



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

Appeal Package – refers to the form attached hereto as Appendix C (Appeal Package);

Applicant – means the person making any Application using a form under this Code;

Application – means any application using a form under this Code, including an Application for Membership;

BCR – means a Band Council Resolution;

Child – means an individual under the age of eighteen (18);

Code – means the Nation's Membership Code and any amendments hereto;

Community – means collectively, the Rainy River First Nations Indian Reserve, namely: i Hungry Hall (Bishop), Hungry Hall (Paskonkin), Little Forks, Long Sault 1, Long Sault 2, Manitou Rapids 1 and Manitou Rapids 2.

Council – means the Chief and Council of the Nation;

Member – an individual who is automatically a member of the Nation pursuant in Section 8(a) (Membership) or is approved to be member of the Nation pursuant to Section 16 (Membership);

Membership – means an individual who has been approved by the Membership Committee for Membership pursuant to Section II (Membership);

Membership Application Form – refers to the form attached hereto as Appendix A (Membership Application Form);

Membership Application Package – means the Application package for Membership;

Loss of Membership Application Form – refers to the form attached hereto as Appendix D (Loss of Membership Application Form);

Loss of Membership Application Package – refers to the form attached hereto as Appendix D (Loss of Membership Application Form) and any supplementary information as required by the Membership Committee from time to time;

Manager of Administration – refers to the employee that leads the Administration Department of the Nation;

Membership Appeal Committee – means the Nation's membership appeals committee appointed pursuant to Section VI (Membership Committee);

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

Membership Committee – means the committee appointed under Section IV (Membership Committee) of this Code;

Membership Registrar – means the individual appointed by the Manager of Administration in accordance with Section III (Administration of the Code) to serve of the registrar of, and whose principle responsibility is to perform tasked with the administrative duties related to this Code;

Nation – means RRFNs;

Other Nation – means an Indian Band within the meaning of the *Indian Act*, R.S.C. 1985, c. I-5, as amended from time to time, not including the Nation, any Inuit community, or any Metis Organization;

Spouse – means 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 (2) years with a person; and

Status – means a Rainy River First Nations status number from Indigenous Services Canada.

I. ENACTMENT AND AMENDMENT OF THE CODE

1. The purpose of the Code is to provide a clear set of rules to determine who is a Member of the Nation.
2. This Code shall be enacted by way of a Community vote whereby every Member of the Nation who is the full age of eighteen (18) years and whose residence address is known by the Nation, is provided the opportunity to take part in the voting process. The Code is considered to be approved by the Members if at least twenty-five (25) Members participate in the vote, with sixty percent (60%) or more of votes cast in favour of passing the Code.
3. On the day that this Code is enacted, every prior Nation membership code is repealed.
4. Any Member or the Membership Committee may propose reasonable amendments to the Code by submitting those amendments to the 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 the Nation who is the full age of eighteen (18) years and whose residence address is known by the Nation is provided the opportunity to take part in the voting process. The amendment is considered to be approved by the Members if at least twenty-five (25) Members participate in the vote, with seventy-five (75%) or more of votes cast in favour of the amendment(s).

II. MEMBERSHIP

6. An individual may not be a Member of the Nation and a member of any Other Nation in Canada at the same time.
7. Notwithstanding any amendments to this Code made on May 7, 2025, any person who was a Member immediately prior to such amendments shall continue to be recognized as a Member, subject always to the provisions of Section 27 (Loss of Membership) respecting loss of Membership.

A. *ELIGIBILITY FOR MEMBERSHIP*

8. The following individuals are entitled to Membership:
 - (a) Any individual who has Status and whose name appeared on the Membership List on the day prior to the date of enactment of this Code;
 - (b) Any individual who has Status and had the right to be a Member on the day prior to the date on which the Nation first assumed control of the Membership List from the federal government; and
 - (c) Any individual who has Status and at least one (1) parent (by birth) who has Membership or is/was entitled to have Membership under this Code, whether that parent is living or deceased.

B. *MEMBERSHIP APPLICATION PROCESS*

9. All individuals who fall under Section 8(a) (Membership) are automatically deemed Members and are not required to submit an Application.
10. All individuals who fall under Section 8(b) and (c) (Membership) who wish to become Members must submit the Membership Application Form (Appendix A). Where the Applicant is less than eighteen (18) years of age, the Membership Application Form may be completed by the Applicant's parent, guardian or caretaker on the Applicant's behalf. The completed Membership Application Form shall be submitted to the Membership Registrar along with a birth certificate or signed affidavit evidence, as required. The Membership Application Form and requisite supporting documentation constitute the Membership Application Package.
11. The following individuals wishing to become Members are required to submit additional evidence along with their Membership Application Form, pursuant to the provisions of this Code:
 - (a) Any individual meeting the eligibility criteria set out in Section 8(b) or (c) (Membership) who is transferring from any Other Nation within Canada provided the Applicant undertakes to renounce his or her Membership in his or her Other Nation by signed affidavit evidence.

