



**CHAMPAGNE AND AISHIHIK FIRST NATIONS**

**Äghàaḷān**  
“My Relatives”

***Enrollment Act***

Official Consolidation of Amendments  
Current to February 26, 2020

*Rose Gashway K., Deputy Chief*  
Chief



# CHAMPAGNE AND AISHIHIK FIRST NATIONS

*Äghàatān*  
"My Relatives"

## ENROLLMENT ACT

### Legislative History

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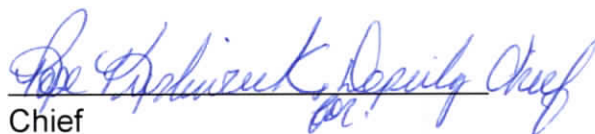
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Chief

## Champagne and Aishihik First Nations

*An Act establishing the criteria for enrollment under the Champagne and Aishihik First Nations Final Agreement.*

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**Äghàatān (“my relatives”)**

***The “Enrollment  
Act”***

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### **SUMMARY**

Chapter 3 of the *Champagne and Aishihik First Nations Final Agreement* sets out general criteria for enrollment under Yukon First Nation Final Agreements. This Act sets out Champagne and Aishihik First Nations’ specific criteria for enrollment under the *Champagne and Aishihik First Nations Final Agreement*. This Act is the definitive document for reference by applicants and decision-makers in relation to the criteria for enrollment under the *Champagne and Aishihik First Nations Final Agreement*.

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**Preamble**

**WHEREAS** the ancestors of the Champagne and Aishihik First Nations have, since time immemorial, exercised exclusive jurisdiction over Champagne and Aishihik First Nations Citizenship;

**AND WHEREAS**, following our tradition of self-government, and through the elected First Nations Council, Champagne and Aishihik First Nations continues to exercise exclusive jurisdiction over Champagne and Aishihik First Nations Citizenship;

**AND WHEREAS**, Champagne and Aishihik First Nations has entered into the *Champagne and Aishihik First Nations Final Agreement* (the "Final Agreement") with Canada and the Yukon Government, which sets out treaty rights for Champagne and Aishihik *dän* (person, or persons) who are enrolled under the Final Agreement;

**AND WHEREAS**, all Champagne and Aishihik *dän* who are enrolled under the Final Agreement are eligible to become Citizens of Champagne and Aishihik First Nations;

**AND WHEREAS**, Champagne and Aishihik First Nations, through the elected First Nations Council, has exclusive jurisdiction over enrollment under the Final Agreement;

**AND WHEREAS**, the Champagne and Aishihik First Nations Council recognizes that it has a responsibility to ensure that Champagne and Aishihik First Nations resources are protected for future generations of Champagne and Aishihik First Nations *dän*;

**AND WHEREAS**, the Champagne and Aishihik First Nations Council wishes to ensure that the rules about who can enroll under the Champagne and Aishihik First Nations Final Agreement and become a Champagne and Aishihik Citizen are set out clearly and that decisions on applications for enrollment under the Champagne and Aishihik First Nations Final Agreement are made fairly and consistently;

**NOW THEREFORE**, the Champagne and Aishihik First Nations Council, by virtue of the authority vested in them under the inherent right to self-government and the *Champagne and Aishihik First Nations Self-Government Agreement*, and as a matter of culture and tradition, enacts as follows:

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**PART I  
PRELIMINARY PROVISIONS**

**Short title**

1. This Act may be cited as *Äghàatān* ("my relatives") or the "Enrollment Act".

**What is the purpose of this Act?**

2. The purpose of this Act is:
  - (a) to set out clear and understandable rules about who can enroll; and
  - (b) to promote fair and transparent decision-making on applications for enrollment.

**Who does this Act apply to?**

3. This Act applies to:
  - (a) an applicant;
  - (b) a person making a decision on an application for enrollment under this Act; and
  - (c) a person providing evidence in relation to an application for enrollment.

