



K'ómoks First Nation

Enrollment & Eligibility and Ratification





## Introduction

K'ómoks is getting closer to completing negotiations for a Treaty and has completed a final draft of the K'ómoks Constitution. Both will go to the K'ómoks people to be voted on (ratified). There are specific requirements for ratifying the K'ómoks Treaty and Constitution; these include processes to determine who can vote and the steps that need to be taken for individuals to do so. The following information describes who is eligible to be a K'ómoks Member under Treaty, the Eligibility criteria, the process for Enrollment and the Ratification process.

# Definitions

**K'ómoks Individual** - an individual who is eligible to be enrolled under the Treaty in accordance with the Eligibility and Enrollment Chapter;

**K'ómoks Member** - an individual who is enrolled under the Treaty in accordance with the Eligibility and Enrollment Chapter;

**Effective Date** - the day K'ómoks begins to implement the Treaty;

**Eligible Voter** - an individual who is eligible to vote;

**Eligibility Criteria** - the criteria in the Eligibility and Enrollment Chapter which sets out who is entitled to be a K'ómoks Member;

**Enrollment Committee** - the committee established to carry out the requirements for enrolling K'ómoks Members, if they meet the eligibility criteria;

**Enrollment Appeal Board** - the board established to review decisions made by the Enrollment Committee;

**Ratification Committee** - the committee established to oversee ratification of the K'ómoks Constitution and Treaty.



## Treaty Membership

To become a K'ómoks Member under the K'ómoks Treaty, an individual must meet the Eligibility Criteria.

Being a K'ómoks Member allows individuals to vote in elections, run for elected office, receive treaty benefits, exercise treaty rights, attend the K'ómoks People's Assembly and benefit from other rights and freedoms described in the K'ómoks Constitution.

An individual can only belong to one First Nation or Treaty in Canada. If an individual meets the Eligibility criteria but belongs to another first nation, they must follow the procedures set out by the E&E Committee to enroll to vote on the K'ómoks Constitution and K'ómoks Treaty and enroll as a K'ómoks Member.

After the Effective Date, K'ómoks Membership cards will be issued to K'ómoks Members by the K'ómoks Government, which will be different from Indian Status cards. Status Indians will also keep thier Status Cards.

Status Indians who enroll as K'ómoks Members under the Treaty will continue to be Status Indians.



## Enrollment and Eligibility (E&E)

E&E is a chapter in the K'ómoks Treaty that describes who is eligible to enroll to vote and to be a member, and the steps individuals will have to take to become enrolled.

An individual is eligible to be enrolled under the treaty if that individual is either:

- a. an individual with K'ómoks ancestry by matrilineal or patrilineal descent; *or*
- b. a band member listed or entitled to be listed as a band member on the K'ómoks list under the Indian Act as of the day before the Effective Date; *or*
- c. was adopted under a law recognized in Canada, including under K'ómoks Law, by an individual eligible to be enrolled; *or*
- d. a descendant of an individual described in subparagraphs 2.a, 2.b, or 2.c; *or*

- e. after the Effective Date, is accepted according to a community acceptance process set out in K'ómoks Law.

An Enrollment Committee will be established to review and approve enrollment applications. The Enrollment Committee is responsible for setting out and communicating all the steps and procedures to all K'ómoks individuals who may be entitled to be enrolled under the treaty.

There will also be an Enrollment Appeal Board for individuals to have their applications reviewed if they have been denied K'ómoks membership.

After Effective Date, there will no longer be a need for the Enrollment Committee. The enrollment responsibilities will become the responsibility of the K'ómoks Government and Administration.

## Ratification

K'ómoks will form a Ratification Committee with representatives from K'ómoks, BC, and Canada. The Ratification Committee will establish and publish its procedures for ratifying the K'ómoks Treaty and the Constitution.

We will vote on the K'ómoks Constitution about six months before the Treaty vote. To ratify the K'ómoks Constitution will **require 50% plus one of Eligible Voters to participate in the vote and 50% plus one of those to vote yes.**

When the K'ómoks Treaty is ready to be voted on, the Treaty will be initialed by the Chief Negotiators. Then the K'ómoks Members will vote on the K'ómoks Treaty. **The approval will also require 50% plus one of Eligible Voters to participate in the vote and 50% plus one of those to vote yes.**

Voters will need to be 18 years of age to vote on both the Treaty and the Constitution.

The K'ómoks Treaty is then ratified by BC when it is authorized by the Provincial Legislature and signed by a Minister, and by Canada when it is authorized by Parliament and signed by a Minister.





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