- (b) Any individual meeting the eligibility criteria set out in Section 8 (Membership) who is reapplying after loss of Membership for any reason.
 - (c) Any individual who meets the criteria in Section 8(c) (Membership) but:
 - i. whose parents, grandparents, and great-grandparents have not held Membership, even though eligible for it under this Code; and/or
 - ii. has only one (1) parent who is/was a Member or eligible to become a Member.
12. An Applicant within the category of individuals set out in Section 11 (Membership) shall provide:
- (a) Three (3) letters of support; and
 - (b) Signed affidavit evidence, completed by the Applicant if over the age of eighteen (18) or by the Applicant's parent, guardian or caretaker on the Applicant's behalf if the Applicant is a Child: (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; (d) disclosing if there are other matters in the individual's past or present circumstances that may place the individual's character at issue;
 - (c) If applying under Section 11(a) (Membership), provide an affidavit renouncing membership in the individual's Other Nation, and evidence that the Other Nation will release the individual from its membership list; and
 - (d) If applying under section 8(c), provide affidavit evidence setting out kinship.
13. The Membership Committee reserves the right to request any and all further documentation required to make its determination on Membership. The Membership Application Form and requisite supporting documentation constitute the Membership Application Package.
14. The Membership Registrar shall review every 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 Membership Application Packages to the Membership Committee within thirty (30) days of receiving all requisite documents.
15. The Membership Committee shall review all Membership Application Packages received from the Membership Registrar and advise, within ninety (90) days of the receipt of the completed Membership Application Package, both the Membership Registrar and the Applicant via letter whether the Application is approved. If the Applicant meets the

criteria established in Section 7 (Membership), the Membership Committee shall approve the Application.

16. If the Application for Membership is approved by the Membership Committee, an individual is a Member of the Nation as the date of the Application.

III. ADMINISTRATION OF THE CODE

17. 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 Nation tasked with administrative duties in relation to the Code and shall not be a Member of the Council.
18. 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 Membership, Loss of Membership and Appeal Package Applications and supporting documents and review for completeness;
 - (d) Prepare and present Applications to the Membership Committee or the Membership Appeals Committee;
 - (e) Coordinate meetings of the Membership Committee and the Membership Appeals Committee;
 - (f) Notify 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 Council.

IV. MEMBERSHIP COMMITTEE

19. Council shall establish the Membership Committee by appointing five (5) Members of the Nation 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) Member living outside of the Community; and

- (c) At least three (3) Members living in the Community.
- 20. No individual appointed to the Membership Committee shall be a member of the Council, be the Manager of Administration or hold the office of Chief of the Nation.
- 21. Membership Committee members shall serve a five-year (5-year) term and are eligible for re-appointment upon expiry of this term.
- 22. The Membership Committee has the authority and responsibility to carry out the duties assigned to it under the Code.
- 23. The Membership Committee has the following responsibilities:
 - (a) The Membership Committee shall review all Applications, 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, including a conflict of interest, 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, sister, brother, parent, grandparent, grandchild, Spouse, former Spouse, daughter/son-in-law, sister/brother-in-law or parent-in-law. For greater certainty, any conflicted Membership Committee member cannot participate in the discussion and vote regarding the conflict and must leave the room for the duration of such discussion and vote;
 - (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 Membership Registrar, and shall meet as frequently as is necessary to abide by this timeline;
 - (f) The Membership Committee shall notify the Membership 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 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 (Enactment and Amendment of the Code); and

- (i) The Membership Committee, in consultation with Chief and Council, shall ensure that the list of qualifying indictable offences (set out at Appendix B (Qualifying Indictable Offences)) is consistent with the will of the Membership in determining loss of membership pursuant to Section 27(c) (Loss of Membership) and otherwise with the *Criminal Code of Canada*.
- 24. 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, Council shall appoint (a) replacement member(s) by BCR within thirty (30) days.
 - 25. If a Membership Committee member displays conduct inconsistent with the nature of his or her responsibilities as a Membership Committee member, he or she may be removed from the Membership Committee by BCR by Council.
 - 26. 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

- 27. A Member shall lose Membership in the following circumstances:
 - (a) the day on which a Member's name is added to the Membership List of any Other Nation; however, a Member may apply for reinstatement under Sections 11(a) and 12 (Membership);
 - (b) if a Member's name was wrongfully entered onto the Membership List through error, omission, falsehood, oversight, or any other reason, the individual shall be removed from the Membership List and shall be considered to have never been a Member and 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 upon the date of enactment or the date on which the third conviction is entered; however, a Member may apply for reinstatement under Sections 11(a) and 12 (Membership). For a list of qualifying indictable offences see Appendix B (Qualifying Indictable Offences); and
 - (d) upon the renouncement of his or her Membership by written statement signed by the Member, or the Member's parent, guardian or caretaker if the Member has not

reached the age of majority, effective as of the date of signing; however, a Member may apply for reinstatement under Sections 11(a) and 12 (Membership).