**Definitions**

4. In this Act:
  - (a) "Adopted Child" means a Person who, while a Minor, is adopted pursuant to Law relating to adoption recognized in Canada or pursuant to a Champagne and Aishihik First Nations law on custom adoption if a Champagne and Aishihik First Nations law on custom adoption has been passed by the First Nations Council and is in effect;
  - (b) "applicant" means, as the context requires:
    - (i) a person who makes an application for enrollment or takes another proceeding under this Act on their own behalf; or



- (ii) a person who makes an application for enrollment or takes another proceeding under this Act on behalf of a Minor or adult whose affairs they have the legal authority to manage;
- (c) “application” means an application for enrollment under this Act unless the context demands otherwise;
- (d) “apply” means to apply for enrollment under the Champagne and Aishihik First Nations Final Agreement in accordance with this Act, unless the context demands otherwise;
- (e) “Citizen” means a Citizen of the Champagne and Aishihik First Nations as determined in accordance with the Citizenship Code;
- (f) “Citizenship Code” means the Citizenship Code of the Champagne and Aishihik First Nations, which is schedule A to the *Constitution of the Champagne and Aishihik First Nations* (2012), and any amendments to it;
- (g) “Citizenship List” means the list of Citizens maintained by the Government in accordance with the Citizenship Code;
- (h) “Constitution” means the *Constitution of the Champagne and Aishihik First Nations* (2012) and any amendments to it;
- (i) “Contiguous Boundary” means the boundary, which, for the purposes of the Champagne and Aishihik First Nations Final Agreement, eliminates an Overlapping Area;
- (j) “Dispute Resolution Board” means the Dispute Resolution Board established under Section 26.5.0 of the Final Agreement;
- (k) “Effective Date” means the effective date of this Act, which is February 14, 2017;
- (l) “enroll” means to enroll under the Final Agreement;
- (m) “enrollment” means entered by name in the Enrollment List;
- (n) “enrolled” means entered by name in the Enrollment List;
- (o) “Enrollment List” means the list of persons who are enrolled and eligible to benefit under the Final Agreement, and which is maintained and administered by Champagne and Aishihik First Nations. The Enrollment

List was established by Champagne and Aishihik First Nations prior to the negotiation of the Final Agreement and includes names of individuals who were deceased before the establishment Official Enrollment Commission Master List". The Enrollment List will be printed on a set date prior to the Effective Date and used to create the "*Shadhäla Äshèyi Dän*";

- (p) "Enrollment Officer" means the Enrollment Officer of the Champagne and Aishihik First Nations established by the Champagne and Aishihik First Nations Council under this Act and the Regulations;
- (q) "Final Agreement" means the Champagne and Aishihik First Nations Final Agreement between the government of Canada, the Champagne and Aishihik First Nations and the Government of Yukon dated the 29th Day of May, 1993, and includes amendments to it made in accordance with the provisions of that agreement, except where the words "Final Agreement" are directly preceded by the words "another Yukon First Nation" or "other Yukon First Nation" or where the context makes it clear that the Final Agreement being referred to is a Final Agreement other than the Champagne and Aishihik First Nations Final Agreement;
- (r) "First Nation" means the Champagne and Aishihik First Nations, unless the context requires otherwise;
- (s) "First Nations Council" has the same meaning in this Act as in the Constitution;
- (t) "Government" has the same meaning in this Act as in the Constitution;
- (u) "lineal descendant" is a blood relative in the direct line of descent - the children, grandchildren, great-grandchildren, etc. of a person and on forever; lineal descendant is distinguished from a "collateral" descendant which would be from the line of a brother, sister, aunt or uncle, and for greater certainty, an Adopted Child is not a lineal descendant for the purposes of this Act;
- (v) "Minor" means a person who has not yet reached the age of majority as determined from time to time by the Laws of the Yukon;
- (w) "Official Enrollment Commission Master List" means the approved beneficiaries of Champagne and Aishihik First Nations for a Yukon Indian Land Claims, dated May 28, 1991, referred to as the "Official Enrollment List" in the Final Agreement and listing persons approved as beneficiaries of the Champagne and Aishihik First Nations' for a Yukon Indian Land

Claim pursuant to Chapter 3 – Eligibility and Enrollment, section 3.2.2.2, subsections 3.2.2.1, 3.2.2.2, 3.2.2.3 and 3.2.2.4 of the Comprehensive Land Claims Umbrella Final Agreement, March 30, 1990, and which formed the basis of the Champagne and Aishihik First Nations' Master Enrollment List;

