

TSUU T'INA
CITIZENSHIP CODE
FIRST AMENDMENT
REGULATIONS
JULY 4, 2011



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Tsuu T'ina Citizenship Code
First Amendment Regulations

The Tsuu T'ina in the exercise of its power to enact regulations pursuant to the Tsuu T'ina Citizenship code does hereby enact the Tsuu T'ina Citizenship Code First Amendment Regulations.

These Regulations may be cited as the “Tsuu T'ina Citizenship Code First Amendment Regulations” and are referred to as the Regulations herein.

SECTION 1-Definitions

1.

- (a) “Appeal” is a written request for reconsideration of the enrolment of an individual;
- (b) “Band List” means a list maintained by Indian Affairs and Northern Development, which lists the name of every person who was a member of the Sarcee Nation;
- (c) “Citizen” or “Citizenship” means a member of the Tsuu T'ina as described by the Tsuu T'ina Citizenship Code;
- (d) “Citizenship Code” or “Code” means the Tsuu T'ina Citizenship Code First Amendment;
- (e) “Citizenship Tribunal” means a group of Tsuu T'ina Citizens appointed by the Tsuu T'ina Government to review appeals and protests of decisions made by the Citizenship Evaluation Board;
- (f) “Eligible Electors” or “Tsuu T'ina Electors” means those people Eighteen (18) years old and over on the Tsuu T'ina List who are not disqualified from voting at Tsuu T'ina Elections;
- (g) “Evaluation Board” or “Citizenship Evaluation Board” means a group of Tsuu T'ina Citizens appointed by the Tsuu T'ina Government to review applications for Tsuu T'ina Citizenship;
- (h) “First Nation” means a body of North American Indians;

- (i) for whose use and benefit in common lands, the legal title in which is vested in her Majesty, have been set apart;
 - (ii) for whose use and benefit in common moneys are held in trust by her Majesty;
 - (iii) declared by the Governor in Council to be a First Nation (Band); or
 - (iv) recognized by an Indian Tribe in the United States of America;
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- (i) “Immediate Family” means a person’s spouse, parents, siblings and children;
 - (j) “Indian” means a person who is a recognized member or is eligible to be a recognized member of a First Nation;
 - (k) “Initial Band Member” means a person who was registered a Tsuu T’ina Citizen at birth;
 - (l) “Non-Indian” means person who is not a recognized member or is not eligible to be a recognized member of a First Nation;
 - (m) “Protest” is a written statement contesting the inclusion of an individual on the Tsuu T’ina Citizenship List;
 - (n) “Tsuu T’ina” or “Tsuu T’ina Nation” means the sovereign nation previously referred to as the Sarcee Nation;
 - (o) “Tsuu T’ina Citizen” means a member of the Tsuu T’ina who is or who becomes a Citizen under the Tsuu T’ina Citizenship Code First Amendment;
 - (p) “Tsuu T’ina Government” means the Tsuu T’ina Chief and Council;
 - (q) “Tsuu T’ina List” means the List of Tsuu T’ina Citizens kept according to the Tsuu T’ina Citizenship Code;
 - (r) “Tsuu T’ina Nation Membership Database” means a collection of information on the registered members of the Tsuu T’ina Nation;
 - (s) “Tsuu T’ina Registrar” means the person appointed by the Tsuu T’ina Government to administer and maintain the Tsuu T’ina List;
 - (t) “Tsuu T’ina Surname” means the applicants recognized Tsuu T’ina ancestral surname.

