



SIMPCW FIRST NATION MEMBERSHIP CODE  
FINAL DRAFT  
AUGUST 21, 2015



**New Genesis Consulting**  
Box 167 Pritchard, BC V0E 2P0

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# SIMPCW MEMBERSHIP CODE

## SECTION I RECITALS AND STATEMENTS OF PRINCIPLES OF THE CODE

### SECTION I

- Whereas** Simpcw has been a sovereign community within the SECWEPENCÛLÉCW TERRITORY since time immemorial;
- Whereas** Simpcw desires to continue to protect and further enhance its culture, traditions and language to continue to build a holistic and healthy community;
- Whereas** Simpcw has been recognized as having the right to determine its governance structure under the United Nations Declaration on the Rights of Indigenous Peoples;
- Whereas** Simpcw has inherent right to self-governance under section 35 of the *Constitution Act, 1982*;
- Whereas** Section 35 of the *Constitution Act, 1982* recognizes and affirms the existing Aboriginal and treaty rights of the Aboriginal peoples of Canada;
- Whereas** Section 25 of the *Constitution Act, 1982* provides that the guarantee of individual rights and freedoms shall not be construed so as to abrogate or derogate from any Aboriginal treaty or other rights and freedoms that pertain to the Aboriginal peoples of Canada; and
- Whereas** Simpcw has the option of developing and administrating its Membership Code under section 10 of the *Indian Act, R.S.C., 1985, c. I-5*,

**BE IT HEREBY RESOLVED** that the Simpcw First Nation Chief and Council, after approval by a majority of its Electors by means of Referendum in accordance with the *Simpcw Custom Referendum Code (2015)*, approves the *Simpcw Membership Code* on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

## **SECTION II**

### **DEFINITIONS**

#### **SECTION II**

- “Act”** Means: *Indian Act*, R.S.C., 1985, c. I-5.
- “Adoption”** Means: the legal transfer of parental rights and responsibilities from birthparent(s) to Adoptive Parent(s), and includes Custom Adoption.
- “Adoptive Parent”** Means: a man or woman who has adopted a Child.
- “Band Administrator”** Means: the person employed by Simpcw Council
- (i) to manage, supervise and be responsible for the overall administration and operations of Simpcw;
  - (ii) who is the Senior Simpcw First Nation Employee; and
  - (iii) whose responsibilities under this Code are set out in Schedule A.
- “Child”** Means: an unmarried person under nineteen (19) years of age.
- “Code”** Means: the *Simpcw Membership Code* herein.
- “Criminal Record Check”** Means: a document disclosing the existence of a criminal record, if any, issued by the Royal Canadian Mounted Police or the police force applicable to the applicant’s residence at the time of application to become a Member.

<b>“Custom Adoption”</b>	Means: Adoption according to Simpcw custom or in the case of non-Simpcw Adoptive Parents, Adoption in accordance with their First Nation’s custom.
<b>“Elector”</b>	Means: an individual who is entitled to vote for the Simpcw Council pursuant to the <i>Simpcw Election Code</i> .
<b>“Immediate Family”</b>	Means: <ul style="list-style-type: none"> <li>(i) spouse or common-law partner;</li> <li>(ii) father or mother (natural, step, adopted or common-law);</li> <li>(iii) father-in-law or mother-in-law;</li> <li>(iv) Child, including step-Child, adopted Child or ward;</li> <li>(v) brother or sister;</li> <li>(vi) brother-in-law or sister-in-law; or</li> <li>(vii) grandmother or grandfather.</li> </ul>
<b>“Member”</b>	Means: a person whose name is duly registered in the Simpcw Membership Registry List as described in Section VIII A of this Code as a Member of the Simpcw First Nation.
<b>“Referendum”</b>	Means: a referendum conducted in accordance with the <i>Simpcw Custom Referendum Code (2015)</i> .
<b>“Reserve”</b>	Means: a tract of land, the legal title to which is vested in the name of Her Majesty and is set aside for the use and benefit of Simpcw.
<b>“SECWPEMCÛLÉCW”</b>	Means: Secwepemc Territory.