- (x) "Ordinarily Resident" means a Person who lived or has lived the majority of his life in the Yukon. In making such determination, temporary absences from the Yukon for reasons such as travel, education, medical treatment, military service, or incarceration, shall be considered periods of residence provided the Person was Ordinarily Resident prior to such temporary absences;
- (y) "Overlapping Area" is that part of a Yukon First Nation's Traditional Territory which overlaps the Champagne and Aishihik First Nations Traditional Territory;
- (z) "person" or "persons" means a natural person or persons;
- (aa) "re-enrollment" means entered by name in the Enrollment List after being deleted by name from the Enrollment List;
- (bb) "Registrar" means the officer of the First Nation government who is responsible for maintaining the Enrollment List;
- (cc) "*Shadhäla Äshèyi Dän*" or "Champagne and Aishihik First Nation Ancestors" is the official list of Ancestors of Champagne and Aishihik First Nation as described in Sections 22 to 24;
- (dd) "Self-Government Agreement" means the Champagne and Aishihik First Nations Self-Government Agreement among the Champagne and Aishihik First Nations and the Government of Canada and the Government of the Yukon dated the 29th day of May, 1993, and any amendments to it;
- (ee) "Status" means registration on the Indian Register under the *Indian Act* (R.S.C. , 1985, c. I-5) and any amendments to it;
- (ff) "Traditional Territory" means the geographic area within the Yukon identified as Champagne and Aishihik First Nations Traditional Territory on the map referred to in 2.9.1 of the Champagne and Aishihik First Nations Final Agreement as map "Champagne and Aishihik First Nations Traditional Territory, (CATT)", in Appendix B - Maps, which forms a separate volume to the Champagne and Aishihik First Nations Final Agreement, but excludes that portion of the Traditional Territory



identified as an Overlapping Area and takes into account any agreement between Champagne and Aishihik First Nations and other Yukon First Nations on a Contiguous Boundary.

## **Part II ELIGIBILITY CRITERIA**

### **Who is eligible to enroll?**

5. A person is eligible to enroll if that person
- (a) meets the eligibility criteria in Chapter 3 of the Final Agreement,
  - (b) is a lineal descendant of a person on the Shadhäla Äshèyi Dän, and
  - (c) is a Champagne and Aishihik dän.

### **Who is a Champagne and Aishihik dän?**

6. A person is a Champagne and Aishihik dän for the purpose of s. 5.(c) if that person has a Current and Substantial Connection to CAFN as demonstrated through the tests outlined in section 7.

### **What is a Current and Substantial Connection to CAFN for the purpose of ss. 5.(c) and 6?"**

7. A person has a Current and Substantial Connection to Champagne and Aishihik First Nations if that person meets at least four (4) of the following criteria:
- (a) has a family connection to at least one traditional Champagne and Aishihik First Nations dän nàjè yu (settlement);
  - (b) has a family kwändür (story) about life within a Champagne and Aishihik First Nations dän nàjè yu (settlement) or village and is willing to fulfill their responsibility to keep their kwändür alive within their family and community;
  - (c) has an affiliation with a Champagne and Aishihik First Nations clan;
  - (d) has a Champagne and Aishihik First Nations dän yizhì (traditional

name) that has been bestowed upon them at birth or at a Potlatch; and

- (e) knows or understands a traditional Champagne and Aishihik First Nations language.

#### **Is an Adopted Child eligible to enroll?**

- 8. (1) Consistent with subsection 3.2.2.3 of the Final Agreement, an Adopted Child of a person who is eligible to enroll under Part II is eligible to enroll.
- (2) For greater certainty, for the purposes of this Act, a person adopted “pursuant to aboriginal customs” is only eligible to enroll if there is a Champagne and Aishihik First Nations law governing custom adoption and that person meets the criteria for custom adoption set out in that law.

### **PART III DECISIONS ON APPLICATIONS**

#### **How do I apply to enroll?**

- 9. A person may apply to enroll by submitting the required forms and supporting documents to the Enrollment Officer.

