

Community Decision Making & Review Process

Kahnawà:ke Residency Law

First Hearing: Session 1

Kahnawà:ke Legion Hall

13, Onerahtohkó:wa/May 2026

5:00pm – 8:00pm

FINAL RECORD OF DISCUSSION

FACILITATORS:

Chris Bush, Kahnawà:ke Legislative Services
Keira Diabo, Kahnawà:ke Legislative Services

RESOURCE PEOPLE:

Kiera Beauvais, OKKR Officer
Alan John Rice, Executive Operations officer
Kyle Jacobs, OKKR Compliance Officer
Mike Delisle, OKKR Registrar
Kasonniio Patton, Kahnawà:ke Legislative Services

TDC/KLC

Melanie Gilbert, General Manager, CBS/OKKR
Trisha Delormier, KLS Legal Counsel
Jeremiah Johnson, Portfolio Chief
Myriam Gerard, Legislative Services
Carrie-Layne Diabo, TDC Community Representative
Shatekaronhiase Cross, TDC Community Representative

RECORDER:

Samantha Montour

Number of Community Members in Attendance: 16

AGENDA

- ❖ **Opening Address (Ohén:ton Karihwatéhkwén)** – Chris Bush
- ❖ **Introduction/Meeting Guidelines** - Keira Diabo & Chris Bush
- ❖ **Review of Proposed Amendments to Kahnawà:ke Residency Law** – Melanie Gilbert, Alan John Rice, Kyle Jacobs, Mike Delisle, Ratitsénhaienhs Jeremiah Johnson & Trisha Delormier
- ❖ **Next Steps** – Keira Diabo

OPENING ADDRESS, INTRODUCTION/MEETING GUIDELINES – Keira Diabo & Chris Bush

The meeting opened with Chris reciting the Ohén:ton Karihwatéhkwén. She then explained that the purpose of this First Hearing is to go over what was agreed to at the Mandate Meeting held on February 24, 2026, where the mandate was given and the Scope approved by the community members present at that meeting. The items in the Scope are what will be reviewed tonight.

Chris introduced the Kahnawake Legislative Services (KLS) team and *Kahnawà:ke Residency Law* (KRL) Technical Drafting Committee (TDC) members including the 2 Community Representatives selected at the February Mandate Meeting.

Trisha Delormier introduced Myriam Girard who is her colleague and who has assisted with the KRL amendments. She is present to observe the process tonight.

Keira Diabo went over the meeting guidelines which are as follows:

- ➔ Respect
- ➔ Cell phones on mute
- ➔ Be brief
- ➔ Participation
- ➔ Stick to the issue and the scope
- ➔ One speaker at a time
- ➔ Commitment– encouraged to attend future sessions
- ➔ Build consensus

Chris added that they will be trying to complete the full review tonight. If they do not get through, another date will be proposed to continue. She also referenced the flow chart identifying which step we are at in the CDMRP and what the next steps will be moving forward.

Scope

- Complainant confidentiality
- Clarifying references, including those related to fines
- Adjusting references that are outdated, such as references to the Community Review Board
- Adjusting references to the Administrative Tribunal, and the Court of Kahnawà:ke, as appropriate
- Clarifying definitions
- Clerical Changes

REVIEW OF PROPOSED AMENDMENTS TO KAHNAWÀ:KE RESIDENCY LAW - Melanie Gilbert, Alan John Rice, Kyle Jacobs, Mike Delisle, Ratitsénhaienhs Jeremiah Johnson & Trisha Delormier

Melanie introduced herself, she is the OKKR General Manager. Even though this is the first hearing it's not the beginning. This process started about year ago, there were focus groups held, feedback opportunities for the community, etc. on what people wanted to see changed in the Law. The Law has been in effect since 2019; it went through the Urgent Law-making process and in 2020 there should have been a review but due to the pandemic it was put on hold. As of last year, it was time to get it back into the process. The first community meeting was held in February 2026 where the Scope of the amendments were agreed to, and this is

what they are reviewing today. Those proposed amendments are what is going to be reviewed tonight and the copies of the Law distributed have the proposed amendments highlighted in blue. Melanie will go through the PowerPoint presentation with the goal of concluding the review. She emphasized that they would stick to the Scope agreed to at the February Mandate Meeting.

Notation: For the purposes of these notes, only the sections of the KRL that are being proposed for amendments will be listed below and will reflect any changes and additions in red/track changes. Discussion, comments and questions will follow each section of the areas being discussed.