<b>“Simpcw”</b>	Means: the Simpcw First Nation, as represented by the Simpcw Council.
<b>“Simpcw Council”</b>	Means: the Chief and Council elected by the Members of the Simpcw First Nation pursuant to the <i>Simpcw Custom Election Code (2015)</i> .
<b>“Simpcw Membership Registry Administrator” or “SMA”</b>	Means: the person who is responsible for undertaking the administrative duties set out in Schedule A.
<b>“Transferee”</b>	Means: a person who is <ul style="list-style-type: none"> <li>(i) a Member of Simpcw and has made written application to become a member of another First Nation; or</li> <li>(ii) a member of another First Nation, and has made application, as set out in this Code, to become a Member of Simpcw.</li> </ul>

## **SECTION III**

### **RESPONSIBILITIES OF MEMBERSHIP**

#### **SECTION III**

##### **A. Conduct of Members**

- (i) Members of Simpcw must conduct themselves in accordance with
  - (a) the laws of Canada and any other applicable federal laws that apply to Reserve land(s);
  - (b) the laws of general application of British Columbia as they apply to Reserve land(s); and
  - (c) the laws, codes, bylaws and policies of the Simpcw governance as they apply to Reserve lands and SECWEPEMCÛLÉCW.
- (ii) Members of Simpcw must respect, protect, and where possible, support the values, traditions, culture and language of the Simpcw and Secwepemc people.
- (iii) Members of Simpcw must show respect for the private property of other Simpcw Members who live on Reserve lands and SECWEPEMCÛLÉCW.
- (iv) Members of Simpcw must act with generosity, honesty, integrity and respect toward other Members and, in particular, elders, youth and Children.
- (v) Members of Simpcw must participate and contribute, where possible, in community gatherings, public meetings, votes and other activities to demonstrate participation in the growth of Simpcw.

## **SECTION IV**

### **BAND MEMBERSHIP**

#### **ENTITLEMENT AND ELIGIBILITY**

#### **SECTION IV**

##### **A. Acquired Rights Members**

The Members of Simpcw First Nation are those whose names appear on the Band List maintained by Aboriginal Affairs and Northern Development Canada (AANDC) on the date notice to the Minister is given under subsection 10(6) of the *Indian Act*.

## **B. Entitlement to Membership**

Subject to Section V,

- (a) A person who has at least one parent who is a Member of Simpcw at the time of birth is, upon application, entitled to be registered as a Member.
- (b) A Child whose parent obtains membership after the Child's birth is also entitled to apply to be registered as a Member.

## **C. Eligibility for Membership**

Subject to Section V, a person who

- (a) has lived the greater portion of his or her life on Reserve; and
- (b) has family or Immediate Family who are Members of Simpcw

is eligible to apply for membership in accordance with this Code.

# **SECTION V PROHIBITION**

## **SECTION V**

- (i) A person who is a member of another First Nation is not eligible to also be a Member of Simpcw. Where a person who is a member of another First Nation wishes to apply for membership in Simpcw, that person must sign a Renouncement of Membership from Other First Nation as set out in Schedule B and include it with the application for Simpcw membership.
- (ii) Any person who has been found guilty as an adult of a *Criminal Code* offence which may reasonably present a risk to the safety and well-being of Simpcw Members regardless of whether on or off Reserve, is not eligible to apply for membership.
- (iii) Notwithstanding Sections IV B and C, any person who
  - (a) has been found guilty as an adult by a court of law of causing damage to property or buildings of Simpcw or defrauding Simpcw; or
  - (b) owes money to Simpcwis not eligible for membership.
- (iv) An application for Simpcw membership will not be considered if there is an application to another First Nation pending.



- (v) A Child must not be a member of another First Nation. Upon written evidence of dual membership, the SMA must immediately remove the Child's name from the Simpcw Membership Registry List.

## **SECTION VI**

### **TRANSFERS AND DELETIONS**

#### **SECTION VI**

##### **A. Transfer of Membership**

- (i) A Member of Simpcw wishing to transfer to another First Nation must submit to the SMA a completed Application to Have Name Deleted from Simpcw Registry List as set out in Schedule C.
- (ii) A member of another First Nation wishing to transfer to Simpcw must:
  - (a) submit an application for Simpcw membership by following the procedure set out in Section VII of this Code;
  - (b) sign and submit a Renouncement of Membership from Other First Nation as set out in Schedule B; and
  - (c) meet the conditions set out in (iii).
- (iii) A Transferee must:
  - (a) provide written confirmation and a copy of the original Band Council Resolution from the First Nation to which the Transferee is applying, that the First Nation will accept the transfer; or written confirmation from Aboriginal Affairs and Northern Development Canada (AANDC) that the Transferee has made application and is eligible for transfer to the First Nation; and
  - (b) provide proof to the satisfaction of Simpcw that the Transferee is debt-free with the First Nation being transferred from.