#### **Who will review my application (preliminary review)?**

- 10. (1) The Enrollment Officer shall, within 30 days of receiving an application, conduct a preliminary review to ensure that the application:
  - (a) is in the required form;
  - (b) is complete; and
  - (c) includes all required supporting documents.
- (2) The Enrollment Officer shall return an application to the applicant within 30 days of the preliminary review if the application is:
  - (a) incomplete;
  - (b) in the wrong form; or

- (c) missing supporting documents.
- (3) Where the Enrollment Officer returns an application to an applicant under subsection (2), the Enrollment Officer shall provide the applicant with written reasons setting out:
- (a) deficiencies in the application; and
  - (b) instructions to the applicant on how to fix the deficiencies in the application.
- (4) If an application is returned to an applicant under subsection (2), the applicant may repair the deficiencies in their application and resubmit it to the Enrollment Officer under Section 9.

**What happens after the preliminary review of my application (substantive review)?**

11. (1) If the Enrollment Officer decides that an application meets the criteria under Section 10 (preliminary review), the Enrollment Officer shall, within 60 days of receiving the application, conduct a substantive review of the application to determine whether or not the applicant meets the enrollment criteria in Part II.
- (2) Based on the substantive review under subsection (1), the Enrollment Officer shall, within 30 days of completing the substantive review, and not more than 75 days from the receipt of the application under Section 9, recommend to the First Nations Council that the application be:
- (a) approved;
  - (b) rejected; or
  - (c) conditionally approved.
- (3) The Enrollment Officer shall recommend to the First Nations Council that the application be approved if:
- (a) the applicant meets the eligibility criteria in Part II; and
  - (b) the application meets the requirements of this Act and the regulations.
- (4) The Enrollment Officer shall recommend to the First Nations Council that the application be rejected if:

- (a) the applicant does not meet the eligibility criteria in Part II; or
  - (b) the application does not meet the requirements of this Act and the regulations.
- (5) The Enrollment Officer shall recommend to the First Nations Council that the application be conditionally approved if:
- (a) the applicant meets the eligibility criteria in Part II; and
  - (b) the application meets the requirements of this Act and the regulations; but
  - (c) the applicant is:
    - (i) enrolled under another settlement agreement in Canada;
    - (ii) a citizen of another self-governing First Nation in Canada; or
    - (iii) has Status with another Indian Band or First Nation in Canada.

### **Final Approval of Applications for Enrollment**

12. (1) A recommendation of the Enrollment Officer on an application is subject to final approval by the First Nations Council.
- (2) When the First Nations Council receives a recommendation on an application for enrollment from the Enrollment Officer under Section 11, the First Nations Council must, within 60 days:
- (a) approve the recommendation; or
  - (b) reject the recommendation.
- (3) If the First Nations Council rejects the recommendation of the Enrollment Officer on an application under subsection (2)(b), the First Nations Council shall provide written reasons for rejection to the Enrollment Officer within 5 days of the rejection.
- (4) The First Nations Council has the exclusive jurisdiction in the final determination of eligibility for enrollment.

### **When will I know if I have been accepted for enrollment?**

13. The Enrollment Officer shall give each applicant a written notice and reasons for the decision of the First Nations Council on their application, within 30 days of the decision under subsection 12(2).
14. If an applicant is accepted for enrollment, the applicant's name shall be added to the Enrollment List and the Citizenship List as soon as reasonably practicable, consistent with the Regulations.
15. If the First Nations Council rejected the recommendation of the Enrollment Officer on an application under subsection 12(2)(b), the Enrollment Officer will provide the written reasons of the First Nations Council under Section 12(3) to the applicant.

### **What if I am conditionally accepted for enrollment?**

16. (1) A conditional acceptance for enrollment under subsection 11(2)(c) will provide the following information to the applicant:
  - (a) the conditions of their acceptance;
  - (b) the actions that must be taken by the conditionally accepted applicant to satisfy the conditions of their acceptance;
  - (c) the form of proof that must be provided to the Enrollment Officer by the conditionally accepted applicant to satisfy the conditions of their acceptance; and
  - (d) the expiration date of their conditional acceptance.
- (2) If an applicant fails to satisfy the conditions of their acceptance under subsection (1) before the expiration date in subsection (1)(d), the Enrollment Officer shall:
  - (a) revoke the applicant's conditional acceptance; and
  - (b) provide a written notice and reasons for the revocation of the conditional acceptance to the applicant.
- (3) A person whose conditional acceptance is revoked under subsection 2 can re-apply under Section 9.

