

What is Registration?

Registration is the process of becoming a Status Indian under the Indian Act: if a person is Registered then they have Status. The Indian Act has forced First Nations across the country into patriarchal systems that mimic the colonial structures, and as a result there has been sex-based discrimination in the transmission of Status and the calculation of entitlement. First Nations women lose their Status due to marrying a non-Status person and has impacted the transmission of status through female descendants due to sex-based discrimination in the calculation of entitlement.

What is Entitlement?

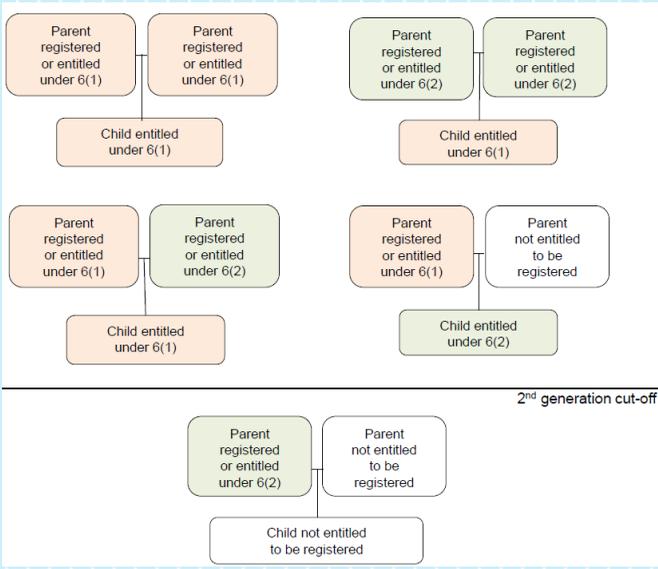
Entitlement means whether a person is eligible for Status and to be Registered as a Status Indian under the Indian Act.
Calculation of entitlement: How a person is considered to be eligible for Status. The evaluation of the calculation of entitlement has changed with a number of amendments to the Indian Act and changes with *Bill S-3: Addressing Sex-based Inequities in*

What is Transmission of Status?

Transmission of Status is whether a person can pass on their entitlement to be Registered as a Status Indian to their descendants based on the calculation of entitlement in place. It has created sex-based discrimination in Indian Registration largely because Status women lost their Status when marrying a non-Status man, affecting generations of her descendants and their entitlement to Status.

What is the Second-Generation Cut-Off?

In 1985, Bill C-31 amended the Indian Act to create two categories of Registration **6(1)** and **6(2)**. It also introduced the **Second-Generation Cut-off** to try to reduce the impacts of an increased Registered population due to the introduction of **reinstatement**. **6(1)** Status means that both parents are Status Indians, **6(2)** Status means that one parent is Status Indian. The **Second-Generation Cut-Off** is when two consecutive generations in a family parents with a non-Status Indian, making the third generation ineligible for Entitlement. **Should it be removed with the 1951 Cut-off?**



Bill S-3: Addressing Sex-based Inequities in Indian Registration is an **Indian Act** amendment that requires the federal government to consult First Nations across the country on Indian Registration, Band Membership and First Nation Citizenship through the Collaborative Process. **The Indian Registration & Bill S-3 Collaborative Process** is Cowichan Tribes' exploration of gaining jurisdiction of Indian Registration and how the impacts of *Bill S-3: Addressing Sex-based Inequities in Indian Registration* will be felt by Cowichan Tribes.

JURISDICTION over REGISTRATION = IN-HOUSE REGISTRATION = Reduced waiting time to Register Newborns, access healthcare and access tax exemption = MORE ABILITY TO MAKE DECISIONS ABOUT OUR NATION

Through the Collaborative Process, Cowichan Tribes has the opportunity to gain jurisdiction over Registration. This would decrease the current Registration wait time from 8-12 months for any changes made to the Registry for Cowichan Tribes because those changes could be made in-house at Cowichan Tribes.

There would be positive changes to the health and wellbeing of mothers and newborns!
What would Canada's role be in Registration if we had jurisdiction?



