Conditional Membership packages, to the Band Council;
- (e) Coordinate meetings of the Membership Committee and the Membership Appeals Committee;
- (f) Notify Chief and Council of all decisions regarding Applications;
- (g) Treat all information received as confidential; and
- (h) Carry out any other duties as necessary to the administration of this Code or as authorized by Chief and Council.

#### IV. MEMBERSHIP COMMITTEE

- 39. Chief and Council shall establish the Membership Committee by appointing five (5) Members of the RRFNs who are at least eighteen (18) years of age, within ninety (90) days of this Code coming into effect, as follows:
  - (a) At least one (1) elder;
  - (b) At least one (1) off-reserve Member; and
  - (c) At least three (3) on-reserve Members.
- 40. No individual appointed to the Membership Committee shall be a member of the Band Council, the Band Administrator, or hold the office of Chief of RRFNs.

41. Membership Committee members shall serve a five-year (5-year) term and are eligible for re-appointment upon expiry of this term.
42. The Membership Committee has the authority and responsibility to carry out the duties assigned to it under the Code.
43. The Membership Committee has the following responsibilities:
  - (a) The Membership Committee shall review all Applications, exclusive of Notice of Intent to Apply for Conditional Membership packages, and come to a decision thereon. The Membership Committee shall make any decisions pursuant to the provisions of the Code by way of majority vote;
  - (b) The quorum for the decision on any Application shall be five (5) members. In the event that quorum is lost due to the declaration of a conflict of interest, or for any valid reason, quorum shall be three (3) members. A Membership Committee member is permitted to attend a meeting by video or telephone if necessary;
  - (c) Membership Committee members shall declare any relevant conflict of interest. More specifically, no Membership Committee member shall participate in the review of an Application if the applicant is her or his daughter or son (adopted or natural born), sister, brother, parent, grandparent, grandchild, spouse, former spouse, daughter/son-in-law, sister/brother-in-law or parent-in-law;
  - (d) The Membership Committee members shall perform their duties fairly, act in good faith and respect the rights and privacy of each applicant;
  - (e) The Membership Committee shall review and determine Applications within ninety (90) days of receipt from the Registrar, and shall meet as frequently as is necessary to abide by this timeline;
  - (f) The Membership Committee shall notify the Registrar in writing of its decisions;
  - (g) The Membership Committee shall provide written reasons to any applicant whose Application is not approved;
  - (h) The Membership Committee shall determine the definition of a RRFNs custom adoption and apply the definition to the Applications under review;
  - (i) The Membership Committee shall determine the definition of “material harm” and apply the definition to the Applications under review, where relevant;
  - (j) The Membership Committee shall determine the definition of “permanently separated” and apply the definition to the Applications under review, where relevant;

- (k) The Membership Committee shall be responsible for the development of a governance manual setting out its responsibilities pursuant to the administration of this Code which includes all appendices referenced herein. In the event that, for the purpose of ensuring appropriate administration of the Code, the appendices require amendment or further appendices are required, the Membership Committee shall be entitled to make such amendments without the need for formal amendment pursuant to section 5; and
  - (l) The Membership Committee, in consultation with Chief and Council, shall ensure that the list of qualifying indictable offences (set out at **Appendix D**) is consistent with the will of the Membership in determining loss of membership pursuant to section 47(c) and otherwise with the *Criminal Code of Canada*.
44. If quorum cannot be satisfied due to declaration(s) of a conflict of interest, or to resignation, removal, incapacity or death of a Membership Committee member, Chief and Council shall appoint (a) replacement member(s) by Band Council Resolution (“BCR”) within thirty (30) days.
45. If a Membership Committee member displays conduct inconsistent with the nature of his or her responsibilities as a Committee member, he or she may be removed from the Membership Committee by BCR by Chief and Council.
46. The Membership Committee members shall be provided with an honorarium reflective of the time spent in the discharge of their duties pursuant to this Code, in an amount to be determined by Council.

#### V. LOSS OF MEMBERSHIP

47. A Member shall lose Membership in the following circumstances:
- (a) the day on which a Member’s name is added to the Band List of any other Indian Band; however, a Full Member may apply for reinstatement under sections 9(a) and 10;
  - (b) if a Member’s name was wrongfully entered onto the Membership List through error, omission, falsehood, oversight, or any other reason. This individual shall be removed from the Membership List and shall be considered to have never been a Member. The Membership rights of any Member gained through relationship (or otherwise) to a Member who has been removed from the Membership List pursuant to this section, shall also cease as at the date that the Member is removed;
  - (c) if a Member has been convicted of a qualifying indictable offence on more than three (3) occasions within the ten (10) years prior to the enactment of this Code, or anytime thereafter, the individual ceases to be a Member of the Band upon the date of enactment or the date on which the third conviction is entered; however, a

