



# Seabird Island

## Membership Code Survey

Seabird Island is updating the Membership Code and wants your input. The current code has been in place since 1999, so it's important that it reflects members' values today.

This survey follows up on the previous membership code survey and focuses on areas that need more clarity. It may include questions about band membership, ancestry, and cultural topics that could be sensitive. Please take care of yourself; skip any questions that make you uncomfortable and seek support if needed. Your well-being matters to us.

Additional documents for context and definitions are included at the end of the survey. For any questions or more information, please contact Simone Jimmie, Enrollment Officer, at [simone.jimmie@seabirdisland.ca](mailto:simone.jimmie@seabirdisland.ca) or 604-796-7137.

Your feedback is important to us, please take 15 minutes to fill out the survey. The survey will be open until November 30<sup>th</sup>, 2024.

As a thank you for **completing the survey**, you'll be entered into a **draw to win** one of three prizes: **a 50-inch TV or an Xbox.**

**Identification and Confidentiality**

This section ensures that only Seabird members complete the survey, and allows us to contact those entered into the draw. Your personal information will be kept confidential, and your responses will be analyzed separately from your identity.

Please enter your full legal name, birth date, and status number below.

**First Name:**

\_\_\_\_\_

**Middle Name:**

\_\_\_\_\_

**Last Name:**

\_\_\_\_\_

**Birth Date:**

\_\_\_\_\_

**Status Number:**

\_\_\_\_\_

Please note that this survey is for **seabird members only**. Please confirm the statement below:

**I am a member of Seabird Island.**



## Seabird Island – Membership Code Survey

At the **end of the survey**, you'll find a **general response box** for any additional thoughts or opinions you'd like to share, along with documents that clarify **definitions** and **basic registration scenarios** under the Indian Act.

### **A. About you**

#### **1) Where do you reside?**

- On reserve
- Off reserve
- Prefer not to answer

#### **2) How old are you?**

- 18 - 24 years
- 25 - 34 years
- 35 - 44 years
- 45 - 54 years
- 55 - 64 years
- 65 years or older
- Prefer not to answer

#### **3) How familiar are you with the current membership code?**

- Very unfamiliar
- Unfamiliar
- Somewhat familiar
- Familiar
- Very familiar
- Prefer not to answer

### **B. Who should be a member?**

The following questions focus on how the revised Membership Code should apply to the different categories of individuals seeking membership from Seabird Island.

#### **Inclusion of status individuals**

#### **4) The current code requires everyone seeking membership from Seabird Island to apply, regardless of their situation. **Should some situations allow for automatic membership instead?****

*Example: Birth, adoption.*

- Yes
- No
- I am not sure
- Prefer not to answer

**Background:** Legal adoption formally establishes responsibility for a child (under 19 years) through the adoption system, while custom adoption involves raising a child (under 19 years) by someone who is not a biological parent, following cultural practices. Both processes are recognized equally under the Indian Act.

**5) The current Code only recognizes legal adoption under the Adoption Act, should Seabird Island also recognize custom adoption?**

- Yes, children from custom adoptions should be recognized the same as those from legal adoptions.
- No, only legal adoptions should be recognized.
- No, all adopted children (legal or custom) should not be eligible for membership.
- I am not sure.
- Prefer not to answer.

**6) Should a spouse with Status but no ancestral ties to Seabird, and who is married to a Seabird member, be eligible for membership?**

- Yes
- No
- I am not sure
- Prefer not to answer

**7) Should an individual with Status, but no affiliations or ancestral ties to Seabird, continue to be eligible for Membership through Band Vote?**

*This method is currently allowed in the membership code.*

- Yes
- No
- I am not sure
- Prefer not to answer

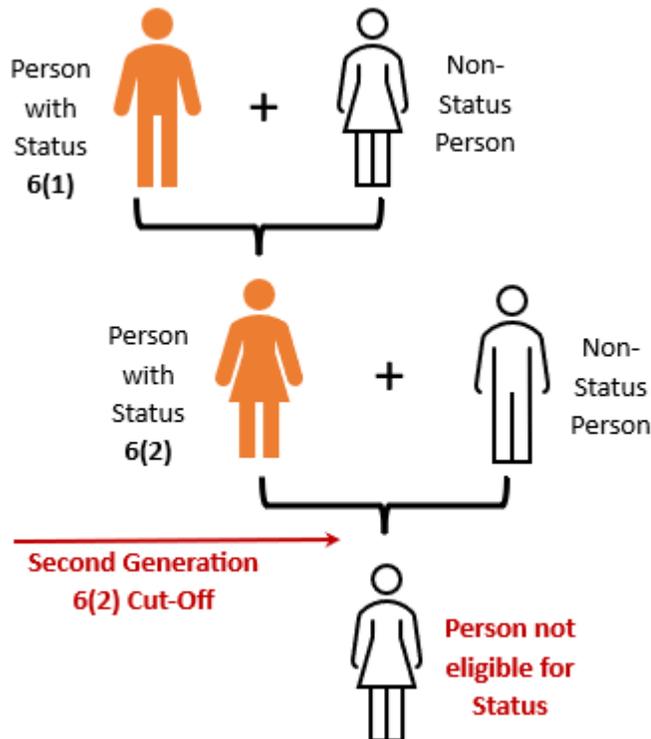
**Inclusion of Non-Status Individuals**

In the questions below, we ask you to consider whether **Indian Status** should still be a requirement for Membership.