INDIAN REGISTRATION & BILL S-3 COLLABORATIVE PROCESS AND LALUM'UTUL' SMUN'EEM JOINT EVENT!
 DUNCAN RAMADA BALLROOM

- 5:00PM: OPEN TABLE & OPENING REMARKS**
- 5:05PM-5:30PM: BUFFET DINNER**
- 5:30PM-6:45PM: LALUM'UTUL' SMUN'EEM'S CHILD & FAMILY WELLNESS SELF-GOVERNMENT UPDATE**
- 6:45PM: CLOSE TABLE**
- 6:50PM-8:00PM: INDIAN REGISTRATION & BILL S-3 COLLABORATIVE PROCESS COMMUNITY WORKSHOP PT.2**

Removal of the 1951 Cut-Off

Hypothetical Situation to demonstrate the differences between the various amendments to the *Indian Act* when an Indian woman lost entitlement due to marriage to a non-Indian man.

Annie and Sarah are siblings born to the same biological parents. Their mother Mary lost status prior to their births when she married a non-Indian. Following the Bill C-31 amendments, their mother regained her status under paragraphs 6(1)(c).

			Birthdate	C-31 (1985)	C-3 (2011)	S-3 (2017)	S-3 (delayed) (removal of the 1951 cut-off)
Mary			Feb.15,1908	6(1)(c)	6(1)(c)	6(1)(c)	6(1)(a.1)
Child	Annie			6(2)	6(2)	6(2)	6(1)(a.3)
	Children	Sam	May 2, 1947	Denied	Denied	Denied	6(1)(a.3)
		Sally	Mar.17,1949	Denied	Denied	Denied	6(1)(a.3)
		Steve	Dec.1,1950	Denied	Denied	Denied	6(1)(a.3)
Child	Sarah			6(2)	6(1)(c.1)	6(1)(c.1)	6(1)(a.3)
	Children	Jane	Jan.11,1949	Denied	6(2)	6(1)(c.2)	6(1)(a.3)
		John	Nov.5,1950	Denied	6(2)	6(1)(c.2)	6(1)(a.3)
		James	Feb.3,1953	Denied	6(2)	6(1)(c.2)	6(1)(a.3)

The 1951 Cut-Off was implemented in 2011 through another amendment to the Indian Act (Bill C-3). It affects the calculation of entitlement for individuals who are born before **and** after the 1951 Cut-Off, for example: cousins who share a common grandmother (**Mary**) have different entitlement which impacts the transmission of Status (**Steve** and **James**).

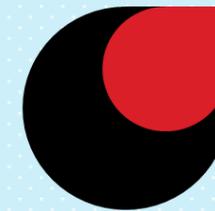
Removing the 1951 Cut-Off extends entitlement to grandchildren born/adopted before September 4, 1951 and allows for the great-grandchildren to be entitled to Status. The removal of the 1951 Cut-Off also impacts the Status of those currently Registered by recategorizing an individual's Status from 6(2) to 6(1)(a.3) (**Jane, John, James**) to allow for further transmission of Status. The removal of the 1951 Cut-Off is the main reason for the Collaborative Process on Indian Registration, Band Membership and First Nation Citizenship, **it is already in legislation that it is to be removed** the question is when and how.

The removal of the 1951 Cut-Off will impact the current and future governance and population of Cowichan Tribes. Feedback is needed on how and when the Removal of the 1951 Cut-Off should be implemented.

Current Indian Registration
CANADA-WIDE

990,445
individuals Registered
for Indian Status
as of March 2018

Bill S-3 Amendments & Indian Registration
CANADA-Wide



Bill S-3 Amendments could expand Entitlement to **780,000 to 1.3 million**

Individuals

who were not entitled before the amendments.

*based on 2016 Census of those who self-identify as having Indigenous Ancestry

270,000 is the estimate of those who meet the actual criteria by the Parliamentary Budget Officer

Increase in Registration per Indian Act Amendment:

