

INDIAN REGISTRY PROGRAM for:
Skidegate 670, Gitxaala Nation 672, Metlakatla (673)
And Hartley Bay Bands (675)
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Please Post in your local Newsletters, or add to your band's Website

To: Member Bands / and their Membership
Skidegate, Gitxaala Nation, Metlakatla
and Hartley Bay Bands

E6000-670, 672,673,675

March 14, 2011

Re: Indian Registry Program

I have just returned from a Meeting with DIA. The following is information that should be of interest to you:

Bill C (the McIvor case)

- As you are aware Bill C3 (the McIvor case) was passed on Jan. 31, 2011. Pamphlets are in the mail, which explain the application process, for those eligible to apply.
- **When your members, apply – please email or mail this office a copy of your application. It is important to retain copies here, so that I am aware of potential members coming into their respective bands. Furthermore, if there are any errors or omissions in your application, I can bring these matters to your attention; so that the processing of your application is not delayed.**
- If you any questions/concerns about the application process, please call me & I will assist you. Please read the application process carefully & ensure you complete ALL the required information. Failure to do so, will result in a delay to the processing of your application.
- **It is important that all eligible applicants apply AS SOON AS POSSIBLE.** There is **NO** priority process in place for Bill C3 applicants. It is simply first come, first serve. Thousands of eligible First Nations (FNs) from across Canada are applying. So, if you want to acquire your status, apply as quickly as you can. The longer you wait to apply, the longer it will take for it to be processed.
- **Adult Applicants:** Those 16 years & over at the date that they apply
- **Children:** Those 15 yrs. & under (Parent/legal guardians to apply on their behalf)
- When a grand-child applies for Indian status (under Bill C3) his/her parent will automatically be upgraded to full status (6(1) and the grand-child would then become registered as 6(2) (commonly referred to as ½ status).
- IF an individual has already applied to Ottawa for Indian status under **Indian Custom Adoption**, you **DO NOT** then apply under Bill C3 (even if you are eligible under the McIvor case). This is because an Indian Custom adoption that has already taken place before the McIvor legislation became law; must still be processed through the adoption unit in Ottawa.

- Bill C3 applications are sent to a special processing unit, which deals strictly with Bill C3 Applications **ONLY**. The applications must be sent to:

Application Processing Unit
Indian & Northern Affairs Canada
GD Stn. Main
Winnipeg, Manitoba R3C 0M2

For further info, please call 1-800-567-9604 or visit www.inac-ainc.gc.ca for applications/ or information on this process OR call me at this office. (If I am away on band business, my voice mail will tell you when I will be returning).

- I will schedule field-trips to all your communities. At that time, I will assist any of your members who wish to apply under Bill C3. I would also like to have a Meeting with your Band Council to explain Bill C3, and any DIA policy changes that are forthcoming. I will contact your FN & set up a time schedule. Needless to say, I will also be dealing with ALL other Indian Registry Program concerns at that time as well.

Each First Nation band should note:

- ♣ The age of majority (through DIA) has been reduced from 18 years to 16 years.
- ♣ Therefore, Bill C Adult applicants are those 16 yrs. & over...Minor applicants are children 15 yrs & under (parent/legal guardian must apply on their behalf)
- ♣ Additional funding (to the bands) as a result of those registered under Bill C3 will not be provided by DIA, until DIA conducts a review of the total number of Bill C3 applicants affiliated with their FN. They expect to conduct this review in the fall; then the FN will be informed what the increases to their budgets will be.

ADDITIONAL INFORMATION relating to the Application process for Bill C3 applicants:

I am starting to receive copies of Bill C3 applications from the members bands & wish to bring the following matters to your attention:

- ⊖ When Bill C3 applicants complete their applications, **IF** the application is completed correctly, you will receive your Indian status, as well as be making application for the new version Secure Certificate of Indian status card. (which is similar to the format of a drivers license).

a) Page 03 – Bill C3 Additional Information continued

⊞ To ensure that the application is completed correctly, please note:

- b) On Page 2 of the Application form (Part 2) is the name of the parent who is currently of registered Indian status (under Section 6(2) of the Indian Act).
- c) Your Indian Register No. is your specific 10 digit band number. Your band No. is as follows:
Skidegate is Band No.670
Gitxaala Nation (formerly Kitkatla) is Band No.672
Metlakatla is Band No. 673
Hartley Bay is Band No.675
- d) On Page 3 (Part 3 of the Application form) is the name of the Grandmother who lost her status, upon marriage to a Non Indian.
- e) **Page 3 Part 4 In-Canada Secure Certificate of Indian Status Application (SCIS)**
 ⊞ Adult applicant must identify documents used to identify themselves: Example:

Document Type: Passport Passport Document No. Expiry Date: (Date passport expires) Name of Individual in this case will be the applicants/or Adults applying for a minor child

Document Type: Driver's license Document No. Date driver's license expires; & the name of the individual/ or Adult applying for a minor child

- In BOTH cases, the documents you name to support your identify MUST be valid ID. You cannot use expired ID as proof of identity.
- You must also photo-copy this ID & have your Guarantor sign & certify your ID:

I hereby confirm that this is a true copy of the original documents, then sign their name (as your Guarantor) to the said copies of documents. A guarantor is the person who certifies that he/she has known you for at least 2 yrs.. Ie: Guarantor can be the Indian Registry Administrator (IRA) for your FN, elected Chief or Councillor of your FN, your family Dr., Dentist, a Judge, RCMP, lawyer, mayor, Postmaster/Postmistress, Registered Social Worker, etc. (see all potential Guarantor's listed on Page 1 of the Guarantor Declaration)

- ⊞ The Specimen Signature section: The applicant must sign WITHIN the box as this is the signature that will appear on your new Secure Certificate of Indian status card when you receive it.

Page 04 – Bill C3 continued

- f) Page 4 - Part 5 of the Application form

- ⊖ Name at the top is the name of the applicant
- Check of this section that you understand all the info in the application process in Part 4
- Check off that I have enclosed ALL the documents for registration under the Indian Act + the in-Canada SCIS (status card)

– NOTE: IF you DO NOT have ALL your legal ID, check off:

I have enclosed all documents for registration under the Indian Act & will submit all requirements & documents for the secure Certificate of Indian status once I am registered. (In short, you will acquire registered Indian status IF you are entitled, & you will apply for the status card later).

- Applicant signs the form/ dates it & mails it to Winnipeg, Manitoba.
- Please don't forget to send me a copy here, for my records.
- Don't forget to send them your **ORIGINAL** birth certificate when you apply. This document will be returned to you, once it is scanned into the DIA system.

Page 5 of 5 (Parents applying for a child – 15 yrs or younger)

Full in the application, similar to the format, as the adult application mentioned earlier

-Parents (both parents must sign)/ or legal guardian to sign the application. (as applicable)

- ⊖ Parents must send copies of their valid ID, which can be certified by their Guarantor. OR the legal guardian will send a copy of the court document confirming legal guardianship of the child.
- ⊖ The child's photo must be signed, & certified by the Guarantor.

⊖ Again, please don't forget the mail this office a copy, for my records.

NOTE: If applicable: Name change documents, marriage certificates, divorce certificates, Court orders confirming custody, OR Statutory Declaration forms clarifying specific issues should also be included with the application – so that your application will NOT be delayed.

Secure Certificate of Indian Status (SCIS) :

- The NEW Secure Certificate of Indian status is coming.
- Due to the recent changes to the Indian Act, as a result of Bill C3 (McIvor), Indian Registry Administrators (IRAs) will all have to take new training (on the new status process). These training sessions will take place this fiscal year. The training is covered by DIA.
- It is hoped that the Regional office of DIA will be processing the new SCIS cards **by July 1st, 2011 or shortly thereafter.**
- It is hoped that all IRAs will have their equipment operational by year end, or early next year. **I will inform the member bands as soon as the equipment is operational in this office.**

Page 05 – Secure Certificate of Indian Status Card continued

- **NOTE:** In the meantime, the plastic-laminated cards are still being issued, by me. Status cards **CANNOT** be mailed to applicants, as this is the new policy of DIA. Anyone needing

a new status card OR a renewal status card **MUST** apply in person, (at this office) (at DIA in Van) or at a First Nation band office (IF they agree to do it for you).

- o **REMINDER: In preparation to receive the new SCIS, ALL applicants must:**
- a) **Have an ORIGINAL birth certificate + 2 pieces of valid ID**
 - b) **IF anyone is acting on behalf of a minor child(ren) that is in their care (ie: Ministry of Children & Families/ or family relative / or simply someone who has custody of a child that is not their own birth child); that person MUST have a legal court document confirming that he/she is the legal guardian of the said child; in order to act on behalf of the child.**
 - c) **If 1 parent has sole custody of their child, a legal court document reflecting this should be provided; as this important info must be on your child's official DIA records. (Mail me a copy if this pertains to you)**

Indian Custom Adoptees:

- There is a huge back-log in the Adoption Unit in Ottawa. However, DIA is currently setting up a new system to speed up the processing of Indian Custom adoption (or legal adoption applications). Please be patient, and you will hear from Ottawa directly as soon as your application is processed.
- Individuals who have Indian Custom adopted child(ren) – the adoptive parent is the only ones who can legally act on behalf of the child. Ie: the Adoptive parent must apply for the child's status card. (The birth parent(s) **DO NOT** apply for the child's status card because this is the responsibility of the Indian Custom adoptive parent. **ALL** applicants who applied for Indian status under the provisions of Indian Custom Adoption **MUST** send their **ORIGINAL** birth certificate before their application can be processed. (per New DIA policy). This document must be sent to:
 - o The Registrar
Membership Div.
Reserves & Trusts
Ottawa, Ontario K1A 0H4
Attn: Adoption Unit

- ⊖ **Please ensure that you give your full name, date of birth & the band that you are affiliated with; when you send any documentation to DIA in Ottawa.**

NOTE: Any individuals who are applying under the provisions of Bill C3 (the McIvor case) and who were **ADOPTED** must send their application to the Adoption Unit in Ottawa for processing. (address above)

You should also send a copy of your adoption Order, and any back-ground information which can assist with the processing of their application.

Page 06 - Regular Birth Events:

- ⊖ Any child that is going to be registered into Indian status, by the Indian Registry Administrator (IRA); **MUST**:
 - a) Provide the IRA with the child's **ORIGINAL** birth certificate and

- b) Sign a Parental consent form, whereby both parents agree that the child be registered.
- ⊖ The child's original birth certificate will be returned to you, after it is scanned into the DIA system.
 - ⊖

RESIDENTIAL SCHOOLS – The deadline for students to apply for the Common Experience Payment (CEP) (as a result of attending a Residential School in Canada) is September 19,2011.

Commemorative Initiative:

⊖ The objective of the Commemoration Initiative is:

- ♣ To provide an opportunity for former students & their families to support one another and to recognize & take pride in their strengths, courage, resiliency & achievements.
- ♣ To contribute to a sense of identity, unity & belonging;
- ♣ To promote aboriginal culture, traditions & spiritual values;
- ♣ The Govt. is making \$10 million available to FNs across Canada, this fiscal year;
- ♣ An additional \$10 million is available to FNs across Canada for next fiscal year
- ♣ FNs are encourage to send in Proposals for a regional or national Commemoration project. **The DEADLINE for submissions is MARCH 18, 2011.**
- ♣ **Acquire the application form on the Truth & Reconciliation site on the web & send your submission in on behalf of your respective FN community.**
- ♣ Examples/ suggestions of Projects that you could apply for are:
 - Workshops to build better relationships between aboriginal & non-aboriginal people, the churches & Govt. & promote reconciliation;
 - Workshops that promote individual, family & community well-being;
 - Honour & commemorate residential school survivors of your FN: Invite your residential school survivors to your community & host a “Healing & Bringing Traditions Home Feast”. Request funding for the feast. Provide each survivor with the gift of a vest/ or button blanket (with his/her crest on it); cedar headbands or cedar hats.....
 - Submissions for funding to bring back traditional practices: ie: Learning your traditional language/songs, Indian dancing, writing, painting, basket-weaving, songwriting, beading, button work, drum or regalia making, films, plays, poetry, etc.
 - Request funding, that covers inviting a broad range of the general public to attend & witness your “journey to healing / revitalization of your culture”.

Page 07 Canadian Human Rights Act:

- The Canadian Human Rights Act (the Act) prohibits discrimination in employment & services within the federal Govt.
- The purpose of the Act is to protect individuals from discrimination.
- In June 2011, First Nations will to subject to the Act, and individuals will then be able to file complaints against Bands.

- Currently there are a number of complaints filed to date, against DIA: relating to Indian status/band membership; land rights /matters relating to FN Child & Family Services.

There are two separate elements of a Human Rights Complaints process:

Canadian Human Rights Commission:

- ♣ Administrative agency, with an overall role of promoting human rights – including education, research & processing of complaints.
- ♣ Receives complaints, determines if the complaint is valid, conducts mediation, investigations, conciliates, determines if the complaint should be referred to the Canadian Human Rights Tribunal

Canadian Human Rights Tribunal:

- ♣ Quasi-judicial body that adjudicates complaints referred to it by the Commission
- ♣ If the Tribunal finds a complaint is valid, the Act provides for a significant range of possible remedies including enforcement of program & policy changes to end the discriminatory practice and financial compensation.

NOTE: IF the cases (that refer to discrimination under the Indian Act, relating to Indian status/ and OR band membership) are upheld , you can expect more changes to occur in the Indian Act.

This Report has been compiled by Alrita Leask – IRA for Skidegate, Gitxaala Nation, Metlakatla and Hartley Bay bands.