**Background:** Seabird is starting to see the effects of the **Second-Generation 6(2) Cut-Off**, which prevents many First Nations people with Status under the *Indian Act* from passing their entitlement to their children and grandchildren, based on the person they choose to parent with.

As a result, **children of Seabird Island members are being denied Status and membership benefits**, and we need to decide if this cut-off should be addressed in the revised membership code.

*(For more information of registration under the Indian Act, please refer to the additional document)*



**8) Please share your level of agreement with the effects of the Second-Generation Cut-Off.**

- Strongly disagree
- Disagree
- Neutral
- Agree
- Strongly agree
- I am not sure
- Prefer not to answer

**9) Should Seabird Island consider including individuals who are not eligible for status under the Indian Act in its membership?**

*This could help address the impacts of the second-generation 6(2) cut-off, but Seabird Island may not receive funding for non-status members.*

- Yes
- No
- I am not sure
- Prefer not to answer

**10) If Seabird includes individuals who are not eligible for status in its membership, please share your thoughts on who should be eligible in the following scenarios:**

	Cannot be a Member	Can be a Member	I am not sure
A non-status child born to <u>one</u> Seabird member	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A non-status child who is adopted by a Seabird Member	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A non-status spouse with no ancestral ties to Seabird	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**E. Second Tier of Membership**

**Background:** Some benefits for Seabird Island members are funded by the Canadian government based off the number of members with Indian Status registered under the *Indian Act*.

While Seabird Island will continue to receive funding for registered members, benefits for non-status members will need to be covered by the Band's own revenue sources.

**11) If non-status persons are to be included in the Membership code, should they be placed under a “second tier” of membership?**

*This tiered membership could provide certain benefits for those affected by the Second-Generation 6(2) Cut-Off while managing funds within Seabird Island Band’s own revenue.*

- Yes, I support a tiered system if non-status members are included in our membership.
- No, non-status members should receive the same benefits as status members.
- I am not sure
- Prefer not to answer

**The following questions (12 to 15) ask about details if Seabird Island were to add a second tier to the membership list for individuals without Indian status.**

**12) Who should qualify as a second-tier member?**

*Select all that apply:*

- Non-status Children of members
- Non-status Grandchildren of members
- Non-status Spouses that have no ancestral ties to Seabird.

**13) What political benefits should the second-tier members be entitled to?**

*Select all that apply.*

- Vote in Band Elections and Referendums (subject to Election Code)
  - Right to hold a position on Chief and Council (subject to Election Code)
  - Have a voice at Band meetings
  - Join a committee
  - Right to reside on Seabird
  - Other (please specify):
-

**14) What financial benefits should the second-tier members be entitled to?**

*Select all that apply.*

- Allotments (Land Possession)
  - Housing
  - Post-Secondary benefits
  - Education K-12
  - Distribution
  - Economic benefits
  - Sports funds
  - Funeral benefits
  - Other (please specify):
- 

**15) Should there be a waiting period before tiered members can access these benefits?**

- Yes
- No
- I am not sure
- Prefer not to answer

**C. Application Process and Administration**

**16) Who should make the decision of who is added to Seabird's Membership List?**

*Example: Birth, Marriage, Adoption, Reinstatement.*

*This decision would not apply to Band Vote applications.*

*Select all that apply.*

- Enrollment Officer
- Membership Committee
- Chief & Council

**17) Who should make the decisions of who is deleted from Seabird's Membership List?**  
For example, an individual may be removed from the Membership List due to Death, Divorce, or Band Transfer.

