

NATIVE ALLIANCE OF QUÉBEC INC.

CONSTITUTION AND BY-LAWS OF THE NATIVE ALLIANCE OF QUÉBEC

MODIFIED THE 25 OF AUGUST 1996

ORIGINAL CONSITUTION DRAFTED MARCH 27, 1972

PRELIMINARY DISPOSITIONS DEFINITIONS

NATIVE

- Any person member of the Native Alliance of Quebec or eligible to become one.

NON NATIVE

- Any person who is not identified as a descendant of the Aboriginal First Natives of America.

ANCESTRY

- Without prejudice any degree of descendant of the Aboriginal First Nation.

INDIAN

- Indian means Native within the meaning of the Constitution.

MÉTIS

- Metis means Native within the meaning of the Constitution.

NON STATUS INDIAN

- Non status Indian means Native within the meaning of the Constitution.

HIRING COMMITTEE

- Group of persons responsible for the selection of employees to the concerned level authorities.

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NATIVE ALLIANCE OF QUEBEC INC.

SECTION A : CONSTITUTION

We the undersigned, hereby declare that we desire to form a Society under the Quebec Companies Act, and that :

1. The name of the Society is : NATIVE ALLIANCE OF QUEBEC INC.

2. The objectives of the Alliance are :
 - a) To advance at all possible occasions the interests of the off-reserve Natives for the purpose of promoting their common interests through collective action.

 - b) To promote recreational activities for the off-reserve Natives and assist in the development of social fellowship, human understanding, dignity, and contribute to our people's understanding of their history, accomplishments and contribution to Canadian society.

 - c) To honor great Metis and Indian Leaders of North-America.

 - d) To be interested in the spiritual and temporal welfare of all off-reserve Natives in Canada.

 - e) To establish and maintain the necessary funds witch will provide legal guidance and protection of their Constitutional and legal rights.

 - f) The discussions and recommendations, to either Provincial or Federal Governments, affecting these respective Governments for the welfare of off-reserve natives within the Province of Quebec and Canada.

 - g) Off-reserve Natives should be aligned to better their conditions in the social, economic, welfare, educational, human rights, political and cultural fields.

- h) To subscribe to become a member of and cooperate with other organizations, either incorporated or not, whose objectives are all together or in part similar to those of the Alliance.
 - i) To enter into any arrangements and agreements with any Government or authority (municipal, local or otherwise) that may seem conducive to the Alliance's objectives or any of them, and to obtain from such Government or authority; rights privileges and concessions which the Alliance may think desirable to obtain, to exercise and comply with any such arrangements and agreements, rights, privileges and concessions.
 - j) To engage in research to enable the Alliance to better carry out its purposes. That is to assist Native communities in improving their living standards; engage in an education campaign to stimulate interest on the needs and problems of the Native people of Quebec, and of their language, traditional culture, the folklore, art and crafts.
 - k) To invest and deal with such monies of the Alliance as are not immediately required, in such a manner as may from time to time be determined.
 - l) To do all such things as are incidental or conducive to the attainments of the objectives and the exercise of the powers of the Alliance.
3. The operations of the Alliance are to be chiefly carried in the city of Hull in the Province of Quebec.

SECTION B : BY-LAWS

RULE # 1 :

MEMBERSHIP CRITERIAS : THEIR RIGHTS AND OBLIGATIONS

NOTE : The Nations membership code primes on all the rules or reference to questions relative to the membership of the N.A.Q.

ALL PERSONS OF INDIAN ASCENDANCE, RESIDING PERMANENTLY IN THE PROVINCE OF QUEBEC, LIVING OFF-RESERVE, ARE RECOGNIZED AS MEMBERS AT BIRHT AND HAVE THE RIGHT TO VOTE RESERVED AT 16 YEARS OF AGE :

A) Are capable of proving their link to a band or an Indian or Metis establishment.
(Indian descendance with documented proof.)

ARE ELIGIBLE TO BECOME REGULAR MEMBERS OF THE ALLIANCE.

B) The application of the rules of membership adhesion voted by the Native Alliance of Quebec, is the total responsibility of the communities. (The communities have to respect at all time the citizenship code.)

THAT ALL THE MEMBERS OF THE ALLIANCE ACCEPT THE CONSTITUTION IN IT'S INTEGRITY AND, TO ADHERE TO IT, MUST ANSWER TO THE CRITERIAS AND PRINCIPLES OF OUR ASSOCIATION OR ELSE BE SANCTIONED.

Any person member of the Native Alliance of Quebec, listed on the Registrar's Indian Affairs General list, after the implementation of Bill C-31, who resides off-reserve.

By extension associate membership may be extended by a community to the spouse of a regular member. Honorary membership may be granted to any person who, in the opinion of the community, is entitled to such membership. The executive of the Native Alliance of Quebec Inc. or any community has the authority to take statements under oath.

Children adopted by Metis or Indian parents may be accepted as regular members of the Alliance.

RULE # 2 :

METHOD AND SCHEDULE TO USE IN CALLING PROVINCIAL, GENERAL AND SPECIAL ASSEMBLIES, MEMBERSHIP ASSISTANCE REQUIRED TO FORM A QUORUM AND VOTING RIGHTS.

1. At least once a year, and at any other time that the Provincial Board of Directors may deem necessary, a meeting of the Board and elected delegates, as herein precited, must be held. These meetings are to be known as "Annual or Special Assemblies" as the case may be, and such meetings shall have full power and authority to exercise its functions and govern the Alliance.
2. The Annual Assembly shall be held at a date and place chosen at the previous Assembly and in the case where the date and place has not been decided at such an Annual Assembly, then the Board shall decide of the date and place where the Assembly will be held.
3. The Annual Provincial Assembly will elect the Grand Chief for a mandate of two (2) years.
4. Only regular members are allowed to have voting rights and to hold executive positions and to be delegates.
5. Special Assemblies may be called by the Provincial Board of Directors of the Alliance for the transaction of business at a date, time and place decided by the Board of Directors.
6. The method and regulations used concerning the notice of the Provincial Annual Assembly may be made or altered by the Assembly from time to time.
7. The Assembly shall not be entitled to carry out its functions nor to conduct business if the number of the delegates present is less than 50% + 1 of the delegates registered at the Assembly.

8. The Assembly shall be called to order by the Grand Chief, then the Assembly shall elect a chairperson to preside over the debates of the Assembly.
9. Notice of the date and place off all Assemblies of the Alliance, along with the nature of business to be discussed and voted upon at the Assemblies shall be communicated to each delegate elected from each Regional Assemblies at least (30) days before the holding of the Assembly.
10. All Assembly of the Alliance shall be composed of persons authorized to elect the officers of the Alliance and to determine general policy. These persons authorized to vote at the Provincial Assembly are :
 - a) **The Grand Chief of the Alliance**
 - b) **The five (5) Regional Presidents**
 - c) **The five (5) Regional Vice-Presidents**
 - d) **The elected delegates of the five (5) Regions**
 - e) **The Elders (to their discretion)**
11. The number of delegates of the communities of the Alliance at a Provincial Annual Assembly will be seventy-five (75) people, fifteen (15) delegates from each region elected at their Regional Annual Assemblies.
12. Any Special or Provincial Assembly of the Alliance must be called by the Board of Directors upon receipt of a petition by two-thirds of the communities citing the reasons motivating such an Assembly and must be done in the manner herein before provided in the by-law's.
13. Every person that is a regular member of the Alliance, that he be delegate or not, that is physically present at an Annual Assembly has the right to present himself to an elected position, and this at any level of the N.A.Q.

RULE # 3 :

NOMINATION AND END OF THE MANDATE OF PROVINCIAL OFFICERS : THEIR POWERS AND OBLIGATIONS.