SECTION 2-Duties of the Tsuu T'ina Registrar

1. The Tsuu T'ina Registrar shall take an oath of office and be responsible for the maintenance and up keep of the Tsuu T'ina List and the Tsuu T'ina Nation Membership Database and, without restricting the generality of the foregoing, shall:
 - (a) Maintain proper records and files of each Tsuu T'ina Citizen including:
 - (i) Legal name of Tsuu T'ina Citizen;
 - (ii) Date of Birth;
 - (iii) Sex and Marital Status;
 - (iv) Name of spouse, citizenship name and number and blood quantum;
 - (v) Names of children and date of birth;
 - (vi) Names of adopted children and date of birth;
 - (vii) Names of parents, citizenship name and number, and blood quantum;
 - (viii) Names of paternal grandparents, citizenship, membership number and blood quantum;
 - (ix) Names of maternal grandparents, citizenship, membership number and blood quantum; and
 - (x) Blood quantum, as set by resolution of the Citizenship Evaluation Board;
 - (b) Maintain proper records and files on all applications for Tsuu T'ina Citizenship including:
 - (i) Date of application;
 - (ii) Date of approval of application;
 - (iii) Date of rejection of application;
 - (iv) Number of votes in favour or against application; and
 - (v) Copies of documentation provided with application;
 - (c) Attend all Citizenship Evaluation Board and Citizenship Tribunal meetings and provide quarterly membership reports to the Citizenship Evaluation Board;
 - (d) Ensure a recording secretary is made available at all Citizenship Evaluation Board and Citizenship Tribunal Meetings;
 - (e) Forward all written complaints in relation to the application process to the Citizenship Evaluation Board for review and issue a notification to the

complainant that the written complaint has been forwarded to the Citizenship Evaluation Board;

- (f) Provide written notice of decisions to applicants for Tsuu T'ina Citizenship on applications, appeals, voting and protests;
- (g) Post all additions and deletions to Tsuu T'ina Citizenship List including the date of the addition or deletion and reason thereof, which postings shall only occur after all meetings have taken place and the process has been completed;
- (h) Provide notices to the Registrar at the Department of Indian Affairs, of all additions and deletions from the Tsuu T'ina Citizenship List;
- (i) Act as the returning officer in relation to all votes on membership;
- (j) Provide a Tsuu T'ina Citizenship card to all Tsuu T'ina Citizens; and
- (k) Perform all other necessary functions as may from time to time be required for the effective operation of the office of the Tsuu T'ina Registrar and the functions of the Citizenship Evaluation Board and Citizenship Tribunal.

SECTION 3-Applications

1. All Tsuu T'ina applications shall be completed in the prescribed form with the required documentation and submitted to the Tsuu T'ina Registrar with the applicable fee. Any incomplete forms shall not be submitted to the Citizenship Evaluation Board.
2. Applicants shall complete One (1) of the prescribed forms and shall provide the following documentation, as applicable:
 - (a) Birth Certificate or Change of Name Certificate showing a Tsuu T'ina Surname;
 - (b) Marriage Certificate;
 - (c) Spouses Birth Certificate;
 - (d) Spouses current Certificate of Indian Status;
 - (e) Band Transfer Request Form;

- (f) Adoption Documents;
 - (g) Guardianship Documents;
 - (h) For applicants over the age of Eighteen (18) years:
 - (i) Current Certificate of Indian Status;
 - (ii) Criminal Check;
 - (iii) Tsuu T'ina Basic Language Test Completion Form;
 - (iv) Tsuu T'ina History, Culture and Traditions Test Completion Form; and
 - (v) A Profile Form to be shown to the Tsuu T'ina Electors;
 - (i) For applicants under section 4.b(i) of the Tsuu T'ina Citizenship Code First Amendment where a minor only has One (1) Tsuu T'ina parent:
 - (i) Names of paternal great-grandparents, citizenship and membership number, blood quantum and a birth certificate(s); and
 - (ii) Names of maternal great-grandparents, citizenship and membership number, blood quantum and a birth certificate(s).
3. Transfers to the Tsuu T'ina List will not be effective until all documentation has been completed and the Tsuu T'ina Registrar has received a Band Council Resolution ("BCR") from the transferring First Nation.
4. An accepting Band Council Resolution ("BCR") shall be signed by the Tsuu T'ina Government to accept any transferring applications to become a Tsuu T'ina Citizen.
5. The following fees shall be required for processing of an application:
- (a) A non-refundable fee of \$250.00 for a Minor Transfer Application with the application form;
 - (b) A further non-refundable fee of \$250.00 for Minor Transfer Application before the application form is brought to the Citizenship Evaluation Board;
 - (c) A non-refundable fee of \$500.00 for applicants over Eighteen (18) years, including marriages and transfers, before the application is reviewed by the Citizenship Evaluation Board; and
 - (d) A non-refundable fee of \$500.00 if an application goes to vote.

All payments must be payable in the form of a money order.

6. Applications for Tsuu T'ina Citizenship shall be processed in accordance with the Tsuu T'ina Citizenship Code First Amendment within Ninety (90) days of receipt of application.
7. Application shall be processed in a confidential manner.
8. The applicant shall receive written notice of the time and place he/she is required to appear before the Citizenship Evaluation and/or Citizenship Tribunal Boards.

SECTION 4-Voting By Tsuu T'ina Electors

1. For purposes of the Tsuu T'ina Citizenship Code, the Tsuu T'ina Registrar shall be the returning officer.
2. All Tsuu T'ina Citizens, as defined by the Tsuu T'ina Citizenship Code, who are Eighteen(18) years of age and older are eligible to cast One (1) vote on any votes in relation to Tsuu T'ina Citizenship.
3. A notice calling for a vote by the Tsuu T'ina Electors shall be scheduled not less than Thirty (30) days from the date in which it is determined that the Tsuu T'ina Electors should vote on an application.
4. The notice shall be posted by the Tsuu T'ina Registrar and shall include the number of Tsuu T'ina Electors entitled to vote.
5. The time scheduled for voting shall be from the hours of 9:00am to 6:00pm on any One (1) day, with no more than Two (2) consecutive days set aside for voting.
6. The count of ballots cast shall be conducted immediately after 6:00pm on the final day of voting and shall be open to the public.
7. The voting procedures shall be conducted in an equitable manner pursuant to the Tsuu T'ina Voting procedures.
8. Applicants shall be placed on one ballot to be voted on individually by the Tsuu T'ina Electors.
9. Voting shall take place once a year for all applicants, dates shall be determined.

SECTION 5-Appeals

1. Any person whose application for Tsuu T'ina Citizenship has been rejected may appeal.
2. Any Tsuu T'ina Citizen may appeal on behalf of any person whose application for Tsuu T'ina Citizenship has been rejected, to the Citizenship Evaluation Board and/or Citizenship Tribunal Board.
3. An appeal may be submitted within Ninety (90) days from the date the Citizenship Evaluation Board and/or the Citizenship Tribunal reject the application.
4. All appeals shall be on prescribed forms.
5. Appeal forms shall be maintained by the Tsuu T'ina Registrar.
6. The person submitting an appeal shall have the opportunity to appear before the Citizenship Evaluation Board and/or Citizenship Tribunal.
7. A Written Notice of Decision on the appeal shall be issued to the person appealing within Seven (7) days.

SECTION 6-Protests

1. Any Tsuu T'ina Citizen may protest any individual who becomes a Tsuu T'ina Citizen by virtue of sections 4(a) and 6(a) of the Tsuu T'ina Citizenship Code.
2. All protests shall be on prescribed forms.
3. All protests shall be maintained by the office of the Tsuu T'ina Registrar.
4. All protests shall be supported by official documents, records and evidence bearing on the questions as proof of eligibility for inclusion or deletion from the Tsuu T'ina Citizenship.
5. All written protests, with required documentation, shall be processed within Ninety (90) days of receipt by the office of Tsuu T'ina Registrar.
6. The person whose Tsuu T'ina Citizenship is in question shall be given notice of the protest within Thirty (30) days of the protest being received.

7. The Tsuu T'ina Citizen submitting the protest shall have the opportunity to appear before the Citizenship Tribunal to present his/her case.
8. The person, whose Tsuu T'ina Citizenship is in question, shall have the opportunity to appear before the Citizenship Tribunal to speak on the case.
9. Upon review of the protest, the Citizenship Tribunal shall determine whether a valid protest has been made:
 - (a) If a valid protest has been established, the Citizenship Tribunal shall submit the protest to be voted on by the Electorate;
 - (b) If a valid protest has not been established, the Citizenship Tribunal shall direct the Tsuu T'ina Registrar to leave on the Tsuu T'ina List the name of the person whose Tsuu T'ina Citizenship was in question.
10. The decision of the Citizenship Tribunal shall be forwarded to the individual whose Tsuu T'ina Citizenship is in question within Seven (7) days from the date of decision of the Citizenship Tribunal.

SECTION 7-Loss of Citizenship

1. Any Tsuu T'ina Citizen who is Eighteen (18) years and older may apply for relinquishment of Tsuu T'ina Citizenship.
2. From the date of application by a Tsuu T'ina Citizen Eighteen (18) years and older for relinquishment of Tsuu T'ina Citizenship, a waiting period of Twelve (12) months shall be enforced before request is considered and a decision by the Citizenship Evaluation Board is established.
3. In the case of a transfer of any Tsuu T'ina Citizen to another First Nation, the waiting period shall be waived, upon proof of acceptance into Citizenship of the other First Nation.
4. All requests for relinquishment of Tsuu T'ina Citizenship shall be in prescribed form.
5. All application forms for relinquishment of Tsuu T'ina Citizenship shall be maintained by the Tsuu T'ina Registrar.

6. All applications for relinquishment of Tsuu T'ina Citizenship shall be brought to the Citizenship Evaluation Board for acknowledgement.
7. Any Tsuu T'ina Citizen may submit any documents or evidence as he/she may consider proper in support of or against any request of a Tsuu T'ina Citizen applying for relinquishment of Tsuu T'ina Citizenship.
8. A decision on the application for relinquishment of Tsuu T'ina Citizenship shall be issued to the applicant within Seven (7) days from the date the decision is established.
9. In the event the Citizenship Evaluation Board approves the application for relinquishment, the Tsuu T'ina Registrar shall be directed to delete the name of the applicant from the Tsuu T'ina List. In the event the Citizenship Evaluation Board does not approve the application for relinquishment, the Tsuu T'ina Registrar shall be directed to leave the name of the applicant on the Tsuu T'ina List.

SECTION 8-Citizenship Evaluation Board

1. The Citizenship Evaluation Board shall consist of Eight (8) Tsuu T'ina Citizens to include Four (4) men and Four (4) women.
2. A minimum of Two (2) members of the Citizenship Evaluation Board shall be elders.
3. A minimum of Four (4) members of the Citizenship Evaluation Board shall speak the Tsuu T'ina Language. Those Four (4) members shall grade "The Basic Understanding of the Tsuu T'ina Spoken Language Test".
4. The Citizenship Evaluation Board shall be recognized Tsuu T'ina Citizens with One hundred (100%) percent Tsuu T'ina blood quantum.
5. The Citizenship Evaluation Board shall review and accept or reject, the completed applications and required documents, for Tsuu T'ina Citizenship and shall enact by resolution.
6. The Citizenship Evaluation Board may choose to meet with applicants.
7. The Citizenship Evaluation Board shall elect from among them, a Chairperson, a Vice-Chairperson and Secretary.

8. The Citizenship Evaluation Board shall schedule the dates of voting for the Tsuu T'ina Citizenship applications.
9. Members of the Citizenship Evaluation Board shall be required to take an oath of office.
10. Five (5) members of the Citizenship Evaluation Board shall constitute a quorum to conduct business.
11. Minutes of a meeting of the Citizenship Evaluation Board shall be recorded and kept confidential.
12. Members of the Citizenship Evaluation Board shall be disqualified from the proceedings of the consideration of an application where the applicant is a member of the Board Member's Immediate Family.
13. The Citizenship Evaluation Board shall meet as necessary, but not less than once every Three (3) months.
14. There shall be no vote by proxy.
15. The Citizenship Evaluation Board shall refer to the Tsuu T'ina Citizenship List at every meeting for confirmation.
16. The Citizenship Evaluation Board shall instruct the Tsuu T'ina Registrar by resolution of a board member vote of the addition to and deletions from the Tsuu T'ina Citizenship List.

SECTION 9-Citizenship Tribunal

1. The Tsuu T'ina Citizenship Tribunal shall consist of Sixteen (16) Tsuu T'ina Citizens to include Eight (8) men and Eight (8) women.
2. A minimum of Four (4) members of the Citizenship Tribunal Board shall be elders.
3. A minimum of Four (4) members of the Citizenship Tribunal Board shall speak the Tsuu T'ina Language. Those Four (4) members shall grade "The Basic Understanding of the Tsuu T'ina Spoken Language Test".