*Select all that apply.*

- Enrollment Officer
- Membership Committee
- Chief & Council

**18) Do you want to continue to include a "Peacemaker Tribunal" in the revised Membership Code?**

*Seabirds current 1999 Membership Code includes a "Peacemaker Tribunal". The Peacemaker Tribunal is a group of members that are selected by Seabirds Membership Committee to hear membership grievances and appeals*

- Yes
- No
- I am not sure

➤ **If answered "No", in the event of membership grievances and appeals to additions and deletions, who should be addressing these?**

*Select all that apply.*

- Enrollment Officer
- Membership Committee
- Chief & Council
- Band Vote

**19) If a Membership Committee is not in place during the time of an addition, removal, or grievance that they have been made responsible for, who should take on that responsibility instead?**

*Select all that apply.*

- Enrollment Officer
- Membership Committee
- Chief & Council
- Band Vote
- Peacemaker tribunal

**Background:** The current Code requires that any amendments receive **approval from at least 60%** of the total Electors before being enacted. With over 700 members at Seabird Island, this means **we need more than 400 members to participate and agree to any changes**. While it can be challenging to meet this requirement, we cannot proceed without proper consultation.

**20) To approve of amendments (minor changes to the Membership Code), how many members should be required to agree to the changes?**

- Less than 20%
- 20%
- 30%
- 40%
- 50%
- Simple majority (50% +1 member)
- 60%
- More than 60%
- I am not sure
- Prefer not to answer

**21) In cases where an individual does not have ancestral ties to Seabird, should a criminal record check be conducted on adult applicants before granting membership?**

For example, persons who might apply for membership through Marriage or Band vote.

- Yes
- No
- I am not sure
- Prefer not to answer

**22) If an adult voluntarily gives up their Seabird Island membership, how many times should they be allowed to re-apply for Membership?**

- None. Once they decide to transfer out of Seabird, they should not be able to transfer back.
- 1 time
- 2 times
- 3 times
- Unlimited times
- I am not sure

**Background:** On the previous survey, it was agreed that Member responsibilities should be included in the Membership Code. Please note that these will not be mandatory but will serve as a guide to support communal Seabird Island values.

**23) What responsibilities does Seabird Island want to include in the new Membership Code?**

*Select all that apply.*

- Cultural Values:** Incorporate traditional laws, teachings, and language in daily life.
  - Environmental Care:** Protect local ecosystems and maintain a clean living environment.
  - Hunting and Fishing:** Uphold rights to hunt and fish on traditional lands without permits.
  - Participation:** Vote, engage in community discussions, and keep contact information updated.
  - Respect for Community:** Set a positive example, show respect to all members, and maintain clean properties.
  - Committee Engagement (Optional):** Serve on committees for a maximum of three years, actively report to the community.
  - All of the above**
  - Other** (please specify):
-



**Thank you for completing the Seabird Island Band  
Membership Code Survey!**

**Please seal and submit your completed survey to Seabird Island's Membership  
Department.** Envelopes will be available at the Band office reception to ensure each survey is  
kept confidential.

If you are submitting your survey through mail, please use the address below:

**Membership Department**

**2895 Chowat Rd, P.O BOX 650**

**Agassiz, British Columbia**

**V0M 1A0**

***Attn: Simone Jimmie***

## **Seabird Island Bands Current Membership Criteria**

When an individual applies for membership with Seabird Island Band, they must apply for membership under one of the six (6) membership criteria.

The following is a list of (6) membership criteria within Seabird Island's current Membership Code (*March 3, 1999*), along with brief descriptions on their requirements.

**Birth** - Any individual with at least one natural (biological) parent who has or is entitled to have membership in the Seabird Island First Nation whether the parent is living or deceased.

**Marriage** – Spouses of Seabird Island Members may be granted membership in the Seabird Island First Nation provided the applicant is not a member of any other First Nation, and if so, is willing to renounce his/her membership in that First Nation.