After each section is reviewed and discussion is held, Keira Diabo will request whether there was consensus by the community members present, for making the proposed amendments.

KAHNAWÀ:KE RESIDENCY LAW

K.R.L. c. R-3

[Enacted by MCR #1/2019-2020 on 17, Ohiaríha/June 2019]

[Amended by MCR # X/2026-2027 on XX, Month/ 2026]

Melanie explained that the only change for this section will be the new enactment information once it is passed officially via MCR by the MCK Council of Chiefs.

3. DEFINITIONS

3.1 For the purposes of this Law and the Regulations,

"Age of Majority" means eighteen (18) years of age or older;

Melanie explained that for this section the only change is the one small addition for clarity.

Consensus reached for this amendment.

3. DEFINITIONS

"Kanien'kehá:ka of Kahnawà:ke" means a person recognized as a Kanien'kehá:ka of Kahnawà:ke, according to the criteria and procedures in the *Kanien'kehá:ka of Kahnawà:ke Law* and the Regulations and, for greater certainty, includes a person who is listed on the Kahnawà:ke Kanien'kehá: ka Registry;

A community member asked if the Regulations change at any point.

Trisha explained that there are descriptions in the regulations that spell out more details about the criteria and procedures, if there is a change in the Law the regulation is changed to match what is in the Law. You can access the Law and regulations on the www.kahnawakemakingdecisions.com website.

A community member commented that there is no mention of the 'Clan System' in this definition, which is something they believed would be important to consider. They felt that there would be multiple organizations in the community that would not be on the same page if this was not considered to be included because of the current Governance Meetings and planning that is currently taking place. They felt that there could be some conflict with the things being talked about at these meetings and with the current Law. They further commented that this definition may not be culturally sound and felt it could be a bit stronger.

Melanie acknowledged the community members' comments and explained that there was a long feedback period that took place over a year and the proposed amendments being reviewed tonight are what came out of that feedback. Therefore, if this is a suggested amendment this could be brought up the next time the Law undergoes amendment if the person submits a request for such an amendment.

A community member asked if a 'Kanien'kehá:ka of Kahnawà:ke' could mean others from other communities such as Kanesatake but who live in Kahnawà:ke.

Melanie responded that if they are not from Kahnawà:ke they would have to apply to be recognized on the Kahnawà:ke Kanien'kehá:ka Registry (KKR) if they meet the criteria for Residency. They need to be on the KKR or have authorization to live here.

Consensus reached for this amendment.

3. DEFINITIONS

~~"Onkwehón:we" for the purposes of this Law means a person of an Indigenous Nation of what is currently known as Canada and the continental United States of America, including the Inuit;~~

for the purposes of this Law means a person of the Original Peoples of what is referred to as Turtle Island which, for greater certainty, means a person of a First Nation or the Inuit of what is currently known as Canada and the continental United States of America, including Alaska;

Melanie noted that there was a lot of discussion on this definition over the last few years resulting in the TDC drafting this version.

A community member stated that in previous meetings they had only recalled talking about United States and not 'continental' United States. Melanie explained that when the Law was being drafted, this had come up, she was not in her current position at the time but rather present as a community member, the community discussed making a distinction between continental US and US. At the time when people were looking it up, it did not include Alaska and Hawaii. Therefore, they are proposing the new wording to include Alaska because over discussion and with knowledge, there are the same nations in Alaska as Canada and US.

A community member asked why Hawaii is not included as there are people from Kahnawà:ke that live there. Melanie clarified that if people are from the community they can live there, this is specifically for new KKR applications, not if someone is already on the KKR. The community member then asked if a child is born there and their parents are from Kahnawà:ke, what would the status of the child be. Melanie responded that the *Kanien'kehá:ka of Kahnawà:ke Law* is based on lineage so it would be their lineage that would be considered when applying.

A community member suggested adding Mexico to which Melanie explained that it is very difficult to verify lineage from there. This was brought up at the last meeting and could be added to the parking lot items as well. The community member was not clear that these amendments were already addressed and that changes would not be made today. Melanie explained that all the proposed amendments came from the feedback period and were agreed to at the February Mandate Meeting.

At that point Chris explained that the Law must be in effect for one year after enactment and then a new request for amendments could be submitted. The community member suggested that in future changes be allowed at the review or hearing meetings. At that point Melanie looked to the community to confirm if they agreed with the wording. One community member did not; they understood the process but felt it was frustrating. Melanie reiterated that the information on the proposed amendments has been in the community for some time now, there was opportunity to have those discussions about such an amendment. They are keeping

track of comments by way of the meeting notes for when the next round of amendments happens in the future.