1. Subject of the provisions herinbefore contained concerning the Assembly of the Alliance, the transactions and business of the Alliance shall be directed by the Provincial Board of Directors formed of :

- a) The Grand Chief**
- b) Five (5) Regional Presidents**
- c) Five (5) Regional Vice-Presidents**

The Grand Chief remunerated or not, elected by the Provincial Annual Assembly. The Regional President and Vice-Presidents automatically become Provincial Directors.

Among the ten (10) Provincial Directors, two (2) Provincial Vice Presidents will be chosen by the whole body of the Provincial Board of Directors.

A Secretary-Treasurer will be chosen by the Provincial Board of Directors.

2. The Provincial Grand Chief / President, can be suspended from his duties, his powers annulled, and if there is grounds have his salary cut, this totally or in part, for a period of time judged necessary by the Board of Directors, this and at the moment where the said Board judges that the entitled is incapable or unable of filling his function or that his behavior and actions are considered as being harmful and holding prejudice to the Alliance and to its members. A member of the Board of Directors could be hired by the said Board to assume the administrative tasks that are normally incumbent to the Grand Chief / President and this for the time determined by the Board of Directors or until the next Provincial Annual Assembly.

3. The election for the positions of Grand Chief and Provincial Vice Presidents will have to be done in such a manner as to ensure that if the elected Grand Chief has for his maternal language French, at least one of the Vice Presidents will have English as his maternal language, be bilingual or vice-versa.
4. A written resolution signed personally by the members of the Board of Directors will be valid and effective the same as a resolution passed at an Assembly of the Board of Directors of the Alliance duly called and constituted.
5. The Directors entitled to sit on the Provincial Administrative Board are elected at their respective Regional Annual Assembly.
6. The Alliance Board of Directors can, from time to time, designate officers or agents or authorize the employment of any other person whom it judges necessary to bring to good term the objectives of the Alliance and these officers, agents or other persons will be abilitated and will have to accomplish the tasks which, from time to time, can be asked by the Alliance.
7. The Assemblies of the Provincial Board of Directors of the Alliance must be held at least once every six (6) months and at all other times the affairs of the Alliance may require, or that the Board of Directors judges it necessary.
8. A majority of the members of the Board of Directors must be present physically to constitute a quorum at an Assembly of the Provincial Board of Directors of the Alliance.
9. The time, place and the method of calling all assemblies of the Provincial Board of Directors must be provided for in the by-law's and rules established by the Board of Directors.
10. The Board will be able to convene by way of conference calls. The matters discussed by conference calls will have the same validity as the meetings with the Directors physically present.

RULE # 4 :

MANDATES OF THE GRAND CHIEF, VICE-PRESIDENTS, SECRETARY-TREASURER

The Grand Chief will be responsible for the general administration, management of affairs and the operations of the Alliance. The Grand Chief will also be ex-officio member of all the committees. The Grand Chief will sign with the Secretary-Treasurer or other officer designated for this function, by the Board of Directors, all the resolutions and certificates of members. He will also, when present, preside over all the meetings of the Board of Directors. During the absence or incapacity of the Grand Chief, or at the request of the Grand Chief, his functions and powers can be exercised by one of the Vice-Residents subject to the same prerogatives as the Grand Chief.

SECRETARY-TREASURER

It is the Secretary-Treasurer's duty to assist at all meetings of the Alliance and the Provincial Assemblies of the Alliance and to take minutes. The Secretary-Treasurer will also be in charge of all the correspondence of the Alliance and will be under the orders of the President and the Board of Directors. The Secretary-Treasurer will prepare all notices to be given to the members, committees and officers. The Secretary-Treasurer will be the keeper of the Alliance Seal, the books, which the Secretary-Treasurer could not give to anyone unless he is authorized by a resolution by the Board of Directors and only to a one person or persons who were specifically named in the resolution.

The Secretary-Treasurer, could also from time to time fulfill functions determined by the Board of Directors of the Alliance. The Secretary-Treasurer will also keep a register of all the members of the Alliance as well as their addresses. The Secretary-Treasurer will receive all moneys payable to the Alliance and will be responsible for the latter's deposits at a bank chosen by the Board of Directors. He must give an account of all the Alliance funds and keep an updated book of all accounts, as requested. The Secretary-Treasurer must present, in details, all the accounts of receipt's and disbursements when requested to do so by the board of director's. He must prepare and submit to the Annual Assembly an audited report on the financial state of the Alliance, as prescribed above, and submit a copy of this report for the register's of the Alliance.