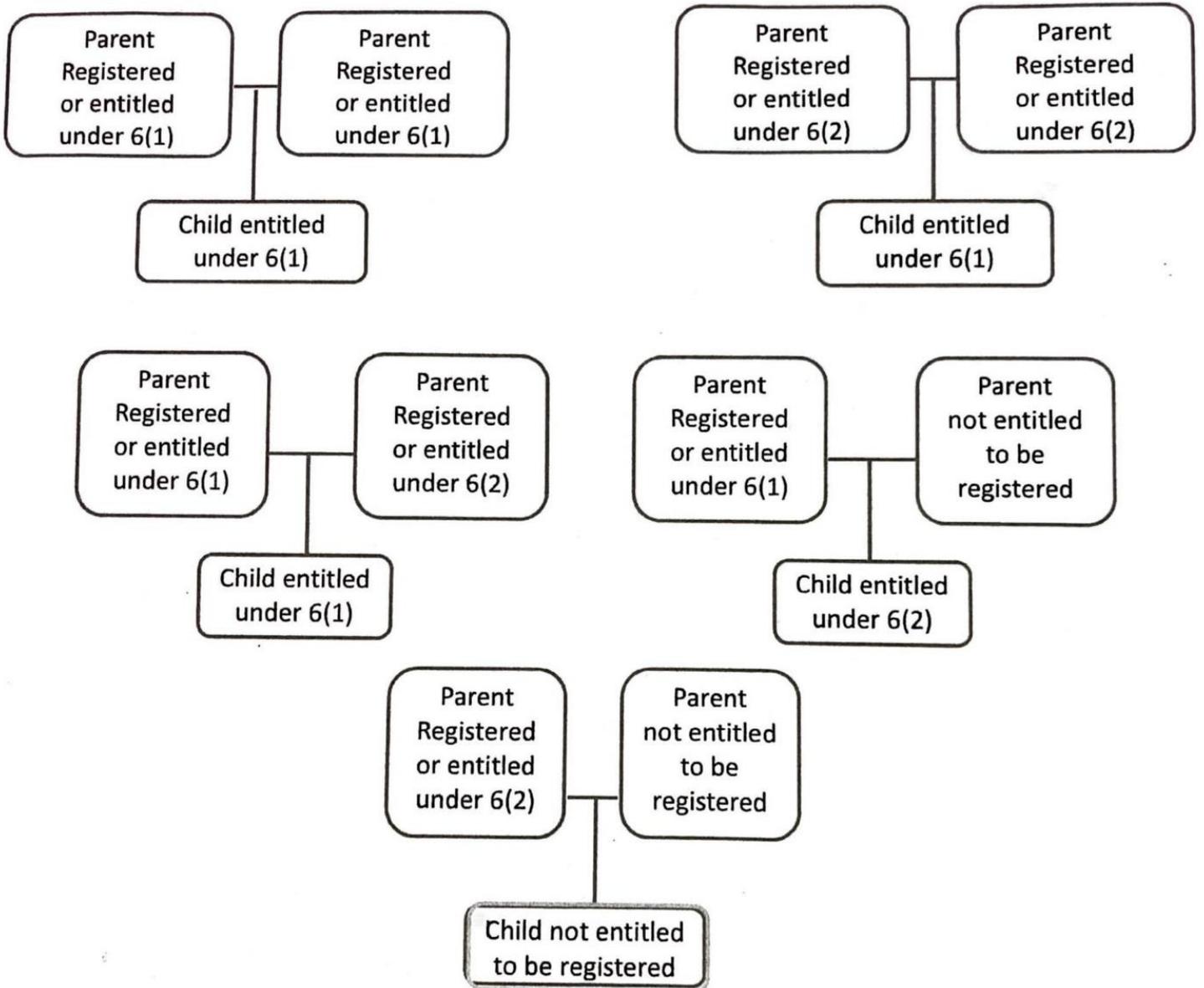
**Adoptions** – Adopted children may be granted membership provided that the child has at least one adoptive parent who has membership in Seabird Island First Nation. The child also must be legally adopted and under the age of 19 years.

**Reinstatement** – Persons eligible for membership following the birth criteria, who were removed from Seabird Island's Membership List when adopted by a non-Seabird Island member may be reinstated in the Membership List provided the applicant is over 19 years of age.

**Band Vote** – Members of other First Nations may be granted membership provided that the applicant receives approval of at least 60% of the Electors at a duly convened Referendum held specifically for that purpose.

## Basic Scenarios of Registration Under the *Indian Act*

The following diagram shows basic scenarios of registration under the Indian Act, and how those individuals would be registered. Please use this as guidance when answering the survey questions.



## **Terminology List:**

“Ancestral Ties” a person who is connected to Seabird Island by blood.

“*Category 6(1)*” a person may be registered under Section 6(1) if both of their parents are, or were registered, or entitled to be registered.

“*Category 6(2)*” a person may be registered under Section 6(2) of the Indian Act, if only one of their parents are, or were registered, or entitled to be registered.

“*Category*” means any persons who are registered to a First Nation/Band are categorized by their entitlement as an Indian under **Section 6** of the *Indian Act*.

“*Child*” means a person under 19 years of age and includes a youth.

“*Council*” means the duly elected and constituted Chief and Council of the Seabird Island as defined in the Indian Act.

“*Custom Adoption*” a cultural practice in which a child is raised by a person who is not their biological parent, according to the customary laws of their community.

“*Enrollment Officer*” means the person appointed by Council to administer the Seabird Island Membership Code.

“*Indian Act*” is the primary law the federal government uses to administer Indian status, local First Nations governments and the management of reserve land.

“*Indian Registry Group*” persons who are registered under the *Indian Act* are assigned to a particular band or grouping in the Indian Registry System.

*“Indian Status”* is the legal standing of a person who is registered under the *Indian Act*.

*“Legal Adoption”* a child who has been legally adopted within the meaning of the Adoption Act; and the child is under 19 years of age.

*“Membership List”* means a list of names of persons who are members of the Seabird Island and enjoy the rights and benefits from being a member.