Full Member may apply for reinstatement under sections 9(b) and 10. For a list of qualifying indictable offences see **Appendix D**;

- (d) upon the renouncement of his or her Membership by written statement signed by the Member, effective as of the date of signing, provided that he or she has reached the age of majority; however, a Full Member may apply for reinstatement under sections 9(b) and 10;
  - (e) where a Conditional Member who is permanently separated, or has ceased to reside with his/her Member spouse for a 6-month period, the individual shall cease to be a Member as of the date of the legal separation, or as of the 6-month anniversary of the date the Conditional Member stopped living with the Member spouse, whichever is sooner; and
  - (f) where a Probationary Member or Conditional Member has caused or is causing material harm to RRFNs community, as determined by the Membership Committee in its sole discretion pursuant to this Code. This individual shall cease to be a Member and shall be removed from the Membership List immediately upon receiving a written decision from the Membership Committee.
48. An individual who believes that a Member should be removed from the Membership List because they meet the criteria set out in Section 47, may submit a Loss of Membership Application form (**Appendix F**) and any supporting documentation (together, “the Loss of Membership Application Package”) to the Registrar who will review the Application package for completeness.
  49. Sections 27 to 31 (regarding Applications to Challenge Membership) apply for Applications for Loss of Membership, with necessary modifications.
  50. The Membership Committee may decide on an Application for Loss of Membership to:
    - (a) Dismiss the application; or
    - (b) Grant the application and remove the name of the challenged Member from the Membership List.
  51. An individual who ceases to be a Member, for any reason, is not entitled to the rights and benefits set out at sections 64, 66, and 67, as of the date of cessation of Membership. For greater clarity, the date of cessation of Membership is determined in accordance with section 47, and therefore may be earlier than the date on which the individual’s name is struck or removed from the Membership List.
  52. An individual does not lose Full Membership or entitlement thereto as a result of an adoption by an individual who is not a Member.
  53. An individual’s loss of Membership pursuant to this Code shall not negatively affect the entitlement or claim to Membership that someone related by blood or adoption to the

individual had prior to the individual's loss of Membership, save and except for a Member who loses Membership pursuant to section 47(b) of this Code.

54. Where an individual who acquired Conditional Membership through marriage becomes widowed, that individual shall not lose Membership by virtue of the Member spouse's death. Such individual shall, however, cease to be a Member if he or she subsequently becomes the spouse of a non-Member.

## VI. APPEALS

### A. MEMBERSHIP APPEALS COMMITTEE

55. When required, the Chief and Council will establish, by BCR, a Membership Appeals Committee whose task will be to review and make decisions on Membership application appeals. The Membership Appeals Committee will consist of three (3) Members who are:
- (a) Not on the Membership Committee;
  - (b) Not in an actual or perceived conflict of interest with the appellant; and
  - (c) Not a Member of the RRFNs Chief and Council.

### B. APPEALS PROCEDURE

56. An individual whose Application has been rejected by the Membership Committee or whose Membership has ceased for any reason set out in section 47 or pursuant to a decision made under section 31, may file an Appeal package (**Appendix E**) and supporting documentation within one (1) year of receiving the Membership Council's decision.
57. All appeals must:
- (a) Be in writing;
  - (b) State the basis of the appeal;
  - (c) Include relevant supporting documents, including the Membership Committee's written decision; and
  - (d) Be mailed, faxed or emailed to the Membership Registrar within one (1) year of the decision being appealed.
58. The Membership Appeals Committee shall convene a meeting within forty-five (45) days of receiving an Appeal package. It shall review the Appeal package to determine whether due process was followed, whether there was an absence of bias, and ensure the Membership Committee's decision was reasonable.

59. The Membership Appeals Committee shall report its decision to the Membership Registrar, the Membership Committee, and the individual who brought the application within sixty (60) days of receiving the Appeal package from the Membership Registrar.
60. The Membership Appeals Committee may confirm, vary or quash the contested decision.
61. An individual may appeal his or her rejection for Band Membership only once, and the decision of the Membership Appeals Committee shall be final.
62. The Membership Appeals Committee members shall be provided with an honorarium reflective of the time spent in the discharge of their duties pursuant to this Code, in an amount to be determined by Council.

## VII. RIGHTS AND RESPONSIBILITIES

63. There shall be no difference in treatment by RRFNs as between status and non-status (as according to the *Indian Act*) Band Members.
64. All Non-Probationary Members, whether Full or Conditional, who are eighteen (18) years of age or over have the right to vote at all elections and referenda held within the community.
65. No Probationary Member, whether Full or Conditional, may vote at RRFNs elections and referenda, or stand as a candidate for the office of Chief and Council.
66. A Full Member of the Band has the following rights which a Conditional Member of the Band does not have:
  - (a) The right to stand as a candidate for the office of Chief and Council;
  - (b) The right to receive payments/financial rights pursuant to any agreement for the benefit of RRFNs; and
  - (c) The right to receive priority in accessing program and services, in accordance with RRFNs housing policy, education policy, funeral policy and any other applicable policy.
67. All Members of the Band have the right to:
  - (a) Practice the traditions of the RRFNs;
  - (b) Live on the reserve of RRFNs, in accordance with the housing policy; and
  - (c) Be buried on the reserve of RRFNs.

68. All Members of the Band have the responsibility to:

- (a) Honour the traditional teachings and the customs of RRFNs;
- (b) Honour and comply with the codes, laws and regulations of RRFNs;
- (c) Contribute to the preservation, resurgence and advancement of the cultural, political, spiritual, intellectual and linguistic traditions of RRFNs;
- (d) Respect and take care of the children of RRFNs, and of the individuals, the land and the water within the traditional territory of RRFNs; and
- (e) Maintain active ties with, and good relations within, the community of RRFNs.

#### VIII. LIABILITY COVERAGE

69. RRFNs, through Council, shall arrange and maintain appropriate insurance coverage to indemnify RRFNs' Council, employees, and Committee Members who carry out any duties in relation to this Code.

#### IX. INVALIDITY OF ANY PROVISION OF THIS CODE

70. The Membership Committee has the right to recommend to Chief and Council administrative amendments to this Code to facilitate the practical administration of the Code and these amendments do not have to be taken to a vote. In the event, however, that the proposed amendments contain substantive changes and/or have any bearing on procedural fairness, the amendments shall be taken to a vote pursuant to the provisions of this Code.

71. If any part of this Code is declared to be invalid or unenforceable by any court, such invalidity or unenforceability shall not affect the validity or enforceability of any other part of this Code.

## APPENDIX A

RAINY RIVER FIRST NATIONS:  
APPLICATION FOR FULL BAND MEMBERSHIP (section 8.1)

I, \_\_\_\_\_, am applying for Full Membership in the RRFNs

OR

I, \_\_\_\_\_, am applying as parent/guardian on behalf of the Applicant who is under eighteen (18) years.

Full name of Applicant: \_\_\_\_\_

Applicant's date of birth: \_\_\_\_\_

I am applying for Full Membership on the basis of (check all that apply):

- section 7(b) (i.e. I was eligible to be a Member on the date prior to the day on which RRFNs assumed control of its Membership List)
- section 7(c) (i.e. I have at least one parent (by birth or adoption) who has Full Membership or is/was entitled to have Full Membership under this Code, whether that parent is living or deceased.)

Full name and birth dates, if known, of parent(s) or grandparents through whom Applicant is entitled to Full Membership:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Contact Information of Applicant:

- Phone Number: \_\_\_\_\_
- Current Mailing Address: \_\_\_\_\_

Please indicate what supporting documentation you are including with your application:

- birth certificate
- court adoption order
- sworn affidavit evidence
- other proof of custom adoption
- section 10 requirements
- other: \_\_\_\_\_

Please send application with  
supporting documentation C/O  
**Membership Registrar**  
Box 450  
Emo, Ontario  
P0W 1E0

I, \_\_\_\_\_, believe all answers herein to be true and accurate to  
the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX B

## RAINY RIVER FIRST NATIONS

APPLICATION FOR CONDITIONAL MEMBERSHIP (section 16(a)/17)

I, \_\_\_\_\_, am applying to become a Conditional Member of the RRFNs.

Full name of Applicant: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Full name of Full Member Spouse: \_\_\_\_\_

Current Mailing Address:  
 \_\_\_\_\_  
 \_\_\_\_\_

Phone Number: \_\_\_\_\_

Please indicate what supporting documentation you are including with your application:

- marriage certificate
- sworn affidavit proving common law or traditional marriage
- sworn affidavit evidence renouncing membership in other band, and demonstrating other band's willingness to release you from membership
- other \_\_\_\_\_

Please send application with supporting documentation C/O  
**Membership Registrar**  
 Box 450  
 Emo, Ontario  
 POW 1E0

I, \_\_\_\_\_, believe all answers herein to be true and accurate to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

APPENDIX C

RAINY RIVER FIRST NATIONS

STATEMENT OF INTENT TO APPLY FOR CONDITIONAL MEMBERSHIP (section 16(b)/18)

I, \_\_\_\_\_, would like to put my name forward for the Members of RRFNs, to vote to approve me to apply for conditional Membership in the RRFNs.