##### **B. Reinstatement**

- (i) A Transferee may request to be reinstated as a Member of Simpcw by following the procedure for application as set out in Section VII.
- (ii) A Transferee may apply for and receive reinstatement to the Membership Registry List once only.

**C. Deletion from the Membership Registry List**

A Member may apply to be deleted from the Membership Registry List by submitting a completed application as set out in Schedule C.

**D. Death**

- (i) Upon receipt of the Death Certificate, issued by an authority recognized by the laws of Canada or other jurisdiction, of a Member who is a registered Indian, the SMA, on behalf of Simpcw, must submit to Aboriginal Affairs and Northern Development Canada
  - (a) a completed Report of Death form as set out in Schedule D; and
  - (b) a copy of the Death Certificate,
- (ii) In the absence of a Death Certificate, the SMA must be provided with a statement of death as authorized under the laws of Canada.
- (iii) Upon confirmation of death as required under (i) or (ii), the SMA must remove the deceased Member's name from the Membership Registry List and record a note of the reason for deletion.

**SECTION VII**

**PROCEDURE FOR APPLICATION**

**SECTION VII**

**A. Application Form**

- (i) A person wishing to apply for membership in Simpcw must submit to the SMA an application form containing the information set out in Schedule E.
- (ii) The application form set out in Schedule E must include, but is not limited to:
  - (a) Applicant's name, address, date of birth, proof of birth and marital status;
  - (b) Applicant's current membership, if applicable;
  - (c) Proof of marriage or divorce, or declaration of common-law relationship;
  - (d) Names of the applicant's natural or adopted Children, birthdates, birth certificates, and proof of Adoption if applicable;
  - (e) Individual ties or family relationship to Simpcw membership (records or letter of confirmation required);
  - (f) Sponsorship or support letters from five (5) Simpcw Members;

- (g) Criminal Record Check completed within the past six (6) months;
  - (h) A statement of proposed contribution to the Simpcw community;
  - (i) A non-refundable application fee, as approved by Simpcw through Band Council Resolution from time to time; and
  - (j) Other documentation required or as determined by the SMA.
- (iii) For clarity, (ii)(e) to (i) apply only to applicants eligible for membership under Section IV C.

**B. Application for Persons under Court Order**

A membership application by a person declared to be mentally incompetent, and who has a court appointed guardian, must attach a copy of the court order to the application for membership.

**C. Application for Membership of a Child**

- (i) The application for membership of a Child must be signed by both parents; or
- (ii) If the parents are separated or divorced, the parent (or other caregiver) making the application must provide and include with the application for membership:
  - (a) a notarized letter from the other parent confirming his or her consent that the Child or Children be registered with Simpcw; or
  - (b) a copy of the court order confirming that he or she has parental responsibilities.

**D. Response to Application**

Within ten (10) working days of receipt of an application for membership, the SMA will provide the applicant with a response in the form of a decision, or a request for more information.

**E. Responsibility for Completion of Application**

- (i) Entitled or eligible persons pursuing membership under Section IV must make application for membership in accordance with this section.
- (ii) A person applying for membership must provide to the SMA all documentation required under this Code.

## **SECTION VIII**

### **ADMINISTRATION OF MEMBERSHIP LIST**

#### **SECTION VIII**

##### **A. Membership Registry and Summary Lists**

- (i) The SMA must maintain a Membership Registry List containing the official list of all persons who are Members of Simpcw in accordance with this Code.
- (ii) The Membership Registry List must include:
  - (a) Band or Status number as allocated by Aboriginal Affairs and Northern Development Canada; or Social Insurance Number of non-status persons where applicable;
  - (b) Member's full name as registered by birth, marriage or other legal documents showing a change of name;
  - (c) Member's known name if different from the registered name;
  - (d) Date of birth;
  - (e) Date of addition to the Membership Registry List; and
  - (f) Date of, and reason for, deletion from the Membership Registry List, if applicable.
- (iii) The membership administration must maintain a Summary Membership List, which sets out in alphabetical order the Members' legal surname and given names, to be made public if required.

##### **B. Maintenance of Membership Registry and Summary Lists**

- (i) The Membership Registry List must be kept by the SMA in accordance with this Code.
- (ii) Any Member of Simpcw may request access to the Summary Membership List.
- (iii) At the discretion of the SMA and with consent of the Simpcw Council, the Summary Membership List may be made available to other departments of Simpcw or agencies or government departments as needed, including for the requirements of program funding.

