



Mississaugas of the Credit First Nation
Constitution

Approved by the Mississaugas of the Credit First Nation Council on May 2nd 2022

Preamble

Whereas, we, the Mississaugas of the Credit First Nation, as part of the Anishinaabeg Nation, have maintained a self-determination government with a sustainable economy, distinctive language, powerful spirituality, and a rich culture within a defined territory that pre-dates the assertion of sovereignty by colonial settlers;

Whereas, we have never surrendered our sovereignty and have the inherent right to govern ourselves and to enter into agreements with other sovereign Nations;

Whereas, the Mississaugas of the Credit First Nation is part of the Three Fires Confederacy, Ojibwe (Keepers of the Faith), Pottawatomie (Keepers of the Fire), Odawa (Keepers of the Trade);

Whereas, we have the inherent right to our land, our water, our customs, our language, and traditions for our past, present, and future generations for the benefit of the Mississaugas of the Credit First Nation;

Whereas, our Anishinaabeg identity evolves from our connection to the land and the water along with our respect for our culture, language, and traditions pursuant to our inherent rights and affirmed in our treaties. We commit to the conservation of our resources so our future generations can share the same connections;

Whereas, we retain our inherent right to establish and control our educational systems and institutions providing education in Anishinaabemowin, in a manner consistent with our cultural methods of teaching and learning;

Whereas, we honour our Ancestors and those who have gone before, as they continue to provide inspiration and guidance through the values they have taught us. They have provided us with courage, resolve and honour in the face of adversity and uncertainty. We honour the strength and guidance they have provided to us, the people of the Mississaugas of the Credit First Nation, on ways to continue to protect and preserve our culture, language, customs, traditions, and practices. We accept their guidance to us as we exercise our inherent right to govern ourselves and plan for our future. We will forever learn from our past 7 generations and work for our success today and in the future 7 generations.

Whereas, we will forever respect and honour our roles and responsibilities within Natural Law to ensure a balanced environment for the survival of present and future generations;

Therefore, we the Anishinaabeg of the Mississaugas of the Credit First Nation in order to affirm our sovereignty, and continue our connection to the land and provide a means of restoring our cultural values to ensure the rights of all members, do hereby establish this Constitution of the Mississaugas of the Credit First Nation.

Definitions

In this Constitution,

- a. “Council meeting” means a meeting of Council on a weekly basis.
- b. “General Meeting” means a meeting of the MCFN membership.
- c. “Anishinaabeg” means the collectivity of all Anishinaabe persons.
- d. “Anishinaabe aadzowin” means living and practicing Anishinaabe way of life in the fullest sense.
- e. “Anishinaabemowin” means the original language spoken by the Anishinaabeg of the Mississauga Nation.
- f. “Gimaa (Chief)” means the one that leads as set out in the MCFN Election Law.
- g. “Ojibwe for Council (Council)” means the Council as set out in the MCFN Election Law.
- h. “Dodomaag” means the clan structure and original system of governance of the Anishinaabeg Nation.
- i. “Eligible Voter” means any member of Mississaugas of the Credit First Nation who is eligible to vote in accordance with the MCFN Election Law.
- j. “Member” means a person as set out in the MCFN Membership criteria established by the membership.
- k. “Mino-bimaadiziwin” means living a good life.
- l. “Seven Grandfather Teachings” means the Anishinaabe teachings on human conduct towards others, ourselves, and the world around us;
- m. “Territory” means the treaty and traditional lands belonging to the members of Mississauga of Credit First Nation.

ARTICLE 1 – SUPREME LAW

1.1 This Constitution is the supreme law of the Mississaugas of the Credit First Nation.

1.2 In the event of a conflict or inconsistency between this Constitution and any law, by-law, policy, regulation or code enacted by the Mississaugas of the Credit First Nation, this Constitution shall prevail.

1.3 All other Mississaugas of the Credit First Nation laws, by-laws, policies, regulations or codes are made pursuant to and subject to this Constitution.

ARTICLE 2 – LANGUAGE AND CULTURE

2.1 The official languages of the Mississaugas of the Credit First Nation are Anishinaabemowin and English.

2.2 The Mississaugas of the Credit First Nation shall promote, advance and strengthen the philosophy of Mino-Bimaadiziwin: to live a good life; teach and encourage the use of Anishinaabemowin and the practice of Anishinaabe aadzowin.

ARTICLE 3 – JURISDICTION AND AUTHORITY

3.1 Mississaugas of the Credit First Nation has the inherent right of self-governance and may enact laws in respect to the following matters, but not limited to:

- governance structures and the delegation of jurisdiction and authority;
- the preservation and maintenance of our land, water, air and other natural resources;
- wildlife management; preservation and conservation of environment;
- language, culture, traditions, customs and heritage;
- education;
- housing;
- economic development;
- financial administration and management;
- elections;
- membership;
- administration of justice and dispute resolution;
- social services;
- child welfare;
- health;
- labour relations;
- employment and training;
- matrimonial real property;
- traffic, transportation, parking and highways;

- public works and infrastructure;
- public and capital assets;
- regulation, licensing and prohibition of business;
- corporations;
- wills and estates;
- public order, peace, safety and emergency preparedness;
- animal control;
- lands;
- Land use planning and zoning;
- services to non-member residents on Mississaugas of the Credit First Nation lands;
- environmental protection and assessment; and
- other matters approved by the Mississaugas of the Credit First Nation members.

