

November 14, 2024

**Notice re Membership Admission Vote
Ashcroft Indian Band**

The Band wishes to bring the upcoming Membership Admission Vote, to be held on May 1, 2025, to your attention.

1. The Court Decision

The Federal Court has in its October 5, 2022 judgment in *Pittman v. Ashcroft First Nation* (the “**Court Decision**”) confirmed that any person who was admitted to discretionary membership in the Band after December 31, 1996 must have his or her membership confirmed by way of a Membership Admission Vote. Those persons together make up the “**Post 1996 Discretionary Membership List**”.

The membership of all persons who have transferred into the Band from another Band/First Nation after December 31, 1996, must also be confirmed by a Membership Admission Vote. Those persons together make up the “**Post 1996 Unapproved Transfer in List**”.

2. The Membership Admission Vote

The “**Membership Admission Vote**” is a vote either in person or by mail in ballot, by the Eligible Electors, for acceptance or rejection of each application for discretionary membership in the Band.

This vote is held under the 1987 Membership Rules of the Band (the “**Membership Rules**”).

3. The Eligible Electors Who Will Vote

The “**Eligible Electors**” include the three groups confirmed by the Court Decision to actually have membership in the Band as at October 5, 2022:

- (a) all persons who acquired membership before 1997, whether discretionary or automatic;
- (b) all persons who acquired “automatic” membership under the *Membership Rules* after 1996; and
- (c) all persons who applied to transfer their membership from another Band/First Nation to the Ashcroft Indian Band after 1996, whose application was approved in a Membership Admission Vote.

Persons having membership in the Band in one of the “automatic” categories become members upon providing proof of entitlement, without the requirement of having their membership accepted in a Membership Admission Vote.

The first Membership Admission Vote after the Court Decision was held on January 25, 2024. All persons who applied were accepted for discretionary membership in the Band. As a result, if they are also 18 years of age on the date of the upcoming Membership Admission Vote, they become the fourth group of “**Eligible Electors**”.

All four groups of Eligible Electors are eligible to vote for acceptance or rejection of each Discretionary Membership Application in the upcoming Membership Admission Vote.

4. **Becoming a Member of the Band**

An applicant for discretionary membership will be confirmed as a member of the Band upon a vote for acceptance by a majority of the Eligible Electors voting in the Membership Admission Vote.

5. **Persons Who Have Lost Membership**

Many persons were on the Post 1996 Discretionary Membership List or the Post 1996 Unapproved Transfer in List, and did not apply to have their membership confirmed by the January 25, 2024 Membership Admission Vote. According to the Court Decision, they have lost their membership in the Band. They can, however, apply for admission as discretionary members in the upcoming Membership Admission Vote.

6. **Band Processing of a Discretionary Membership Application**

The procedure under the *Membership Rules* for the Band to process a Discretionary Membership Application is:

- (a) the application form is submitted to the Membership Clerk;
- (b) an application on behalf of a person under the age of 18 years may be made by a parent or legal guardian;
- (c) the Membership Clerk confirms that the application and the supporting documents are complete and conform to those rules;
- (d) the Membership Committee of the Band reviews each application and supporting documents, and makes a non-binding recommendation for acceptance or rejection of each application; and
- (e) Council schedules a Membership Admission Vote among the Eligible Electors to determine the admission of each applicant to membership.

7. **Requirement to Submit a Discretionary Membership Application**

Persons wishing to have their Discretionary Membership Application considered in the upcoming Membership Admission Vote, must provide the fully completed application form and all supporting documents, to the Membership Clerk, on or before December 13, 2024.

If you are interested, please contact the Membership Clerk by phone at 250-453-9154 or by e-mail to membership@ashcroftband.ca, well before December 13, 2024.

We will advise you as to any documentation requirements for your membership file, in order that your application can go forward to the Membership Committee.

8. **Information Session**

An Information Session is held by the Band, for the electors, on the Membership Admission Vote, on Discretionary Membership Applications, prior to that vote.

9. Patience with the Band

There is a large volume of documents and information to be received, sorted and analyzed by the Band as part of the Membership Admission Vote process. The Band administration office could become overloaded. The Band requests the patience of all members if that office is not able to respond to all inquiries immediately, and if other delays or inconvenience are experienced in this process.

10. Other Matters

While the Band is pleased to advise you generally about the Court Decision, the Band cannot give you legal advice and recommends that you seek independent legal advice about the judgment.

The link to the Court Decision is at [Pittman v. Ashcroft First Nation-Federal Court \(fct-cf.gc.ca\)](#), in case you wish to read the judgment.

Please call or e-mail the Band with any questions.

11. Date

This notice is dated November 14, 2024.