##### **C. Confidentiality and Security**

All reasonable measures, including but not limited to those set out in Schedule F, must be taken to ensure confidentiality and security of records and information relating to the Simpcw Membership Registry List and Summary Membership List.

## **SECTION IX**

### **RECONSIDERATION OF DECISION**

#### **SECTION IX**

##### **A. Reconsideration (Appeals)**

- (i) A person whose application for membership has been denied may apply for reconsideration of decision by providing new or additional information to support the previous application.
- (ii) A person whose name has been removed from the Membership Registry List may apply for reconsideration of decision by providing new evidence which contradicts the reason(s) for removal.

##### **B. Procedures for Reconsideration**

- (i) Within thirty (30) days of receipt of the written decision rendered by the SMA, the applicant may submit to the Committee a request for reconsideration.
- (ii) Within ten (10) working days following receipt of the reconsideration request, the Committee must render a written decision with explanations.
- (iii) The Committee must provide the applicant with a copy of the written decision and the reasons for decision.
- (iv) At no time is Simpcw responsible for any costs incurred in the reconsideration procedure.

## **SECTION X**

### **REVISIONS TO CODE AND PROCEDURES**

#### **SECTION X**

##### **A. Changes to this Code**

- (i) Administrative changes to the Code, including changes to fees or corrections to typographical errors may be made by Simpcw, as confirmed by way of a Band Council Resolution.
- (ii) Substantive changes to this Code must be made by Referendum upon recommendation by the membership, Simpcw Council or the Committee.

- (iii) Where changes are recommended, the Committee must
  - (a) Receive and review proposed changes;
  - (b) Accept proposed changes after review by legal counsel or other consultants if necessary;
  - (c) Present Simpcw Council with a request for a Referendum;
  - (d) Undertake public consultation;
  - (e) Receive Membership approval or rejection of the proposed changes by Referendum; and
  - (f) Immediately post any approved changes to the Code.

**B. Changes in Procedures and Documents**

- (i) Changes in procedures, forms and Schedules may be made after review and acceptance by the Committee to ensure conformity to the intent of this Code.
- (ii) Approved changes to procedures, forms and Schedules must be made available to Members within ten (10) working days.

Approved by Resolution of Council on this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**SIGNATURE and NAME**

**WITNESS**

\_\_\_\_\_  
**Chief**

\_\_\_\_\_  
**Councillor**

\_\_\_\_\_  
**Councillor**

\_\_\_\_\_  
**Councillor**

\_\_\_\_\_  
**Councillor**

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**Councillor**

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**Councillor**

# SCHEDULES



## **SCHEDULE A**

### **RESPONSIBILITIES OF CODE ADMINISTRATION**

#### **A. Simpcw Council Responsibilities**

- (i) Makes recommendations, when necessary, by means of resolution, to the Committee with respect to making changes to the Code or its procedures;
- (ii) Holds public meetings and Referendums upon request from the Committee to better inform and consult Simpcw Members on matters relating to the administration of this Code;
- (iii) Refers all membership matters to the Committee;
- (iv) Provides revenues, office space, furniture and other resources, on an annually budgeted basis, to effectively implement this Code;
- (v) Appoints, by means of resolution, the SMA and members of the Committee to conduct affairs of this Code;
- (vi) Appoints, by means of resolution, a member of Simpcw Council as a liaison to the Committee and as an *ex officio* member of the Committee with no voting powers; and
- (vii) Ensures that members appointed to the Committee have reading and writing skills of high school graduation level or comparable ability to read documents of a complex nature.

#### **B. Band Administrator Responsibilities**

- (i) Supervises the SMA in accordance with the Simpcw Human Resources Policy;
- (ii) Advises the Committee on membership program functions as they relate to the work performance of the SMA; and
- (iii) Upon Committee recommendation, may set fees and make other financial arrangements to effectively operate the membership program.