Consensus reached for this amendment.

3. DEFINITIONS

~~“Raised in the Community” means a person who has, from a young age, Resided and has spent more than half their lives Residing on the Territory;~~

means a person who has spent a significant portion of their youth:

a) Residing on the Territory; or

b) maintaining relationships within the community and a presence on the Territory.

Melanie explained that based on the feedback received, the above is the new suggested wording for this definition. The applicant does not need to meet both a) and b), only one of them. She explained that children do not have a choice where they live but they are able to maintain ties and relationships, so this is the new proposed wording.

A community member questioned who determines what ‘a significant portion’ is for the applicant. Melanie responded that this is up to the Registrar.

A community member stated that they know someone who is from another reserve but was raised here and asked if they would now be considered ‘from the community’. Melanie responded that the individual would still have to have lineage to meet the KKR requirements or for authorization to reside. She informed the community members that if they wish to go over the Law or process, she would be willing to do that in person with the community members.

Consensus reached for this amendment.

8. COMMUNITY REVIEW BOARD

~~8.1 — There is hereby established a body to be known as the Community Review Board empowered by the Mohawk Council of Kahnawà:ke, through the enactment of this Law.~~

~~8.2 — The Community Review Board may be the same Board as the one established under the Kanien'kehá:ka of Kahnawà:ke Law.~~

~~8.3 — The Residency Registrar or the Compliance Officer's decisions which are subject to review pursuant to this Law may be reviewed by the Community Review Board on an interim basis, until such time as the Administrative Tribunal is operational pursuant to the Kahnawà:ke Justice Act.~~

- ~~8.4 The Community Review Board will consist of five (5) members, selected in accordance with the procedures set out in the Regulations.~~
- ~~8.5 The Community Review Board may quash, confirm, or vary the contested decision and, if appropriate, make the decision which, in its opinion, should have been made initially.~~
- ~~8.6 The Community Review Board, in performing its duties, conducting its meetings and making its decisions, will respect the principles of fairness, dignity of person, compassion and consensus that are consistent with the traditions and customs of the Kanien'kehá:ka of Kahnawà:ke.~~
- ~~8.7 The members of the Community Review Board will be remunerated for their services in an amount to be fixed by Mohawk Council Executive Directive.~~
- ~~8.8 MCK Justice Services will fund the Community Review Board. The Community Review Board will submit to MCK Justice Services an annual budget for its approval.~~
- ~~8.9 The Community Review Board will create and maintain a record of its proceedings any decisions it makes and the reasons for its decisions.~~

Melanie explained that any reference to the Community Review Board (CRB) in the Law will now be removed as they are now replaced with the Administrative Tribunal.

Consensus reached for this amendment.

8. APPROVED KAHNAWÀ:KE RESIDENT

Application to be an Approved Kahnawà:ke Resident

- 8.1** A person who is not recognized as a Kanien'kehá:ka of Kahnawà:ke but who may meets the eligibility criteria to be an Approved Kahnawà:ke Resident must apply to the Residency Registrar to be authorized as an Approved Kahnawà:ke Resident within thirty (30) days of Residing on the Territory.

A community member pointed out that there is no mention of the 'Clan System' in this section, which they thought was important.

Trisha noted that they will not find that reference in the KRL, but it is referenced in the *Kanien'kehá:ka of Kahnawà:ke Law*. It is out of the Scope for the amendments for the KRL, since it was not part of the approved Scope from the February Mandate Meeting.

A community member questioned if the thirty (30) day time limit applies to someone who was on the Kahnawà:ke Registry before, transferred out and now wants to come back.

Melanie responded that anyone who is not on the Kanien'kehà:ka of Kahnawà:ke Registry (KKR) or does not have authorization to reside under the KRL, should apply otherwise they are subject to a complaint.

A community member asked if that also applies to those who could not transfer when they were not accepting transfers. Melanie responded that if it was pre 2019 they would still have to apply.

Consensus reached for this amendment.

****One community member stated they abstained.*

~~9.2 — Section 9.1 Applicants who are Residing on the Territory when the Law is enacted, will have one (1) year from the date of this section coming in to force to apply for this authorization; during this year the application fee will be waived.~~

Melanie noted that this section would be removed as it no longer applies.

Consensus reached for this amendment.

Eligibility to be an Approved Kahnawà:ke Resident

- e) A Minor who was adopted by a Kanien'kehà:ka of Kahnawà:ke prior to November 10th, 2003 and who has reached the Age of Majority.