28. An individual who believes that a Member should be removed from the Membership List because he or she meets the criteria set out in Section 27 (Loss of Membership), may submit a Loss of Membership Application Form (Appendix D) and any supporting documentation, together, the Loss of Membership Application Package, to the Membership Registrar who will review the Application Package for completeness.
29. 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.
30. An individual who ceases to be a Member, for any reason, is not entitled to the rights and benefits set out at Sections 41, 42, and 43 (Rights and Responsibilities), as of the date of cessation of Membership. For greater clarity, the date of cessation of Membership is determined in accordance with Section 27 (Rights and Responsibilities), and therefore may be earlier than the date on which the individual's name is struck or removed from the Membership List.
31. An individual does not lose Membership or entitlement thereto as a result of an adoption by an individual who is not a Member.
32. 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 to the individual had prior to the individual's loss of Membership, save and except for a Member who loses Membership pursuant to Section 27(b) (Loss of Membership).

VI. APPEALS

C. MEMBERSHIP APPEALS COMMITTEE

33. When required, the Council will establish, by BCR, a Membership Appeal 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 Chief and Council.

D. APPEALS PROCEDURE+

34. An individual whose Application has been rejected by the Membership Committee or whose Membership has ceased for any reason set out in Section 27 (Loss of Membership)

may file an Appeal Package (Appendix C) and supporting documentation within one (1) year of receiving the Membership Committee's decision.

35. 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.
36. 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.
37. 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.
38. The Membership Appeals Committee may confirm, vary or quash the contested decision.
39. An individual may appeal his or her rejection for Membership only once, and the decision of the Membership Appeals Committee shall be final.
40. 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

41. All Members who are eighteen (18) years of age or over have the right to vote at all elections and referenda held within the Community.
42. A Member has the following rights:
 - (a) The right to stand as a candidate for the office of Council;
 - (b) The right to receive payments/financial rights pursuant to any agreement for the benefit of the Nation; and
 - (c) The right to receive priority in accessing program and services, in accordance with the Nation's housing policy, education policy, funeral policy and any other applicable policy.

43. All Members have the right to:
- (a) Practice the traditions of the Nation;
 - (b) Live in the Community, in accordance with the housing policy; and
 - (c) Be buried in the Community.
44. All Members have the responsibility to:
- (a) Honour the traditional teachings and the customs of the Nation;
 - (b) Honour and comply with the codes, laws and regulations of the Nation;
 - (c) Contribute to the preservation, resurgence and advancement of the cultural, political, spiritual, intellectual and linguistic traditions of the Nation;
 - (d) Respect and take care of the children of the Nation, and of the individuals, the land and the water within the traditional territory of the Nation; and
 - (e) Maintain active ties with, and good relations within, the Community.

VIII. LIABILITY COVERAGE

45. The Nation, through Council, shall arrange and maintain appropriate insurance coverage to indemnify the Nation's Council, employees, and Membership Committee members and Membership Appeal Committee members who carry out any duties in relation to this Code.

IX. INVALIDITY OF ANY PROVISION OF THIS CODE

46. The Membership Committee has the right to recommend to 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.
47. 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 MEMBERSHIP (section 10)

I, _____, am applying for Membership in the Nation

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 Membership on the basis of (check all that apply):

- ☐ section 8(b) (i.e. I was eligible to be a Member on the date prior to the day on which the Nation assumed control of its Membership List)
- ☐ section 8(c) (i.e. I have at least one (1) parent (by birth) who has Membership or is/was entitled to have 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 Membership:

Contact Information of Applicant:

- Phone Number: _____
- Current Mailing Address: _____

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

- ☐ birth certificate
- ☐ sworn affidavit evidence
- ☐ proof of status
- ☐ section 12 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

QUALIFYING INDICTABLE OFFENCES (Section 27(c))

Offence	Criminal Code Provision	Description
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 C

RAINY RIVER FIRST NATIONS

APPEAL PACKAGE (Section 34)

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 application with supporting documentation C/O **Membership**

Registrar

Box 450

Emo, Ontario

P0W 1E0

Or to membership@manitourapids.ca

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

Signature: _____

Date: _____

APPENDIX D

RAINY RIVER FIRST NATIONS

LOSS OF MEMBERSHIP APPLICATION (Section 28)

I, _____, am making the Application that _____ be removed from the Membership List of the Nation.

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 application with supporting
documentation C/O **Membership**

Registrar

Box 450

Emo, Ontario

P0W 1E0

Or to membership@manitourapids.ca

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

Signature: _____

Date: _____