



THE FIRST NATIONS OF MAA-NULTH TREATY SOCIETY

Huu-ay-aht First Nations | Ka:'yu:'k't'h'/Che:k'tles7et'h' First Nations
Toquaht Nation | Uchucklesaht Tribe | Ucluelet First Nation

“A Foundation for our Future Generations”

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ELIGIBILITY AND ENROLMENT FREQUENTLY ASKED QUESTIONS

Introduction

“Maa-nulth” is a Nuu-chah-nulth word that means “villages along the coast”. Five Nuu-chah-nulth First Nations came together to negotiate and enter into the Maa-nulth Final Agreement to bring certainty to the aboriginal rights and title of the Maa-nulth First Nations. (The Maa-nulth “Final Agreement” will become the “Maa-nulth Treaty” once it is approved by Maa-nulth First Nations, British Columbia and Canada).

“Maa-nulth-aht” are the people of the Maa-nulth First Nations who apply and are enrolled under the treaty and will be entitled to receive the rights and benefits under the Maa-nulth Treaty once it is approved. Every Maa-nulth-aht is also entitled to be a citizen of their First Nation as set out in their First Nation’s Constitution.

“Maa-nulth Citizens” are individuals who are citizens of a Maa-nulth First Nation according to their First Nation’s citizenship rules. While all Maa-nulth-aht are entitled to be Maa-nulth Citizens, it is possible that not all Maa-nulth Citizens will be eligible to enrol under the treaty; individuals must meet the eligibility criteria (see below).

Maa-nulth First Nations are encouraging members to enrol under the treaty in order to share in the rights and benefits that will flow from the treaty, once it is approved and in effect. Voting on the treaty will be open to those who are enrolled under the treaty and who are 16 years of age or older on voting day.

Enrolment in the Maa-nulth Treaty

Question #1:

Who can apply to enrol in the Maa-nulth Treaty to become Maa-nulth-aht?

Answer #1:

Individuals can apply to enrol in the Treaty to become “Maa-nulth-aht” if:

- a. you have ancestry in one of the Maa-nulth First Nations; or,
- b. you were adopted by an individual with ancestry as above (including by custom); or,
- c. you are descendant of a Maa-nulth-aht ; or
- d. you are someone who has an attachment to a Maa-nulth First Nation and is accepted by the First Nation as a member according to their First Nations’ custom.

Question #2:

If my name is already included on the membership list of my First Nation, do I still have to apply to enrol under the treaty?

Answer #2:

Enrolment is not automatic; individuals need to apply to the Enrolment Committee of your First Nation who will enrol persons who show that they meet the eligibility criteria for enrolment. Ask your First Nation for an application for enrolment if you have not enrolled yet.

Question #3:

Are there residency requirements to be eligible to enrol as Maa-nulth-aht?

Answer #3:

No. An individual does not need to live on Maa-nulth First Nation Lands to be enrolled as a Maa-nulth-aht, and they can reside in any province or any other country as long as they meet the eligibility criteria.

Question #4:

If I enrol in the treaty, do I lose my Indian Status?

Answer #4:

No. Enrolling as a Maa-nulth-aht does not take away the right to be registered as an Indian under the *Indian Act*. This ensures that Maa-nulth-aht will continue to have access to programs and services available to “Indian” people in Canada (as defined in the *Indian Act*) even after the treaty is in effect. For example, these programs and services include:

- health and dental benefits;
- eyeglasses and prescription drugs;
- home care;
- other programs and services that are or will become available to “status Indians” in Canada in the future; for example, economic development programs or funding, special programs, etc

Question #5:

Will the *Indian Act* still apply to Maa-nulth First Nations and Maa-nulth-aht?

Answer #5:

Once the treaty comes into effect, the *Indian Act* will no longer apply to Maa-nulth First Nations or Maa-nulth-aht except:

- for the reasons discussed above, for determining “status” under the *Indian Act*;
- the tax exemption currently under the *Indian Act*, which will continue to apply for specified periods of time after the Effective Date of the treaty (i.e. 8 years for sales tax exemptions and 12 years for income tax exemption);
- for certain existing estates and trust account matters, which will remain with the Department of Indian Affairs until the administration of those matters is complete.

“Maa-nulth-aht” Treaty Rights**Question #6:**

What treaty rights will Maa-nulth-aht have?

Answer #6:

Once the treaty comes into effect, Maa-nulth-aht will be entitled to the constitutionally protected rights and benefits as set out in the treaty, for example:

- the right to be governed by our own laws through our own Maa-nulth First Nation Governments (as defined in our First Nations Constitutions);
- the right to have access to education that teaches our language and culture;
- the right to hunt for wildlife and migratory birds and gather plants and for domestic purposes (food, social and ceremonial) throughout our Ha-houlthee (traditional territories), according to the rules set by our Maa-nulth First Nation;
- the right to fish for domestic (food, social and ceremonial) purposes, according to the rules set by our Maa-nulth First Nation;
- the right to trade and barter fish, wildlife, migratory birds, and aquatic plants among ourselves or with other Canadian aboriginal peoples in British Columbia, unless a Maa-nulth First Nation Law states otherwise;
- the right to go onto Crown land, including Parks, to exercise our treaty rights, subject to certain restrictions.

Maa-nulth First Nation “Citizens”

- Each First Nation determines who can be citizens of their First Nation through their own membership or citizenship rules;
- Maa-nulth Citizens who are not “Maa-nulth-aht” (i.e. not enrolled under the treaty), cannot vote on the treaty;
- Maa-nulth Citizens who are not “Maa-nulth-aht” (i.e. not enrolled under the treaty) will not have access to all the treaty rights and benefits that Maa-nulth-aht do;
- Maa-nulth Citizens are entitled to rights of citizens as defined in First Nation Constitution and First Nations laws;
- Every “registered Indian” of a Maa-nulth First Nation is entitled to be a citizen of that First Nation according to their First Nation Constitution.

Question #7:

What happens to the existing Indian Bands and Indian Reserves of Maa-nulth First Nations once the treaty comes into effect?

Answer #7:

- The five Maa-nulth “Indian Bands” which now operate under the Indian Act will cease to exist and the new First Nation legal entities created by the Maa-nulth Treaty will operate under our own Constitutions and with the rights set out in the Maa-nulth Treaty;
- Indian Reserve lands now owned by Canada and governed under the rules of the Indian Act will become “treaty settlement lands” owned by each Maa-nulth First Nation and governed by our own Constitution and laws;
- Each Maa-nulth First Nation will make it’s own decisions regarding it’s treaty settlement lands.