#### **C. Membership Advisory Committee**

- (i) Responsibilities:
  - (a) Receives and considers submissions and recommendations from Simpcw Council, Simpcw Members and the SMA on changes to this Code and its procedures;

- (b) May request Simpcw Council to hold information meetings, circulate public information to Members and host Referendums to make changes to this Code;
  - (c) Solicits and reviews legal or technical advice to better administrate this Code;
  - (d) Approves changes in procedures to better administrate this Code;
  - (e) Reviews recommendations and decisions, and makes referrals regarding the procedures of application for membership and membership disqualifications as set out in any part of this Code;
  - (f) Drafts and recommends changes to this Code for purposes of Referendum;
  - (g) Provides advice and direction on all matters regarding membership matters to the SMA;
  - (h) Ensures that minutes of all Committee meetings are maintained, and reviewed and approved at subsequent Committee meetings;
  - (i) For purposes of employment performance of the SMA as related to the administration of this Code, makes recommendations to the Band Administrator; and
  - (j) Receives, assesses, and approves or disapproves, as the case may be, applications for reconsideration as set out in this Code.
- (ii) The Committee shall be appointed as follows:
- (a) Simpcw Council shall appoint members of the Committee by means of a Band Council Resolution, for a period of three (3) years;
  - (b) The Committee must consist of four (4) persons and two (2) alternates, including one chairperson and one alternate chairperson;
  - (c) Committee members must be Electors who are not Immediate Family of Simpcw Council members, the SMA or the person appealing to the Committee;
  - (d) Committee members must not participate in matters relating to members of their Immediate Family or matters which may give rise to a conflict of interest.
  - (e) A quorum of the Committee is three (3) persons including the Chairperson.
  - (f) Decisions of the Committee are to be made by a majority of the quorum.

#### **D. Simpcw Membership Registry Administrator (SMA)**

- (i) Reporting Responsibilities:
  - (a) The SMA reports to the Band Administrator in accordance with the Simpcw Human Resources Policy; and
  - (b) Notwithstanding C(i)(a), the SMA reports to the Committee on all matters regarding the administration of this Code.
- (ii) Administrative Responsibilities:
  - (a) Maintains the Membership Registry and Summary Lists, supporting documents and related correspondence and ensures that they are updated, completed and kept in an orderly fashion as required by this Code and its procedures;
  - (b) Ensures private and confidential information relating to membership administration is kept under secure conditions and made available only to authorized persons;
  - (c) Receives, assesses, and approves or disapproves, as the case may be, applications for membership in accordance with the standards set out in this Code;
  - (d) Provides notification of the result of an application for membership or reconsideration;
  - (e) Reviews recommendations for disqualification or deletion of persons from the Membership Registry List and notifies any person who has been disqualified or whose name has been deleted;
  - (f) Provides advice, information and assistance to the Committee as requested;
  - (g) Attends and organizes Committee meetings and other meetings, and provides administrative support as required by the Committee;
  - (h) Makes recommendations to the Committee relating to this Code and its procedures;
  - (i) Makes changes to the procedures and documents as approved by the Committee;  
and
  - (j) Supervises subordinates in accordance with the Simpcw Human Resources Policy.

#### **E. Orientation**

All persons with responsibilities under this section must take a general orientation to this Code, its procedures and organization within thirty (30) days of taking office.

**SCHEDULE B**  
**RENOUNCEMENT OF MEMBERSHIP**  
**FROM OTHER FIRST NATION**

Name \_\_\_\_\_  
Surname \_\_\_\_\_  
Given Names \_\_\_\_\_  
Band number (if applicable) \_\_\_\_\_

**Mailing Address**

Street \_\_\_\_\_  
PO Box number (if applicable) \_\_\_\_\_  
Town / City \_\_\_\_\_ Province \_\_\_\_\_  
Country \_\_\_\_\_ Postal Code \_\_\_\_\_  
Home Phone Number \_\_\_\_\_ Cell Number \_\_\_\_\_  
Email address \_\_\_\_\_

**DECLARATION OF WITHDRAWAL OF MEMBERSHIP**

I \_\_\_\_\_ (name) declare that I am a registered member of \_\_\_\_\_

First Nation (Band/Tribe) located at:

Street \_\_\_\_\_  
PO Box number (if applicable) \_\_\_\_\_  
Town / City \_\_\_\_\_  
Province (State) \_\_\_\_\_ Country \_\_\_\_\_  
Postal Code \_\_\_\_\_

And further I renounce my membership and legal affiliation and confirm my instructions to have my name removed from the Band List of \_\_\_\_\_ First Nation and; I am aware that it is my sole responsibility to determine what the implications are of me renouncing my membership with \_\_\_\_\_ First Nation.

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

Note: The Applicant's signature must be witnessed by a Notary Public or Commissioner of Oaths.

Signature (witness) \_\_\_\_\_

Designation \_\_\_\_\_

Date \_\_\_\_\_

**For Office Use Only**

Date received by the SMA: \_\_\_\_\_

Signature of SMA: \_\_\_\_\_

Verified by SMA:      Yes       No

**SCHEDULE C**  
**APPLICATION TO HAVE NAME DELETED**  
**FROM SIMPCW REGISTRY LIST**

Name \_\_\_\_\_  
Surname \_\_\_\_\_  
Given Names \_\_\_\_\_  
Band number \_\_\_\_\_

**Mailing Address**

Street \_\_\_\_\_  
PO Box number (if applicable) \_\_\_\_\_  
Town / City \_\_\_\_\_  
Province (State) \_\_\_\_\_ Country \_\_\_\_\_  
Postal Code \_\_\_\_\_  
Home Phone Number \_\_\_\_\_ Cell Number \_\_\_\_\_  
Email address \_\_\_\_\_

Please accept this as application to have my name withdrawn from the Simpcw Registry List immediately.

I am aware that by withdrawing my name, I **forfeit** all rights and privileges accorded to Members of the Simpcw First Nation.

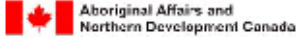
Signature \_\_\_\_\_  
Date \_\_\_\_\_

Note: The Applicant's signature must be witnessed by a Notary Public or Commissioner of Oaths.

Signature (witness) \_\_\_\_\_  
Designation \_\_\_\_\_  
Date \_\_\_\_\_

**For Office Use Only**  
Date received by the SMA: \_\_\_\_\_  
Signature of SMA: \_\_\_\_\_

# SCHEDULE D REPORT OF DEATH



This is a fillable form. Once complete, please save your changes, close the document, and return it to us as an email attachment.

## REPORT OF DEATH PROTECTED A

RETURN TO: [BCestates@aandc-aadnc.gc.ca](mailto:BCestates@aandc-aadnc.gc.ca) OR: Fax back to (604) 775-7149 – Attention: Admin. Assistant, Estates

Registry Name of Deceased: \_\_\_\_\_  
Band Name: \_\_\_\_\_ Registry Number: \_\_\_\_\_  
Date of Death: \_\_\_\_\_ Place of Death: \_\_\_\_\_  
Deceased's Social Insurance Number (S.I.N.), if known: \_\_\_\_\_  
Deceased's Mailing Address: \_\_\_\_\_

If available, please attach one of the following: Death Certificate; Burial Permit; Funeral Director's Statement of death<sup>1</sup>

### DID THE DECEASED LIVE ON RESERVE AT THE TIME OF DEATH?

Yes What reserve did the deceased live on? \_\_\_\_\_  
 No Where did the deceased live? \_\_\_\_\_

If the deceased lived off reserve, was the deceased living off reserve because of:  
 Seasonal work  Education/training  To receive medical attention (this includes having to leave the reserve to move into a long term care facility, group home or seniors' residence)

If you ticked one of the 3 boxes above, which reserve did the deceased lived on before s/he moved away?  
OR:  I believe the deceased lived on reserve, but at another Band. Band name (if known): \_\_\_\_\_  
OR:  None of the above. (I believe the deceased lived off-reserve, but not for any of the above reasons).

### DECEASED'S MARITAL STATUS & CONTACT PERSON FOR THE ESTATE

Marital Status – Please select one or more of the boxes below:  
 Married  Separated  Divorced  Widowed  Common-law  Single

Current Spouse's Name: \_\_\_\_\_ This spouse and the deceased were:  Married  Common-law  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email (if known): \_\_\_\_\_

The contact person for the estate is:  The spouse whose contact information is above, OR:  
Name: \_\_\_\_\_ Relationship to deceased: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Email (if known): \_\_\_\_\_

### DECEASED'S IMMEDIATE FAMILY

Estates staff at AANDC will review the deceased's Indian Registry System (IRS) record to identify the deceased's family members. However, the IRS does not usually show father/child relationships unless the father was named on the child's birth certificate, nor does it always include custom-adopted children. As a result, the information in the IRS about the deceased's immediate family (children, parents, siblings) may not be complete in every case. Please review the deceased's Indian Registry record before completing this section of the form. If you are aware of close family members of the deceased who are not shown in the deceased's IRS record, please let us know below, so that we can follow up with the family.