The reason(s) why I want to be considered to apply to become a Conditional Member are the following (if more space is required, please attach a separate piece of paper outlining the reasons):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Full name of Applicant: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Current Mailing Address:  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number: \_\_\_\_\_

Please review Section 18 of the Membership Code, and confirm that you are attaching the following:

sworn affidavit attesting to information required in section 18.

Please send application with supporting documentation C/O **Membership Registrar**  
Box 450  
Emo, Ontario  
POW 1E0

I, \_\_\_\_\_, believe all answers herein to be true and accurate to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX D

## RAINY RIVER FIRST NATIONS

## QUALIFYING INDICTABLE OFFENCES UNDER (section 47c)

<b>Offence</b>	<b>Criminal Code Provision</b>	<b>Description</b>
Aggravated Assault	268	A person who commits assault who maims, wounds, disfigures or endangers the life of another.
Sexual Assault Causing Bodily Harm	272(1)	Sexual assault that results in bodily harm
Sexual Assault	271	An assault that affects the sexual integrity of the victim.
Aggravated Sexual Assault (with or without weapon)	273	Sexual assaults that results in the maiming, wounding, disfigurement or endangers the life of the victim
Murder	235	The act of killing someone, either in the first or second degree.
Attempted Murder	239	Acted with intention to kill but did not kill individual.
Manslaughter	236	The act of unintentionally killing someone, either through an unlawful act, by criminal negligence, or causing the victim to do an act that results in death.
Negligence Causing Death	220	Being criminally negligent which results in the death of someone else.
Kidnapping	279	To confine someone against their will.
Extortion	346	Intention to obtain anything, by threats, accusations, menaces or violence induces or attempts to induce any individual to do anything or cause anything to be done.
Robbery	343	The extortion of property and use of a weapon, or threats of violence
Drug Trafficking	<i>Controlled Drugs and Substances Act</i> Section 5	Selling of illicit substances found in the <i>Controlled Drugs and Substances Act</i>
Sexual Interference	151	Touching a person under 16 with the intent of said touching being sexual
Making or Distributing Child Pornography	163.1	Making or distributing child pornography
Trafficking in Individual	279.01 279.011 (under 18)	A person who recruits, transports, transfers, holds, conceals or harbours a person, or exercises control over a person to facilitate their exploitation.

APPENDIX E

RAINY RIVER FIRST NATIONS

APPEAL PACKAGE (section 56)

I, \_\_\_\_\_, am appealing the decision of the Membership Committee made on \_\_\_\_\_ (date).

I, \_\_\_\_\_, understand that if I do not mail, fax or email this Appeal package to the Membership Registrar within one (1) year of the Membership Committee's decision, it will not be considered.

The basis of my appeal is the following:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list relevant supporting documents you are providing with this Appeal package:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number/Email:

Date of Birth:

Please send Appeal package with supporting documentation to  
**Membership Registrar**  
Box 450  
Emo, Ontario  
POW 1E0

I, \_\_\_\_\_, believe all answers herein to be true and accurate to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

APPENDIX F

RAINY RIVER FIRST NATIONS

LOSS OF MEMBERSHIP APPLICATION (section 48)

I, \_\_\_\_\_, am making the application that \_\_\_\_\_ be removed from the Membership List of RRFNs.

Full name of Applicant: \_\_\_\_\_

Current Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Please indicate reasons for making this application:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please indicate what supporting documentation you are including with your application:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please send Loss of Membership application with supporting documentation to the **Membership Registrar**  
Box 450  
Emo, Ontario  
P0W 1E0

I, \_\_\_\_\_, believe all answers herein to be true and accurate to the best of my knowledge.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

APPENDIX G

RAINY RIVER FIRST NATIONS

APPLICATION to CHALLENGE MEMBERSHIP (section 27)

I, \_\_\_\_\_, am making the application that \_\_\_\_\_, who is currently serving his/her probationary period pursuant to the Membership Code of the Rainy River First Nations, be removed from the Membership List of RRFNs.

Full name of Applicant: \_\_\_\_\_  
Current Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

Please indicate reasons for making this application (attach extra pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please indicate what supporting documentation you are including with your application:  
\_\_\_\_\_  
\_\_\_\_\_

Should a hearing be held in this matter, please list the names of people you intend to call as witnesses (maximum three, including yourself):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please send Application to Challenge Membership with supporting documentation to the **Membership Registrar**  
Box 450  
Emo, Ontario  
POW 1E0

I, \_\_\_\_\_, believe all answers herein to be true and accurate to the best of my knowledge.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_