RULE # 5 :

AUDITING

The books, accounts, registers, documents and confirmations of the Alliance must be audited and verified by a certified accountant, at least once a year. A report must be prepared on the financial state of the Alliance for the preceding year and presented to the Annual Assembly of the Alliance. The fiscal year of the Alliance terminates on March 31. At each Annual Assembly of the Alliance, the delegates should hire one or more auditor's who will preside until the next Annual Assembly.

RULE # 6 :

CUSTODY AND USE OF THE OFFICIAL SEAL

1. The Board of Directors of the Alliance may adopt a Seal which shall be the common Seal of the Alliance.
2. Deeds, transfers, licenses, contracts, agreements and obligations on behalf of the Alliance shall be signed by the Grand Chief or one of the Vice-Presidents and by the Secretary-Treasurer or by any other person authorized by the Board of Directors and the Secretary-Treasurer shall oppose the Seal of the Alliance on all documents requiring it.

RULE # 7 :

PROCESS TO BE USED TO ALTER OR RECIIND ELIMINATI: OBJECTIVES AN BY-LAWS

1. The objectives and by-laws of the Alliance shall not be altered or recinded except by an extraordinary resolution of the Alliance.
2. For all circumstances concerning the Alliance, an "Extraordinary Resolution" means a resolution passed by a majority of no less than two thirds (2/3) of the members entitled to vote in person at a Provincial Annual Assembly of which a specific notice of intention to propose an "Extraordinary Resolution" will have been duly given.

RULE # 8 :

METHOD AND SCHEDULE TO BE USED IN CALLING REGIONAL ASSEMBLIES

MEMBERSHIP ATTENDANCE REQUIRED TO FORM A QUORUM AT THOSE ASSEMBLIES AND VOTING RIGHTS

1. Each year, an Assembly shall be held, composed of the delegates from the communities of each region, elected as described below. These meetings will be known as "Regional Annual Assemblies" and such meetings will have the power and authority to prepare recommendations to be brought up at the Provincial Annual Assembly.
2. Each year, the Regional Annual Assembly shall elect the Regional President and the Secretary-Treasurer or the Regional Vice-President. All of these positions are for a mandate of two (2) years. If one year it is the election of the President and the Secretary-Treasurer, the next year it will be the Vice-President in order to keep a certain continuity.

3. Each year, at the Regional Annual Assembly, fifteen (15) delegates will be elected to attend the Provincial Annual Assembly. They will have to be delegates presents at the Regional Annual Assembly.
4. The Regional Annual Assemblies shall not be able to proceed if the number of delegates present is less than 51% of the delegates registered at the Regional Annual Assembly.
5. Notice of the date, time and place of the Regional Annual Assembly as well as the nature of issues to be discussed shall be communicated by the Regional President.
6. All Regional Annual Assemblies must be composed of authorized persons. The persons authorized to vote at a Regional Annual Assembly are :
 - a) **The Regional President**
 - b) **The Regional Vice-President**
 - c) **The Regional Secretary Treasurer**
 - d) **The delegates elected from the communities in the Region**
7. The elected delegates of the communities entitled to participate in a Regional Annual Assembly are in the number of two delegates per community.
8. That all the Regional Annual Assemblies must be held at least one month before the Provincial Annual Assembly.

RULE # 9 :

NOMINATION AND END OF MANDATES OF REGIONAL OFFICERS : THEIR POWERS AND OBLIGATIONS

1. Between Regional Assemblies, a Regional Board works towards the priorities of the Alliance in the Region. The Regional Board is composed of :
 - a) **The President of the communities of the Region**
 - b) **Regional President**
 - c) **Regional Vice-President**
 - d) **Regional Secretary-Treasurer**

2. The President, Vice-President and the Secretary-Treasurer of a Region may be suspended from his duties, his powers annulled and if there is grounds, to have his salary cut, if the Board judges that the incumbent is incapable or unable of performing his duties or if his behavior and actions are considered as being harmful and as bearing prejudice to the Alliance and its members. A member of the Board of Directors can then be chosen or another person could be hired by the said Board to assume the administrative tasks that normally incumbent on the officer concerned and this for a period of time determined by the Board of Directors or until the next Regional Annual Assembly.

3. The Board in each Region shall meet at least once a year whenever it is decided pertinent by the Regional Board.

4. A majority of the Board members must be physically present to constitute a quorum at a meeting of the Regional Board.

5. A Regional Board defines, in accordance with the priorities of the Alliance, the priorities of a Region and makes the necessary recommendations to the Provincial Board of Directors.

RULE # 10 :

REGIONAL PRESIDENT

Each Regional President has the mandate of presiding the Regional Board's of his respective Region. He is responsible for the organization and supervision of all Regional Programs and Projects. He is the official spokesman for the members of his Region with governmental authorities. He has the responsibility to sit on the Provincial Board of Directors.

RULE # 11 :

COMMUNITIES OF THE ALLIANCE

Any ten (10) persons or more residing in the same locality and qualified to become regular members of the Alliance may submit a request to the Board of Directors to form a community of the Alliance for this locality. The limits for any such community shall be determined by the Board of Directors and may be altered from time to time. Every community, when constituted, shall be attributed a name and/or a number approved and assigned by the Board of Directors, a letter attesting the validity of the community signed by the President and the Secretary-Treasurer and stamped with the Seal of the Alliance shall be issued, a letter of authorization to incorporate will also be issued.

1. Each community must hold an Annual Meeting before the date set for the Regional Annual Assembly. At this meeting, the President, Vice-President and Secretary-Treasurer shall be elected to be the Executive of the community for two (2) years, except for the first year, when the Vice-President will be elected for one year and the other officers for two years. The members will also elect a board of directors, the numbers of directors may vary according to the needs of the community.
2. To hold a community Annual Assembly, ten regular members must be present to form the minimal quorum. All motions or resolutions voted at the Annual Assembly must be accepted by a majority vote of 50% + 1 of the members present.

- 3. In the event of a conflict situation in a community, which does not conform to our Constitution, and if it is impossible for the members to resolve it, the executive of the Alliance shall have the power to intervene in the most efficient way for the good functioning of the community.**
- 4. Delegates and their substitutes to the Regional Annual Assembly shall be chosen at the Annual Meeting of the community.**
- 5. Additional meetings of the community shall be held at least every 3 months and also at the request of the President, of the Secretary Treasurer or upon the written request of at least one-quarter of the members of the community.**
- 6. If the date of the Assembly was chosen at a previous meeting, notice of such a meeting shall not be required, but in all other cases, the meeting shall be convened in the manner stated in the rules and regulations of the community.**
- 7. Delegates and substitutes to the Regional Annual Assembly or any Special Assembly chosen by the community shall be regular members of their respective communities and shall be present during their nomination.**
- 8. A regular member of a community must be in good standing with his community in order to benefit from programs offered by the Alliance.**
- 9. An associate member in a community is not entitled to vote, cannot be elected to any executive position or on the Board of Directors, cannot be elected as delegate to any Regional Annual Assembly but is entitled to sit on certain committees in the community.**

RULE # 12 :

BORROWING POWERS

For ends of administration of the Alliance, the Board of Directors of the herein mentioned will be able to borrow moneys on the security assets of the Alliance.

RESOLUTION

WHEREAS THE 11TH ANNUAL PROVINCIAL ASSEMBLY OF THE ALLIANCE HAS PASSED A MOTION ESTABLISHING THE BASIC CRITERIAS FOR MEMBERSHIP, AND :

WHEREAS IT IS NECESSARY TO ESTABLISH RULES, GUIDELINES AND APPEAL MECHANISM TO RENDER THESE CRITERIAS APPLICABLE.

THEREFORE, BE IT RESOLVED :

THAT THE RULES, GUIDELINES, APPEAL MECHANISM, ETC. BECOME AN INTERGRAL PART OF THE MEMBERSHIP BY-LAWS OF THE NATIVE ALLIANCE OF QUEBEC (N.A.Q.)

BY-LAWS OF THE NATIVE ALLIANCE OF QUEBEC INC.

MEMBERSHIP CRITERIAS THEIR RIGHTS AND OBLIGATIONS

NOTE : The content of pages 20 to 24 are subject to the dispositions of the Nations citizenship codc.

All persons of Indian ancestry, resident in the Province of Quebec, sixteen (16) years of age and over and living off reserve. And that are able to prove his link to an Indian band or to an Indian or Metis establishment.

Are entitled to regular membership in the Alliance. That all members of the Alliance must accept the Constitution in its integrity and that to adhere must comply to the criteria's and principles of our association. Associate membership may be extended by a community to the husband or wife of a regular member. Honorary membership may be granted to any person who, in the opinion of the community, merits such a title. The executive of the Native Alliance of Quebec or of a community has the authority to make statements under oath.

Children adopted by Metis or Indian parents may be accepted as regular members of the Alliance.

RULES

In respect to the membership By-Laws of the Native Alliance of Quebec, the following rules must be respected :

1. Membership committees must be established in every community.

I) This committee must consist of three Native persons, recognized members of the N.A.Q.

II) Persons on this committee must meet the criteria's set out in the membership rules of the Native Alliance of Quebec (N.A.Q.)

III) a) These committees must be certified by the provincial or regional executive.

b) However, only provincial or regional executives who meet the criteria's set out in section (a) of the membership By-Laws of the N.A.Q. will be empowered to certify membership committees.

IV) a) Only membership applications signed by at least two (2) members of a certified and duly registered community membership committee will be accepted for issuing of membership cards.

b) Exception to this rule may be made in cases of isolated membership. In such cases, membership applications signed by a certified regional or provincial executive will be accepted.

V) Provincial and/or Regional executives will not be empowered to sign membership applications except in such cases as set out in section III (b), and IV (b) of the above rules.

VI) All applicants for membership into the Native Alliance of Quebec (N.A.Q.) must present themselves at a community general assembly. Exception to be made in the cases of the elderly, the disabled, and isolated members.

VII) It shall always be incumbent to the applicant to provide the proofs required to become a member of the Native Alliance of Quebec. Under no circumstances will the N.A.Q. be responsible for the research required to provide such proofs.

COMMUNITY MEMBERSHIP COMMITTEE GUIDELINES

1. Committee members will make sure that an applicant has fully answered all questions on the membership application forms and has signed his/her application.
2. Before countersigning application forms, committee members will ensure that applicant meet the criteria's set out in the membership rules of the Native Alliance of Quebec. (N.A.Q.)
3. Committee members will also ensure that all applicants signed their adherence to the criteria's and principals of the Native Alliance of Quebec. (N.A.Q.)

APPEAL MECHANISM

Refer to the citizenship code.

RECALL OR WITHDRAWAL OF A MEMBERS CARD

All membership card obtained or given in a non conforming way to the by-law's and regulations in effect at the time of the emission can be recalled or canceled if, on request and after a reasonable delay, the card holder cannot or refuses to conform himself to the said by-law's and regulations.

NEW MEMBERSHIP CARDS

Once the application for membership has been revised and accepted by the local community, a new lifetime membership card will be issued. This new card will bear the full identification of the member including his/her photograph. The new picture-bearing card will only be issued to regular members. A simpler, standardized card will be issued to the associate members.

This new card will be the only card recognized and authorized by the Native Alliance of Quebec (N.A.Q.) as it will bear the seal of the Alliance, and this will be effective starting July 31, 1997. It is our hope to have this new regular membership card recognized provincially, nationally and even internationally for free border crossing.