I reviewed the deceased's IRS record on the date stated below and, to the best of my knowledge, the information in the deceased's IRS record is complete and accurate.  
 OR: I have reviewed the deceased's IRS record and the following is, to the best of my knowledge, additional information about the next-of-kin: (If identifying additional next-of-kin not listed in IRS, please provide name, relationship to the deceased, and any available contact information)  
 (IF POSSIBLE): A scanned copy of the deceased's death or burial certificate is submitted with this Report of Death

Verified by<sup>2</sup>: \_\_\_\_\_ Date: \_\_\_\_\_  
Signature<sup>3</sup>: \_\_\_\_\_ Telephone: \_\_\_\_\_

Questions? Call the Estates Administrative Assistant at 1.888.917.9977 or email [BCestates@aandc-aadnc.gc.ca](mailto:BCestates@aandc-aadnc.gc.ca)  
<sup>1</sup> No further steps can be taken by the Estates Unit until we have received proof of death (e.g. copy of death certificate)  
<sup>2</sup> The information provided in this form must be verified by an employee of the Band (normally, the Membership Clerk).  
<sup>3</sup> No signature is required if you return this form via email from an identifiable band office email address.

**CONFIDENTIAL**

**SCHEDULE E  
APPLICATION FOR MEMBERSHIP  
IN SIMPCW FIRST NATION**

*Note: Please check boxes where provided to indicate how answers apply to your application.  
This application form contains three (3) pages.*

**SECTION I: FOR ALL APPLICANTS**

**1. Basic Applicant Information**

**A) Applicant Name**

Surname \_\_\_\_\_

Given Names \_\_\_\_\_

Band number \_\_\_\_\_

**B) Applicant Address and Contact Information**

Apartment / House number / PO Box \_\_\_\_\_

Street \_\_\_\_\_

Town / City \_\_\_\_\_ Country \_\_\_\_\_

Province / State \_\_\_\_\_ Postal Code \_\_\_\_\_

Home Phone \_\_\_\_\_ Cell Phone \_\_\_\_\_

Email address \_\_\_\_\_

**C) Proof of birth (birth certificate)**

*Attached:* Yes  No

**D) Marital Status:**

Married  Divorced  Single  Widowed

Other  Please specify: \_\_\_\_\_

**E) Proof of Marriage, Divorce, or Declaration of Common-law**

*Attached:* Yes  No



F) Names of no more than three (3) individual family members (including parents) who are Simpcw Members and relationship to Applicant.

Name \_\_\_\_\_ Relationship \_\_\_\_\_

Name \_\_\_\_\_ Relationship \_\_\_\_\_

Name \_\_\_\_\_ Relationship \_\_\_\_\_

A letter of confirmation from each family member listed above is required.

Attached: Yes  No

**2. If the Applicant has been declared mentally incompetent or has not attained the age of majority, the following must be provided:**

A) Court order by person(s) with legal authority to act on Applicant's behalf:

Attached: Yes  No

B) Adopted Child – Proof of Adoption:

Attached: Yes  No

**SECTION II: FOR PERSONS ELIGIBLE TO BECOME MEMBERS**

**3. Transfer of membership from other First Nation (if applicable – if not proceed to 4)**

A) Are you a member of another First Nation? Yes  No

B) Do you wish to transfer to Simpcw? Yes  No

If yes: Name of First Nation (transferring from) \_\_\_\_\_

Address of First Nation \_\_\_\_\_

Name and phone number of contact person at the First Nation indicated above

C) Renouncement of Membership from Other First Nation Form

Attached: Yes  No

D) Written confirmation by \_\_\_\_\_ First Nation that they will accept the transfer to Simpcw or written confirmation by Aboriginal and Northern Development Canada that a transfer to Simpcw is acceptable

Attached: Yes  No

**4. Sponsorship letters from five (5) Simpcw Members**

Attached: Yes  No

**5. Criminal Record Checks completed within the past six (6) months (for Applicants who have reached the age of majority only)**

*Attached:* Yes  No

**6. Explanation (rationale) for wanting to join the membership of Simpcw**

*Attached:* Yes  No

**7. Statement of skills / abilities and other contributions to Simpcw community life**

*Attached:* Yes  No

**8. Application fee**

*Attached:* Yes  No

I make this solemn declaration conscientiously believing it to be true and knowing that it has the same force and effect as if made under oath. I understand that it is an offence to make a false statement in this declaration.

Note: This application is to be signed by a person who is nineteen (19) years of age or above.