**PART IV  
ENROLLMENT, CITIZENSHIP AND STATUS**

**Can I be enrolled and also be enrolled under another Settlement Agreement in Canada?**

17. Dual enrollment is not allowed. A person who is enrolled under another Yukon First Nation Final Agreement or other land claims settlement in Canada cannot be enrolled.

**Can I be enrolled if I am a Citizen of another self-governing First Nation in Canada?**

18. Dual citizenship is not allowed. A person who is a citizen of another self-governing First Nation in Canada cannot be enrolled.

**Can I be enrolled if I have Status with another Indian Band or First Nation in Canada?**

19. A person who has status with another Indian Band or First Nation in Canada cannot be enrolled.

**PART V  
TERMINATION OF ENROLLMENT AND RE-ENROLLMENT**

**Can I terminate my enrollment?**

20. (1) A person who is enrolled may terminate their enrollment upon written application to the First Nations Council.
- (2) A person whose enrollment is terminated will be removed by name from the Enrollment List and the Citizenship List.

**What if I change my mind after I have terminated my enrollment? Can I re-enroll?**

21. (1) A person may only apply to re-enroll once.
- (2) Subsection (1) does not apply:
- (a) to a Minor; or
  - (b) to a person who is within two years of obtaining the age of majority.

**PART VI  
ADMINISTRATIVE PROVISIONS**

***Shadhäla Äshèyi Dän***

22. The First Nations Council hereby adopts the *Shadhäla Äshèyi Dän* for the purpose of determining eligibility for enrollment under Part II.
23. The *Shadhäla Äshèyi Dän* shall contain the names of the persons on the Enrollment List on the Effective Date, including persons on the Enrollment List who are deceased.
24. Notwithstanding Section 23, persons who became eligible for enrollment under section 3.2.2.3 of the Final Agreement (an Adopted Child of a person living or deceased eligible under 3.2.2.1 or 3.2.2.2 of the Final Agreement) shall not be added to the *Shadhäla Äshèyi Dän* unless such person would have met the eligibility criteria in Sections 3.2.2.1 (25 percent or more Indian ancestry and was Ordinarily Resident in the Yukon between January 1, 1800 and January 1, 1940) or 3.2.2.2 (a Descendant of a Person living or deceased eligible under 3.2.2.1) of the Final Agreement.

**Enrollment Officer**

25. The First Nations Council hereby establishes the Enrollment Officer.

**First Nations Council Jurisdiction**

26. The Enrollment Officer is under the exclusive jurisdiction of the First Nations Council.

**Enrollment Officer Responsibilities**

27. (1) The Enrollment Officer is responsible for the following:
  - (a) discharging their obligations under this Act, the Regulations, the Final Agreement, and any related Champagne and Aishihik First Nations laws, policies and procedures;
  - (b) making recommendations to the First Nations Council on whether an applicant is eligible to be enrolled;
  - (c) keeping confidential all information provided by and about

applicants for enrollment or re-enrollment, in accordance with the regulations under this Act and any related laws, policies and procedures;

- (d) publishing the eligibility criteria and any other information required to apply for enrollment or re-enrollment under this Act; and
- (e) where required, directing the Registrar to enter names on, or remove names from, the Enrollment List and the Citizenship List.

- (2) The Enrollment Officer may also fulfill the function of the Registrar under this Act.

### **Holding Position**

28. The Enrollment Officer holds their position until the Enrollment Officer:

- (a) resigns;
- (b) dies; or
- (c) is removed from office by the First Nations Council.

### **Registrar**

29. Under the *Government Administration Act* and consistent with the Constitution and the *Citizenship Code*, the First Nations Council is required to appoint a registrar.

### **Registrar and Enrollment Officer may be the Same Person**

30. The Enrollment Officer may perform the role of the Registrar for the purpose of this Act.

### **First Nations Council Jurisdiction**

31. The Registrar is under the exclusive jurisdiction of the First Nations Council.

### **Registrar Responsibilities**

32. (1) The Registrar is responsible for the following:

- (a) maintaining and certifying as accurate,
  - (i) a printed Enrollment List that records the names of persons enrolled and the date on which they were enrolled; and
  - (ii) a printed Citizenship List that records the names of Citizens and the date on which their names were entered on the Citizenship List;
- (b) deleting a person's name from the Enrollment List, the Citizenship List, or both, on receiving evidence satisfactory to the Registrar that the person has died or the person's enrollment has been terminated or relinquished; and
- (c) certifying a new version of the Enrollment List and the Citizenship List forthwith upon making any additions to, or deletions from, the Enrollment List or the Citizenship List in accordance with this Act and the Regulations.