Melanie explained the only change to this section is to add in the date (10th) to provide an exact date.

Consensus reached for this amendment.

10. APPLICATION PROCESS FOR AUTHORIZATION AS AN APPROVED KAHNAWÀ:KE RESIDENT AND FOR PERMITS

General

10.1 An Applicant having reached the Age of Majority must submit their application to the Residency Registrar.

10.2 Any mandated or interested person may, in the best interest of a Dependent Person apply on that person's behalf.

Melanie explained that the proposed changes are for clarity.

Consensus reached for this amendment.

Objections to Approved Kahnawà:ke Residents Applications and Permit Applications Applicant

10.17 Within five (5) working days of determining that an Objection is admissible, the Residency Registrar must provide a written notice to the Applicant indicating the deadline mentioned in section 10.11 for the Applicant to provide any written representations or additional evidence with a copy of the Objection submitted. The copy of the Objection to be provided to the Applicant must not include the name of the Objector, or any other information that may identify the Objector, without the prior written consent of the Objector.

Melanie explained that some community members repeatedly asked for anonymity of the Objector. Therefore, this section has the wording to reflect this. The only time that anyone will know who the Objector is would be for verification purposes via the OKKR. The Objector will remain anonymous.

A community member asked if it is a letter that is submitted when there is an objection, Melanie clarified that the process requires a form to be completed and signed by the Objector before a Commissioner of Oaths.

Consensus reached for this amendment.

Objections to Approved Kahnawà:ke Residents Applications and Permit Applications

10.19 If the Residency Registrar determines that there is sensitive information on the Objection form, they may redact sections of this form prior to providing the copy to the Applicant. The redacted sections of the Objection form must not include the name of the Objector or any substantive information required by the Applicant in order to adequately respond to the Objection.

Melanie explained this section also removes the name of the Objector.

Consensus reached for this amendment.

Objections to Approved Kahnawà:ke Residents Applications and Permit Applications

10.21 The decision rejecting an Objection as not admissible, is final and is not subject to appeal review.

Melanie explained this is a minor wording change.

A community member asked what the difference is being 'appeal' and 'review', Trisha explained that a decision by the Registrar would be reviewed by the Administrative Tribunal to ensure due process etc., was followed, it is not an appeal.

Consensus reached for this amendment.

Applicant Interview

10.22 In considering an application, the Residency Registrar may require a separate meeting with the Applicant, an Objector or any other person to answer questions relevant to the Application.

Melanie explained this is a minor wording change.

Consensus reached for this amendment.

Final Decision on the Application

10.27 If the Residency Registrar denies the application, the Compliance Officer must send the Applicant a Notice of Eviction within five (5) working days of receipt of the Residency Registrar's decision, as applicable.

Melanie explained this is a minor wording change.

Consensus reached for this amendment.

13. REVOCATION OF RESIDENCY

Procedure for Revoking a Permit or Approved Kahnawà:ke Resident Authorization

13.5 Within five (5) working days of determining that the Complaint is admissible, the Residency Registrar must provide a written notice to the Permit Holder or the Approved Kahnawà:ke Resident informing them of the deadline mentioned in section 14.6 (13.6) to provide any written representations or additional evidence and with a copy of the Complaint submitted. The copy of the Complaint to be provided to the Permit Holder or the Approved Kahnawà:ke Resident must not include the name of the Complainant, or any other information that may identify the Complainant, without prior written consent of the Complainant.

Melanie explained that this is to maintain the anonymity of the complainant.

Trisha noted that the numbering will be changing also due to the proposed changes along the way, so 14.6 is now 13.6 in the paragraph. Numbers have changed throughout the document due to removal and addition of sections that were made.

Consensus reached for this amendment.

Procedure for Revoking a Permit or Approved Kahnawà:ke Resident Authorization

13.9 The decision rejecting a Complaint is final and is not subject to ~~appeal~~review.

Melanie explained this is a minor wording change.

Consensus reached for this amendment.

14. EVICTION

Complaint for Eviction

14.3 Within thirty (30) days of receiving a Complaint, the Compliance Officer must determine whether it is admissible.

Melanie explained that this is a new section.

Consensus reached for this amendment.

Complaint for Eviction

14.4 In order for a Complaint to be considered admissible by the Compliance Officer, the Complaint must be:

- a) factually based;
- b) in writing or transcribed;
- c) sworn or solemnly affirmed and signed by the Complainant;
- d) in accordance with the Law and Regulations;
- e) related to one of the criteria for eviction under section 14.2; and
- f) supported by evidence.

14.5 If the Compliance Officer determines that the Complaint is not admissible, they must provide a written decision to the Complainant within thirty (30) days of receiving the Complaint.

14.6 The Compliance Officer's decision in section 14.5 is final and without review.

Melanie explained that the entire first section was moved from page 27 to this section.

Trisha explained that in Section 14.6 it states the decision is final, and they changed the word 'appeal' to 'review' as the Administrative Tribunal conducts a review, it does not hear an appeal. The process is to review a decision to ensure, for instance, that the Registrar followed rules of natural justice, such as, due process, etc. It is similar to an appeal, but it is called a review.

Melanie explained that if someone does not agree with a decision, they can fill in an application form, and it goes through the Justice Division process.

Consensus reached for these amendments.

*****A dinner break was held from 6:10pm – 6:35 pm**

Before reconvening, Melanie asked if there were any areas anyone wanted clarification on or wanted to go back to in terms of the amendments. There were no requests to go back.

She then explained that there will be another thirty (30) day review period following this session.

Chris noted that the next public thirty (30) day posting is to share the current draft with the community and that a Second Hearing will then take place to ask if the amendments to the law reflect what those community members present at this First Hearing agreed to and it then moves forward in the process for enactment.

Melanie also noted that during the last feedback period there was no feedback received. People have been waiting for these changes, and the intent is to have it passed in July by the Council.

At that point review of the remaining sections continued

Complaint for Eviction *continued*

14.7 ~~Upon receiving a Complaint~~ Within ten (10) working days of the Compliance Officer determining that the Complaint is admissible, the Compliance Officer must provide a written notice to the person in question. The notice must include any substantial information required by the person in order to adequately respond to the Complaint~~with a copy of the Complaint submitted~~ and ~~of~~ the deadline for the person in question to provide any ~~written~~ representations or additional evidence in writing or otherwise. The notice will include a correct and complete statement of the alleged facts, verified for their validity by the Compliance Officer, that would be relied on to request an Eviction Order. The Compliance Officer will proceed with a Complaint if the validity of enough facts can be verified to establish it is more likely than not that the person in question is Residing on the Territory without entitlement to Reside under section 4 of this Law, authorization as an Approved Kahnawà:ke Resident or permission as a Permit holder.

14.8 The written notice in section 14.7 must not include the name of the Complainant, or any other information that may identify the Complainant without the prior written consent of the Complainant.

~~If the Compliance Officer determines that there is sensitive information on the Complaint form, they may redact sections of this form prior to providing the copy to the person in question. The redacted sections of the Complaint form must not include the name of the Objector or any substantial information required by the person in order to adequately respond to the Complaint.~~

14.12 If the person has not applied for a Permit, for authorization as an Approved Kahnawà:ke Resident or for recognition as a Kanien'kehá:ka of Kahnawà:ke, within ten (10) working days of receiving the written notice in section 14.7, ~~the Compliance Officer must determine whether the Complaint is admissible.~~ and the person does not have the entitlement, authorization or permission to Reside on the Territory, the Compliance Officer must enclose with their reasons for the decision that the Complaint is admissible, a Notice of Eviction.

~~15.9 In order for a Complaint to be considered admissible by the Compliance Officer, the Complaint must be:~~

- ~~g) factually based;~~
- ~~h) in writing or transcribed;~~
- ~~i) sworn or solemnly affirmed and signed by the Complainant;~~
- ~~j) in accordance with the Law and Regulations;~~
- ~~k) related to one of the criteria for eviction under section 15.2; and~~
- ~~l) supported by evidence.~~

~~15.10 If the Compliance Officer determines that the Complaint is not admissible, they must provide a written decision to the Complainant within thirty (30) days of receiving the Complaint.~~

~~15.11 The Compliance Officer's decision in section 15.10 is final and without appeal~~

~~14.13~~ The person who is the subject of a Notice of Eviction has thirty (30) days to comply with the Notice of Eviction or to request a review of the Compliance Officer's decision in section 14.3.

Melanie explained that the proposed changes in section 14.8 are to maintain the anonymity of the complainant.

Melanie explained that sections 15.9, 15.10 and 15.11 were moved up to another section of the Law (s.14.4, 14.5 and 14.6).

A community member commented that they felt thirty (30) days may be too long.

Melanie explained that this is to provide enough time for process.