4. The members of the Citizenship Tribunal shall be recognized Tsuu T'ina Citizens whose blood quantum is One hundred (100%) percent as defined by the Tsuu T'ina Citizenship Code.
5. The Citizenship Tribunal shall review and approve or reject all appeals and protests on decisions of the Citizenship Evaluation Board. In the case, where a protest has been established, the name of the individual shall be submitted to the Tsuu T'ina Electors for a vote.
6. The Citizenship Tribunal shall elect from among them, a Chairperson, Vice-Chairperson and Secretary.
7. The Citizenship Tribunal shall schedule the dates of voting for Tsuu T'ina Citizenship applications and protests where applicable.
8. Citizenship Tribunal shall be required to take an oath of office.
9. Nine (9) members of the Citizenship Tribunal shall constitute a quorum to conduct business.
10. Meetings shall be conducted in an orderly fashion.
11. Minutes of a meeting of the Citizenship Tribunal shall be recorded and kept confidential.
12. A member of the Citizenship Tribunal will be disqualified from the proceedings of the consideration of an application where the applicant is a member of the Citizenship Tribunal member's Immediate Family.

SECTION 10-Amendments

1. Any amendments of the Code must be approved either by a petition with the majority of Tsuu T'ina Electors approving the amendments or by a vote with a majority of Tsuu T'ina Electors approving the amendments.
2. Prior to any petition or vote, Tsuu T'ina Government shall appoint a committee to make recommendations to Tsuu T'ina Government as to proposed amendments to the Code.

3. The committee shall provide Tsuu T'ina Government with monthly reports and shall provide Tsuu T'ina Government with recommendations as to proposed amendments to the Code.
4. Tsuu T'ina Government shall determine the proposed amendments to be made to the Code and shall direct the committee to meet with the Tsuu T'ina Electors to educate the Tsuu T'ina Electors and shall conduct any opinion poll of the Tsuu T'ina Electors on the proposed amendments.
5. The committee shall report to Tsuu T'ina Government the findings of the opinion poll.
6. Tsuu T'ina Government shall determine whether to proceed with having the proposed amendments approved by the Tsuu T'ina Electors and, if so, shall decide whether to have the proposed amendments approved by petition or vote.
7. If by petition, the petition shall close One hundred and Twenty (120) days from the date Tsuu T'ina Government directed the proposed amendments be approved by petition.
8. If by vote, Tsuu T'ina Government shall determine the date for the vote to take place, the date not being any later than One hundred and Twenty (120) days from the date Tsuu T'ina Government directed the proposed amendments be approved by vote.
9. If by petition, upon the closing of the petition, the committee shall report to Tsuu T'ina Government those amendments that have been approved.
10. If by vote, upon the closing of the vote, Tsuu T'ina Government shall be advised as to those amendments that have been approved.
11. Any amendments to the Code shall be made effective upon Tsuu T'ina Government signing a Band Council Resolution ("BCR").
12. The Tsuu T'ina Government may propose amendments to the Regulations and the same shall become effective when passed by a majority of Tsuu T'ina Electors at the meeting of the Tsuu T'ina Electors called with One (1) months' notice.

SECTION 11-Confidentiality

1. All files and records maintained by the Office of the Tsuu T'ina Registrar shall be kept in strict confidence.
2. Files and records maintained by the Office of the Tsuu T'ina Registrar shall not be removed from the Office of the Tsuu T'ina Registrar.
3. Files and records of all Tsuu T'ina Citizens and applications shall not be open for public view and information except for personal view and information by the Tsuu T'ina Citizen or Applicant.
4. The Citizenship Evaluation Board, Citizenship Tribunal Board and staff of the Office of the Tsuu T'ina Registrar are required to take an Oath of Office.

SECTION 12-Complaints on Applications Process

1. Any valid concerns about an application submitted to the Tsuu T'ina Registrar, should be written and addressed to the appropriate Board.
2. A written response will be given within Ninety (90) days by the Tsuu T'ina Registrar.

SECTION 13-Testing for Applications

1. All applicants that are required to take the Tsuu T'ina Basic Language Test and the Tsuu T'ina History, Culture and Traditions Test shall be provided with a handbook to prepare for this test.
2. Those applicants suffering from a physical and mental handicap that are not able to take the test, as determined by the Citizenship Evaluation Board, shall not be required to take the Tsuu T'ina Basic Language Test or the Tsuu T'ina History, Culture and Traditions Test.