Signed \_\_\_\_\_  
Signature of Applicant, Guardian or Agent Date

\_\_\_\_\_  
Signature of Witness Name of Witness (Print)

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Telephone Number Email Address

\_\_\_\_\_  
Date

<b><u>For Office Use Only</u></b>		
1. Date received by Simpcw	_____	
2. Acknowledge of receipt of application sent to Applicant	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3. Application documentation complete	Yes <input type="checkbox"/>	No <input type="checkbox"/>
4. Notice of incomplete application forwarded to Applicant	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Signature of SMA: _____		

## **SCHEDULE F**

### **CONFIDENTIALITY AND SECURITY**

#### **A. Confidentiality**

- (i) A person requesting access to the Summary Membership List as set out in Section VIII B(ii) must respect and protect the confidentiality of personal information contained in the List.
- (ii) Personal information must not be disclosed or shared without the written consent of the individual to whom the information relates.

#### **B. Security of Membership Records**

- (i) The SMA is responsible for ensuring security of membership records.
- (ii) Protected information must be stored under lock and key when not in use.
- (iii) Cabinets used for storage of protected information must be locked when not in use.
- (iv) Cabinet keys must not be given to unauthorized persons, or left in a place accessible by unauthorized persons.
- (v) Membership records systems must be logged off when the workstation is vacated.
- (vi) Computer and system passwords must be held in confidence by the SMA and must not be shared with any other person.

## **SCHEDULE G**

### **SIMPCW FIRST NATION CONFIDENTIALITY AGREEMENT**

In consideration of ONE (\$1.00) DOLLAR and other good and valuable consideration, now paid to me by the Simpcw First Nation (the “Simpcw”), I agree with Simpcw:

1. In this agreement:
  - i. “confidential information” of Simpcw includes but is not limited to:
    - (i) all information in respect of clients and Members of Simpcw, including their names, the services they are accessing, and any information about their finances, health or family;
    - (ii) all information about Simpcw employees other than their names, titles, business address and business telephone numbers;
    - (iii) all business activities and transactions, recruitment discussions, funding proposals, employee disciplinary actions, correspondence, conversations, contractual and supplier agreements, and financial information including budgets;
    - (iv) all work product in paper, electronic or any other format, generated by the employee in the course of carrying out his or her duties, and whether at the Simpcw office or at some other location, including inventions, creations, discoveries and intellectual property made through the use of any Simpcw time, equipment, materials, supplies or facilities; and
    - (v) any other information the release of which the Senior Manager believes would be injurious to Simpcw, or an advantage to any third party;provided that the information is not already public.
  - ii. “Senior Manager” means either the Administrator of Simpcw, the Principal of the Neqweyqwelsten School owned and operated by Simpcw, or the Manager of the Simpcw Health Board which delivers health services to the Nation, or the General Manager of Simpcw Resources Group of Companies as the case may be, to whom the employee reports.
2. The employee will have by reason of the employment, access to confidential information of Simpcw. This confidential information is a valuable and unique

proprietary right of Simpcw. The employee promises that, both during and indefinitely after employment:

- i. he/she will not use any confidential information to further any private interest, as a means of making personal gains, or for any other purpose whatsoever;
  - ii. he/she will not disclose any confidential information to other employees, family members, Members of Simpcw, other First Nation organizations, outside organizations or interest groups, any other person, organization or entity, or the general public, without prior written authorization of the Senior Manager;
  - iii. he/she will take reasonable precautions to prevent confidential information in his/her possession or control from being discovered, used or copied by anyone else; and
  - iv. all such matters and information shall be and shall remain the sole and exclusive property of Simpcw.
3. There are limits to confidentiality. An employee can break confidentiality on issues or information relating to violent acts, child abuse, elder abuse, threats of imminent harm, or admissions of criminal activities.
  4. Employees with care or control of confidential information in paper or any other form, or on any electronic media, or devices must handle and dispose of these appropriately, so that confidentiality will not ever be breached.
  5. The proper handling and protection of confidential information is applicable both during and after working hours.
  6. Any employee who fails to comply with these standards will be dealt with by Simpcw under Policy HR 5.6 Discipline of the Simpcw First Nation Human Resources Policies and Procedures Manual.
  7. This agreement also applies to volunteers and Council members of Simpcw, with any necessary changes in points of detail.

I agree to be bound by all the provisions of this agreement.

Employee: \_\_\_\_\_

Senior Manager: \_\_\_\_\_

Dated: \_\_\_\_\_