

## Métis Nation of Ontario Policy

# Conditions or Limitations That May Apply to MNO Citizenship

**Whereas** pursuant to the *MNO Secretariat Bylaws* individual members of the MNO are known as citizens and individual membership is known as citizenship;

**And Whereas** citizenship in the MNO is limited to individuals interested in furthering the objects of the MNO and who are Métis within the definition adopted by the MNO in accordance with the Métis National Council;

**And Whereas** according to the MNO definition Métis means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation ancestry, and is accepted by the Métis Nation;

**And Whereas** a person is entitled to be registered as a citizen of MNO if that person applies for admission as a citizen, provides sufficient documentation to prove that he or she is Métis, is not enrolled on any other Aboriginal registry, and is approved through the registry process of the MNO as amended from time to time;

**And Whereas** a parent or legal guardian of a child under the age of 16 may apply to register that child as a youth citizen;

**And Whereas** the PCMNO may set fees or dues upon obtaining individual citizenship;

**And Whereas** any individual may withdraw as a citizen of the MNO by delivering a written resignation to the secretary of the MNO;

**Now Therefore** the PCMNO has approved this *MNO Policy - Conditions or Limitations That May Apply to MNO Citizenship*, which shall guide any conditions or limitations that may apply from time to time to MNO citizenship as follows:

1. The rights and privileges of a citizen to participate in the affairs of the MNO shall be determined pursuant to the rules of natural justice, which means that there is a duty on MNO to act fairly if it intends to affect the rights or privileges of its citizens. The duty to act fairly means that the citizen must be aware of what the allegations are; be aware of the evidence against him or her; and be afforded a reasonable opportunity to respond to the evidence and give his/her version of the matter. The MNO must give due consideration to any representations made by the citizen.
2. The privileges of a citizen may be limited by the MNO pursuant to this *MNO Policy - Conditions or Limitations That May Apply to MNO Citizenship*, the *MNO Secretariat By-laws*, or the *MNO Electoral Code*, all as amended from time to time.

3. The MNO may deny citizenship to an applicant for the following reasons:
  - a. If the applicant does not provide evidence to prove that he or she is Métis within the MNO definition;
  - b. If there is evidence that the applicant is not interested in furthering the objects of the MNO;
  - c. If there is evidence that the applicant has actively worked against the objects or interests of MNO;
  - d. If the information in the application is false or deliberately misleading; or
  - e. If the applicant is registered on another Aboriginal registry or is a member of another Aboriginal organization in Ontario that actively competes with MNO.
4. Notwithstanding Article 3, the MNO may approve a citizenship application conditionally. Such conditions may include a probation period and/or limitations on rights and privileges. In the event the citizenship application is approved conditionally, the applicant shall be notified in writing and the notice shall inform the applicant of the nature of the conditions, the reasons for the conditional approval, the evidence upon which the decision has been based, and the conditions under which MNO might consider removing the limitations.
5. If there is evidence that an MNO citizen has actively worked or is actively working against the objects or interests of MNO, is registered on another Aboriginal registry, or has been or is a member of another Aboriginal organization in Ontario that actively competes with MNO, the MNO may limit the rights and privileges of that citizen.
6. The purpose of the conditions or limitations is to enable the citizen to change the behavior that led to the decision to impose the limitations, make amends if possible for any damage that resulted to the MNO, its communities or its citizens, and to allow the MNO to rebuild the trust necessary for the reinstatement of full or partial privileges.
7. In the event that limitations are placed on a citizen, he or she shall be notified in writing and the notice shall inform the citizen of the nature of the limitations, the evidence on which the decision is based, the reasons for the limitations, and the conditions under which MNO might consider removing the limitations. Limitations or conditions put on citizenship shall be deemed to continue unless removed by notice in writing from MNO.
8. The onus is on the applicant who has been granted conditional citizenship or a citizen whose privileges have been limited to request in writing that the MNO remove or reconsider one or all conditions or limitations. Requests for removal or reconsideration of conditions or limitations should be supported by evidence.
9. Upon receipt of a request by the citizen for removal or reconsideration of conditions or limitations, the MNO shall consider the request and any evidence put forward by the citizen in support of the request and shall respond within a reasonable time with written notice and reasons. The MNO may:
  - a. Deny the request that the condition or limitation be removed;

- b. Amend the condition or limitation;
  - c. Establish a probation period at the end of which time the condition or limitation can be reconsidered; or
  - d. Reinstate full or partial privileges.
10. In the event that the MNO upholds its decision to limit a citizen's privileges, the citizen may appeal the decision in writing to the MNO. Upon receipt of such a written appeal, the MNO shall appoint a Métis auditor who is not a member of the PCMNO to hear the appeal. The auditor shall inform the appellant of the process for the appeal and shall duly consider all materials presented by the appellant. The auditor shall provide written reasons for the decision, which shall be given to the appellant within a reasonable time. The decision of the auditor shall be final and binding. The auditor may:
- a. Deny the request that the condition or limitation be removed;
  - b. Amend the condition or limitation; or
  - c. Reinstate full or partial privileges.

This *MNO Policy - Conditions or Limitations That May Apply to MNO Citizenship* was approved by the PCMNO on June 1<sup>st</sup> 2007.