Chief Ryan Montour asked if the complainant is involved in the process after the complaint is submitted and if there is any communication with them. Melanie responded that there are points in the process where the Compliance Officer may meet with or speak with the complainant, however once the file is at Justice Services, the inquiries are to be received at their office to see where things are at. Chief Montour suggested having this in the Regulation. Melanie acknowledged the suggestion and stated that there is a *Regulation for Eviction Orders*, and it was created by Justice Services explaining their process. She also noted that recently the Court held

their first session for a Residency File and the Justice has a thirty (30) day period to render a decision.

Trisha also clarified that where there are questions about the status of a complaint that is going through the Administrative Tribunal, there is always the ability to call and ask for information about that file and where it is at, the Court Clerk would be the point of contact.

A community member felt that the timelines provide way too much time before there is a result to the complaint filed.

At that point Kyle Jacobs explained that when a complaint comes in, he has ten (10) days to send a notification to the complaine, they then have ten (10) days to respond, if they do not, then he proceeds with a Notice of Eviction which then gives them thirty (30) days to either reply, apply, or leave the territory. If they do not proceed with any of those options, he then brings the file to the Court, and it goes through that process. If they choose to apply, his file is on hold and then the process for Residency takes place and there are timelines within that process that are followed. If they are denied residency, the file is reopened with the Compliance Officer, and he then proceeds with the Eviction Order.

A community member suggested that a flow chart be created to outline the timelines within the process to give a clearer picture to the community.

A community member also asked if there was a list to share with the community on those who are evicted. Melanie responded that they do not have a list, but that Justice Services may possibly be the body to communicate that information to, but she is not sure if they would be. She suggested that they contact the Court to inquire. The community member suggested that Melanie be the one to find that information out and include that information in the flow chart that was just suggested to be created.

At that point there were no further comments to this section.

Consensus reached for these amendments.

Notice of Eviction

14.14 A Notice of Eviction must be delivered by hand to the person in question and must include:

- d) ~~the date, time and place when an eviction order will be sought before a Justice and the person's right to be present and be heard; and~~ inform the person being evicted that if they do not leave the Territory by the date specified in the Notice of Eviction, a request for an Eviction Order will be

submitted by the Compliance Officer to the Court of Kahnawà:ke in accordance with the Regulation Respecting Requests for Eviction Orders; and

- 14.15 The Compliance Officer must send a copy of any Notice of Eviction or any decision of the ~~Community Review Board~~Administrative Tribunal or Justice Court of Kahnawà:ke upholding of Revocation or a Notice of Eviction to MCK Justice Services.

Melanie noted that all references to the 'Community Review Board' will be replaced throughout the document by the 'Administrative Tribunal' and all references to the 'Justice' will be replaced with the 'Court of Kahnawà:ke'.

Consensus reached for these amendments.

Eviction Orders

- 14.17 The Justice Court of Kahnawà:ke has the authority to issue an Eviction Order against any person who has received a Notice of Eviction and to award costs for the execution of the Eviction Order.
- 14.18 The decision of the Justice Court of Kahnawà:ke may be appealed to the Kahnawà:ke Court of Appeal.

Consensus reached for these amendments.

15. REVIEW OF DECISIONS OF THE RESIDENCY REGISTRAR OR THE COMPLIANCE OFFICER

- 15.1 Decisions by the Residency Registrar or the Compliance Officer which are subject to review pursuant to this Law may be reviewed by the Administrative Tribunal in accordance with the Regulation Respecting the Rules of the Administrative Tribunal, by filing a petition at the offices of Justice Services within thirty (30) days of receipt of the decision.
- 15.2 The ~~Community Review Board~~Administrative Tribunal shall review and determine whether due process was followed, whether laws of natural justice were adhered to, ensure absence of bias, ensure the decision was reasonable, determine whether there was an absence of jurisdiction, or, if there was a mistake of law.

~~15.3 The Community Review Board Administrative Tribunal may quash, confirm or vary the contested decision and, if appropriate, make the decision which, in its opinion, should have been made initially.~~

~~16.3 Proceedings for review The Residency Registrar's or Compliance Officer's decisions which are subject to review pursuant to this Law may be reviewed by are brought before the Administrative Tribunal as established in accordance with the Kahnawà:ke Justice Act and the Regulations and Procedures for the Administrative Tribunal. Proceedings for review are brought before the Administrative Tribunal Community Review Board by submitting a completed application with a copy of the decision within thirty (30) days of receiving the written decision.~~

~~16.4 The application must state the reasons for the application, the conclusions sought and any other information required by this Law and Regulations.~~

~~16.5 The administrative assistant of the Community Review Board must send a copy of the application to the other implicated parties, who may respond to it in writing within thirty (30) days of receiving the application. The court clerk must send a copy of the application to the other parties, who may respond to it in writing within thirty (30) days of receiving it.~~

~~16.6 The Community Review Board Administrative Tribunal will proceed on the basis of the record; it may, however, if it considers it appropriate or if a party requests it, hear the parties.~~

Melanie explained that 15.1 is a new section that was added while sections 15.2 and 15.3 are to reference the Administrative Tribunal. The remaining sections of 16.3, 16.4 and 16.5 were all specific to the Community Review Board so they are no longer applicable and will be removed.