## **PART VII APPEALS**

### **What if I disagree with the decision of the First Nations Council on my application?**

**33.** An applicant may request a review of a decision of the First Nations Council made under this Act under applicable Champagne and Aishihik First Nations legislation.

### **Can I appeal the decision of the First Nations Council on my application to the Dispute Resolution Board?**

**34.** An applicant may only appeal a decision of the First Nations Council made under this Act to the Dispute Resolution Board if the applicant has exhausted all available internal Champagne and Aishihik First Nations review processes.

## **PART VIII MISCELLANEOUS**

### **Regulations**

**35.** The First Nations Council may make regulations

- (a) respecting the procedure to be followed, the forms to be used and the fees to be charged in connection with an application;
- (b) respecting the information to be included in an application or notice;
- (c) providing for the establishment and maintenance of the Enrollment List, the *Shadhäla Äshèyi Dän* and the Citizenship List;
- (d) respecting the establishment and administration of any oath, solemn affirmation or declaration required or provided for under this Act;
- (e) respecting the documentation or other evidence of Champagne and Aishihik First Nations ancestry required to complete an application;
- (f) respecting the procedures to be followed by the First Nations Council and the Enrollment Officer in evaluating and approving or rejecting an application;
- (g) providing for the deletion and reinstatement of names under the provisions of this Act;
- (h) providing for various criteria that may be applied to determine whether a person is a Champagne and Aishihik *dän* under Section 7, and in particular whether a person
  - (i) has a family connection to at least one traditional Champagne and Aishihik First Nations *dän nàjè yu* (settlement);
  - (ii) has a family *kwändür* (story) about life within a Champagne and Aishihik First Nations *dän nàjè yu* (settlement) or village and is willing to fulfill their responsibility to keep their *kwändür* alive within their family and community;
  - (iii) has an affiliation with one of the two Champagne and Aishihik First Nations clans; *Käjèt* (Crow) or *Agunda* (Wolf); or

- (iv) has a Champagne and Aishihik First Nations *dän yizhi* (traditional name) that has been bestowed upon them at birth or at a Potlatch;
- (i) providing for the factors to be considered in determining whether the requirements set out in Section 7 are met;
- (j) providing for the surrender and cancellation of certificates and documents confirming enrollment or Citizenship if their holder is not entitled to them;
- (k) providing for the collection, retention, use, disclosure and disposal of information for the purposes of this Act;
- (l) providing for the disclosure of information to verify the Citizenship, Status or identity of any person for the purposes of administering this Act;
- (m) providing for the disclosure of information for the purposes of cooperation within the Government and between the Government and the Government of Canada or the Yukon Government; and
- (n) generally, to carry out the purposes and provisions of this Act.

## Offence

36. (1) A person commits an offence who, by false representation, fraud, or knowingly concealing material facts or circumstances:
- (a) becomes enrolled; or
  - (b) attempts to become enrolled; or
  - (c) assists another person to become or attempt to become enrolled.
- (2) A person who is convicted of an offence under subsection (1) is liable to a fine of \$3000 or to imprisonment for 3 months or, if convicted on indictment, to a fine of \$5000 or to imprisonment for 12 months.
- (3) The enrollment of a person who is convicted of an offence under subsection (1)(a), and who is thus improperly enrolled, will be terminated



and their name will be removed from the Enrollment List and the Citizenship List.

- (4) A person whose enrollment is terminated under subsection (3) shall not be considered for re-enrollment under this Act.

#### **Good Faith Performance**

37. No action lies against the First Nations Council, the Registrar or the Enrollment Officer, for anything done, or not done, in good faith, in the performance or intended performance of a duty under this Act.

#### **Amendment**

38. This Act may be amended in accordance with the *Constitution of the Champagne and Aishihik First Nations* (2012) and any amendments to it.