3.2 Law-Making Process

- (a) All Mississaugas of the Credit First Nation laws must be sanctioned by the Chief and Council, including those laws that require ratification by the Electors of Mississaugas of the Credit First Nation.
- (b) The Mississaugas of the Credit First Nation Council shall establish rules to permit membership participation and consultation in its law-making process.

The Mississaugas of the Credit First Nation Council shall establish rules regarding the process and timelines for the enactment, coming into force, and publication of Mississaugas of the Credit First Nation laws.

Any law, by-law, code or policy of the Mississaugas of the Credit First Nation in force at the time this Constitution comes into effect shall be reviewed by the Council to determine whether such law, by-law, code or policy is in accordance with this Constitution.

ARTICLE 4 –

4.1 Every member of the Mississaugas of the Credit First Nation has the right to exercise the following rights and freedoms:

- (a) to practice their Indigenous and Treaty rights including the right to harvest the gifts of the Creator in a sustainable manner;
- (b) to practice their beliefs, spirituality or religion;
- (c) to learn and speak Anishinaabemowin;
- (d) to live in a manner that is in keeping with their Indigenous traditions;
- (e) to participate in the selection of the Mississaugas of the Credit First Nation leadership in accordance with any Mississaugas of the Credit First Nation Laws;

- (f) to participate in the public decision-making processes set out in herein and in accordance with any Mississaugas of the Credit First Nation Laws;
- (g) to fair and equal access to programs and services, subject only to any regulatory conditions that may be applicable; and
- (h) to address and review or appeal any decisions by those duly authorized by the Mississaugas of the Credit First Nation to make such decisions that may arise from time to time.

Review and Appeal of Administrative Decisions

4.3 Every member of the Mississaugas of the Credit First Nation is equal before and under the laws of the Mississaugas of the Credit First Nation, free from any form of discrimination or prejudice.

4.4 The Mississaugas of the Credit First Nation shall provide procedures for the appeal or the review of duly authorized decision makers of the Mississaugas of the Credit First Nation and its Public Bodies.

Reasonable Limits

4.5 This Constitution guarantees the rights and freedoms set out above subject only to such reasonable limits set out in the Mississaugas of the Credit First Nation Laws as can be demonstrably justified to protect the collective interest of the Mississaugas of the Credit First Nation and justified in a free democratic First Nation society.

ARTICLE 5 – MEMBERSHIP

5.1 The Mississaugas of the Credit First Nation has the exclusive right and authority to decide its membership without interference.

5.2 Every person who is a member in accordance with the Mississaugas of the Credit First Nation membership criteria shall be a member of the Mississaugas of the Credit First Nation.

ARTICLE 6 – GOVERNMENT

6.1 The Mississaugas of the Credit First Nation governing body as described herein shall fulfill the roles and responsibilities as set out herein, including the administration of day-to-day operations of government and the administration of justice.

Governing Principles

6.2 The Mississaugas of the Credit First Nation shall be governed by a Chief and Council which shall:

- (a) act as a whole and make all reasonable efforts to speak with one unified voice;

Approved by the Mississaugas of the Credit First Nation Council on May 2nd 2022

- (b) honour and abide by the Seven Grandfather teachings: Zaagidwin (Love), Mnaadenmowin (Respect), Nbwaakaawin (Wisdom), Aakdehewin (Bravery), Debwewin (Truth), Gwekwaadziwin (Honesty), and Dbaadendiziwin (Humility);
- (c) conduct all matters pursuant to the First Nation laws of governance, transparency and accountability for the benefit of the First Nation as a whole;
- (d) be a loyal Member to the Mississaugas of the Credit First Nation, and to adhere to and respect always this constitution;
- (e) preserve and promote peace, unity and well-being of the Mississaugas of the Credit First Nation;
- (f) cooperate with one another in mutual trust and good faith;
- (g) consult and inform one another on matters of common interest, and coordinate actions and laws with one another; and
- (h) respond to such other matters as the membership may decide from time to time.

Branches of Government

6.3 The Mississaugas of the Credit First Nation shall be comprised of the following three branches, but not limited to:

1. Legislative and Policy (Inaakonigewin) Branch, which shall be comprised of the Council duly elected in accordance with the duly enacted election law, which shall make and enact Laws, develop public policy, and not limited to, carry out other responsibilities of governance of the Mississaugas of the Credit First Nation;
2. Executive Branch, which shall faithfully promote and implement laws and policy duly enacted by Council.
3. Justice Branch, which shall interpret the laws, resolve any alleged breaches, and decide issues properly referred to it by Council regarding interpretation of the Constitution, all of which shall be in accordance with the seven grandfather teachings.