A community member asked for an explanation for the removal of the Community Review Board.

Melanie explained that the Community Review Board's (CRB) role was on an interim basis and they reviewed decisions. The Board had three (3) individuals on it and anyone who did not agree with the decision of the Compliance Officer could proceed with this route. The intent all along was to have the Board replaced by the Administrative Tribunal, Justice Services was not ready since at the time they were working on the Regulations for the Tribunal, so the CRB was created to stand in temporarily. The Tribunal is more expansive; the Tribunal may review decisions made by an MCK Service. So, if a decision was made on a Service and the community member was not satisfied, they can now make an application to the Tribunal for review.

A community member asked who designed the CRB. Chief Jeremiah Johnson provided a brief explanation and stated that at the time of creation of the KRL the *Justice Act* was not fully implemented yet, but it was always identified that the Administrative Tribunal would be the body in the Law, but until the work was done to develop this body, the CRB took its place temporarily.

There were no further questions or comments.

Consensus reached for these amendments.

APPEAL OF DECISIONS OF THE ADMINISTRATIVE TRIBUNAL COMMUNITY REVIEW BOARD

- 16.1 Decisions rendered by the Administrative Tribunal Community Review Board may be appealed to the ~~Justice on an interim basis in accordance with this Law, until such time as the~~ Court of Kahnawà:ke ~~is operational pursuant to the Kahnawà:ke Justice Act~~. Proceedings for appeal are brought before the Court of Kahnawà:ke Justice by submitting a completed application with a copy of the decision within thirty (30) days of receiving the written decision.
- 16.4 The ~~Justice~~ Court of Kahnawà:ke will proceed on the basis of the evidence presented before the Administrative Tribunal Community Review Board.
- 16.5 ~~No appeal lies from the decision of the Justice.~~ A decision of the Court of Kahnawà:ke may be appealed to the Kahnawà:ke Court of Appeal.

A community member questioned where the Court of Appeal is to which Melanie responded that it does not exist yet.

The community member then asked if it should still be referenced in the Law if it is not ready - Trisha explained that it is already referenced in the Law and is meant to be a part of the Justice System so it will remain in the Law. She is not sure how long it will take to develop but it is anticipated to be ready in the not-too-distant future.

Chief Jeremiah Johnson does not recommend removing this section as it is being developed in tandem and they are currently interviewing three (3) judges, it is happening quickly and he anticipates they will be in place within a year or sooner.

A community member felt that this was putting the cart before the horse. Chief Johnson stated that they do currently have one (1) Justice of the Peace in place, Stephanie Cross. Others have applied to sit as Judges, so the process is moving along.

A small discussion took place on what the Court of Appeal is to look like as per the *Justice Act* and the role of the judge(s). A community member shared their recollection of what there was supposed to be in terms of the *Justice Act* while Trisha provided clarity as per section 21.2 of the *Justice Act* (read section aloud) and noted that unless a Kahnawà:ke Law specifies otherwise, all decisions of the Court of Appeal would be final. Chief Montour shared what he knew in terms of the appointment of judges and stated that they would be appointed at a special Community Meeting, they are trying to get Onkwehón:we judges but are currently only in the interviewing stage. One community member was not aware of any judges recently being appointed to which Melanie stated the appointment process underway for judges has been public knowledge it was shared with the community in a variety of ways. The community member stated that not everyone goes on social media or listens to the radio and suggested that they use alternative methods for informing the community of this information. It was then suggested that if anyone had any further questions in terms of the Judge(s) they should reach out to the Court of Kahnawà:ke and speak to Kevin Fleischer who would be able to provide more insight.

Before reaching consensus, it was noted that one community member would abstain from consensus, and one community member did not agree based on the discussions that took place.

Community members reached consensus for these amendments, aside from the two (2) community members noted above.