### **PART IX FINAL PROVISIONS**

#### **Conflicts and Inconsistencies**

39. If there is a conflict between this Act and any other Act enacted before or after this Act comes into force, this Act prevails, unless the other enactment contains an express provision that it, or a relevant provision of it, applies notwithstanding this Act.
40. Where a term is defined differently in this Act and in the Final Agreement, the definition of the term in this Act shall prevail in relation to the interpretation of this Act.

#### **When does this Act come into legal force and effect?**

41. This Act comes into force on February 14, 2017



## CHAMPAGNE AND AISHIHIK FIRST NATIONS

### COUNCIL RESOLUTION

#### AMENDMENT TO *ÄGHÀĀĻĀN* ENROLLMENT ACT AND ACCEPTANCE OF THE *SHADHĀLA ÄSHÈYI DÄN* OFFICIAL LIST

**WHEREAS**, the CAFN Chief and Council accepted the Third Reading of the *Äghàatān*, “my relatives” (Enrollment Act), at a duly convened meeting on December 16, 2016;

**AND WHEREAS**, consistent with section 5(1)(a) and 22-24 of the Act the *Shadhāla Äshèyi Dän* was created and presented to the CAFN Chief and Council for their review on January 27, 2017;

**AND WHEREAS** the CAFN Chief and Council determined that people who have Status with the Champagne and Aishihik First Nations but who are not on the Champagne and Aishihik First Nations Enrollment List should be included on the *Shadhāla Äshèyi Dän*;

**AND WHEREAS** these people were not on the *Shadhāla Äshèyi Dän* presented to CAFN Chief and Council for review on January 27, 2017;

**AND WHEREAS** the *Shadhāla Äshèyi Dän* has now been amended consistent with the instructions of the First Nations Council as outlined above;

**AND WHEREAS** in order to implement the instructions of the First Nations Council, an amendment to the *Äghàatān*, “my relatives” (Enrollment Act) (section 23 and 42) is required;

**THEREFORE BE IT RESOLVED** that the CAFN Chief and Council approves:

1. the *Äghàatān*, “my relatives” (Enrollment Act) Amendment Act and
2. the *Shadhāla Äshèyi Dän* Official List as amended.

at the duly convened Chief and Council meeting of February 23, 2017.

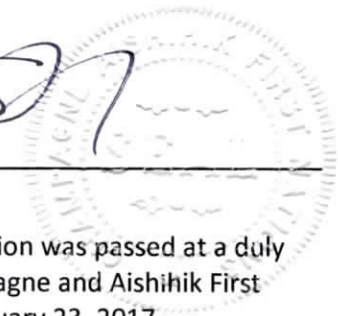
Moved by: Councillor Kathleen Van Bibber

Seconded by: Councillor Leslie Walker

Passed by Consensus

Chief Steve Smith

This certifies that this resolution was passed at a duly called meeting of the Champagne and Aishihik First Nations Council held on February 23, 2017.



## ***Äghàafān, “my relatives” (Enrollment Act) Amendment Act***

An Act to amend the *Äghàafān, “my relatives” (Enrollment Act)* and to provide for an amendment to section 23 of the Act.

### **SUMMARY**

This enactment amends the *Äghàafān, “my relatives” (Enrollment Act)* to provide for the addition to the *Shadhāla Äshèyi Dän* of people who have Champagne and Aishihik First Nations Status but who are not on the Enrollment List.

### **Preamble**

Whereas the First Nations Council has determined that people who have Status with Champagne and Aishihik First Nations but who are not on the Enrollment List should be added to the *Shadhāla Äshèyi Dän*;

Now, therefore, the First Nations Council enacts as follows:

### **SHORT TITLE**

#### **Short title**

1. This Act may be cited as the *“Äghàafān, “my relatives” (Enrollment Act) Amendment Act”*.
2. The *Äghàafān, “my relatives” (Enrollment Act)* is amended by adding the following words to Section 23 after “deceased”:

“and persons who have Status with Champagne and Aishihik First Nations, whether they are on the Enrollment List on the Effective Date or not”.

3. A new section 42. is added to the Act as follows:

42. The First Nations Council shall review the *Shadhāla Äshèyi Dän* within one year of the Effective Date to ensure that it is consistent with the criteria in sections 22 through 24 of the Act and this amendment and shall, if required, delete or add names to the *Shadhāla Äshèyi Dän* and certify an amended *Shadhāla Äshèyi Dän*.