6.4 A branch of the Mississaugas of the Credit First Nation shall not exercise any power granted by this Constitution to another branch of the Mississaugas of the Credit First Nation except as specifically authorized in this Constitution.

6.5 The Council of the Mississaugas of the Credit First Nation shall enact rules of procedure to govern the Mississaugas of the Credit First Nation.

Composition of Council

6.6 The Chief and Councillors are to be elected by the eligible members of Mississaugas of the Credit First Nation at elections to be held in accordance with the Mississaugas of the Credit First Nation Election Law.

Approved by the Mississaugas of the Credit First Nation Council on May 2nd 2022

Conduct of Council

6.7 The Council shall conduct all affairs of the First Nation in accordance with Mississaugas of the Credit First Nation laws of governance, transparency and accountability to its members.

Establishment of Committees

6.8 The Council of the Mississaugas of the Credit First Nation shall have the authority to establish committees as required and in accordance with the rules of procedure duly established and accepted by Council.

ARTICLE 7 – RELATIONSHIP WITH OTHER NATIONS

7.1 The Mississaugas of the Credit First Nation is a member of the Mississauga Nation (Michi Saagiig).

7.2 In the event of any conflict between the Mississaugas of the Credit First Nation Constitution and any other Nation's Constitution, the Mississaugas of the Credit First Nation Constitution will prevail in its territory and under its laws, and only to the extent of the conflict.

ARTICLE 8 – ESTABLISHMENTS OF PUBLIC BODIES

8.1 The Mississaugas of the Credit First Nation shall have the authority to establish public bodies in accordance with its laws, to perform aspects of its government, and for the administration of government, as mandated by Mississaugas of the Credit First Nation Council.

ARTICLE 9 – CONFLICT OF INTEREST

9.1 The Mississaugas of the Credit First Nation shall enact conflict of interest laws for elected and appointed officials of Mississaugas of the Credit First Nation. This shall include the establishment of a process for deciding issues of conflict of interests.

ARTICLE 10 – FINANCIAL MANAGEMENT AND ADMINISTRATION

Principles of Financial Administration

10.1 The Mississaugas of the Credit First Nation Chief and Council shall establish laws and processes for the nation's financial management and administration, which shall:

- a) be transparent and accountable;
- b) provide for effective and efficient use of the financial resources;
- c) preserve and protect Mississaugas of the Credit First Nation assets and interests; and
- d) ensure accountability to the members.

Control of Financial Administration

10.2 Members of the Mississaugas of the Credit First Nation shall have the right to access information on matters dealing with the financial management and administration of First Nations

services and programs, excluding information related to personnel matters and any other confidential personal information.

10.3 The Council and Administration shall abide by the First Nation duly enacted laws and policies governing financial management, transparency, accountability and access to information.

10.4 The Council shall, by majority agreement, grant prior approval of any funding to Mississaugas of the Credit First Nation, its departments and institutions.

ARTICLE 11 – PUBLIC ADMINISTRATION

11.1 Mississaugas of the Credit First Nation Chief and Council shall require the administrative and program services to be administered in accordance with the following values and principles:

- a) The highest standard of ethics;
- b) efficient and effective use of personnel, property, and finances;
- c) impartial and equitable provisions of programs and services;
- d) responsiveness to public needs in a timely matter; and
- e) provision of accurate information.

ARTICLE 12 – CONSTITUTIONAL AMENDMENT

12.1 The Constitution of Mississaugas of the Credit First Nation shall be amended only in accordance with the following:

- (a) The Council of the Mississaugas of the Credit First Nation, at any council meeting or at a “General Meeting” may propose an amendment to this constitution, which shall be recorded as such by a formal resolution.
- (b) The Council thereafter shall distribute the proposed constitution amendment resolution to the Mississaugas of the Credit First Nation Inaakonigewin Legislative Branch for consideration and to provide proposed amendments or comments, who shall provide the same to the Council within 90 days of receiving the proposed constitution amendment resolution. The Council must then record the proposed constitution amendment resolution in accordance with the amendments and comments provided by the Mississaugas of the Credit First Nation Inaakonigewin Legislative Branch.
- (c) The Council must then submit the proposed constitution amendment resolution, as amended in accordance with the Mississaugas of the Credit First Nation Inaakonigewin Legislative Branch, to the membership within 30 days of being recorded by Council in the proposed amendment resolution.
- (d) The proposed constitution amendment resolution shall then be presented for discussion by the Council at a General Meeting called for that purpose, no earlier than 30 days after delivery of the proposed constitution amendment to the membership. The purpose of this General Meeting shall be to approve the proposed constitution amendment.
- (e) Any proposed constitution amendment resolution will only be effective and binding if the approval and consent of at least 70% of the eligible voters of the Mississaugas Credit First Nation membership agrees and registers its consent.