17. PENALTIES

17.1 Anyone who:

- a) knowingly provides Residency to someone who does not have an entitlement to Reside pursuant to section 4 of the Law or is not an Approved Kahnawà:ke Resident or does not have a valid Permit;
- b) illegally Resides on the Territory; or
- c) does not respect an Eviction Order;

is guilty of an offence and shall be liable on summary conviction to:

- i. A minimum fine of \$400.00 and up to a maximum fine of \$800.00 for the first offence;
- ii. A minimum fine of \$800.00 and up to a maximum fine of \$1600.00 for the second; and
- iii. A minimum fine of \$1000.00 and up to a maximum fine of \$2000.00 for each subsequent offence.

Melanie explained that for this section they kept the original fine amounts and added in maximum amounts.

A community member asked if services such as water could be turned off on those in contravention of the law. Another community member agreed that this should be something considered and not just penalties, services should be revoked. Melanie stated that this is not in the mandate for the amendments or nor is it up to OKKR.

A community member, again, emphasized the clan system and stated they feel like this Law is headed in a direction that is very confusing for everyone. They do not want to wind up like Canada and not know our own Laws.

There were no further comments or questions.

Consensus reached for these amendments.

18. ENFORCEMENT

- 18.2 ~~The Justice~~ Unless otherwise specified in the Law, the Court of Kahnawà:ke has sole and exclusive jurisdiction to hear and decide all matters related to this Law. ~~until such time as the Court of Kahnawà:ke is operational under the Kahnawà:ke Justice Act.~~
- 18.3 If the ~~Justice~~ Court of Kahnawà:ke finds any section of this Law to be invalid the decision does not render this Law invalid in its entirety.

Consensus reached for these amendments.

19. GENERAL PROVISIONS

Right to Counsel

- 19.1 All parties have the right to legal counsel before the ~~Community Review Board and the Justice-Administrative Tribunal and the Court of Kahnawà:ke.~~

Extension of Timelines by Registrar or Compliance Officer

Written Notice

19.12 Unless otherwise stated in this law, any notices or decisions required by this Law or the Regulations will be sent by registered mail, or any other means that reasonably ensures proof of reception and, for all purposes of this Law and the Regulations, will be deemed to have been received on the date the recipient signs for it or on the date of the proof of reception.

19.13 In the event a notice cannot be sent by registered mail, or the recipient fails or refuses to sign for it within fifteen (15) working days from the date on which the registered mail was sent, the Residency Registrar, Compliance Officer, ~~Community Review Board~~ Administrative Tribunal or the ~~Justice Court of Kahnawà:ke~~ may direct that the required notice be given by bailiff, or any other means that reasonably ensures proof of reception.

A community member asked if the legal counsel must abide by our Law and not bring in outside laws - Trisha explained that the Courts would be considering those types of matters.

A community member referred to the penalties and asked if bailiff costs are taken into consideration which Melanie confirmed that those costs are within the OKKR budget.

Consensus reached for these amendments.

21. AMENDMENTS

21.1 This Law may be amended in accordance with the procedure set forth in the “Community Decision-Making and Review Process” or any other process which may replace it.

Consensus reached for this amendment.

22. ENACTMENT AND COMING INTO FORCE

22.2 Further to the will of the Kanien'kehá:ka of Kahnawà:ke, this Law is amended on XX, Month/ 2026 by MCR #X/2026-2027.

Consensus reached for this amendment.

At that point all the amendments were reviewed and consensus was reached. Melanie thanked everyone for coming to the hearing and for their time in this process to get to where they are today, it was important that they came out and participated.

A community member suggested that the next meeting not be held at the Legion due to the noise from the refrigeration system, this was acknowledged and noted for future meetings.

A community member questioned what happens with the comments or suggestions that were noted to go into the "parking lot" to which Melanie noted they would have to wait until the next round of amendments which is up to the community to bring forward. Chris noted that all items would be noted in the minutes but in the future, the community must initiate the amendment process for those items by putting in a request for amendment.

NEXT STEPS – Keira Diabo / Chris Bush

Chris thanked the participants and explained that the next hearing date, called a Second Hearing, will be set and they will notify the community, as well as reach out to tonight's participants who provide contact information, to advise them of the date. The TDC will accept all the changes as presented tonight and the revised Law will be put out for a thirty (30)-day review period (not for feedback) and then the Second Hearing will take place, which will likely be held in the middle of June, around June 17th.

CLOSING

A Closing Address (Ohén:ton Karihwatéhkwén) of the meeting was recited by Shatekaronhiase Cross (TDC Community Representative).

Approved by:

Melanie Gilbert, General Manager, OKKR

Date

Jeremiah Johnson, Portfolio Chief

Date