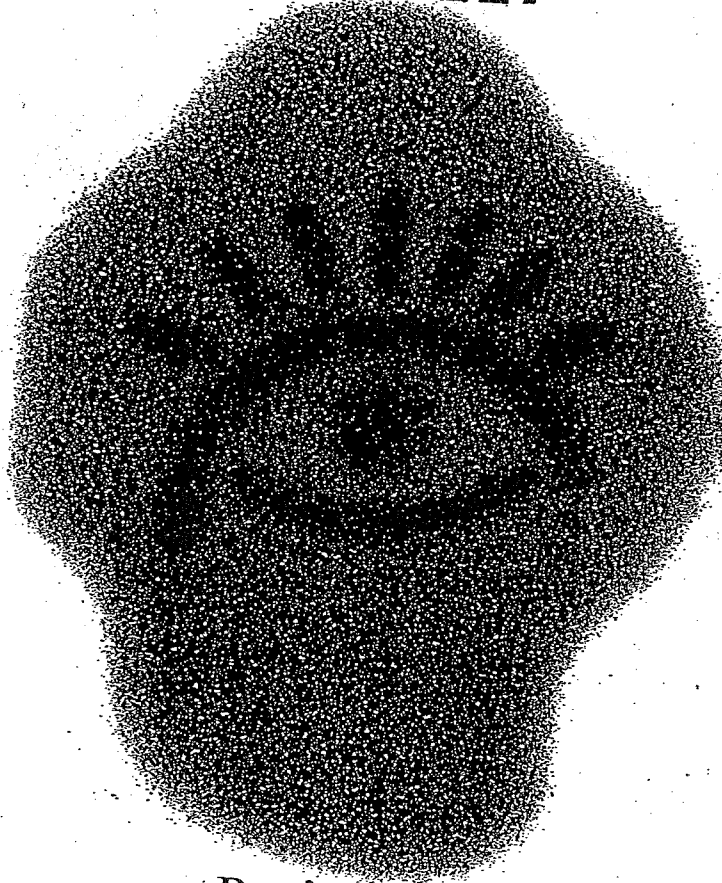




Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

**ARE
YOU
ELIGIBLE?**



Registration
Under the
Indian Act

Canada

ARE YOU ELIGIBLE?

This pamphlet describes who is eligible for registration as an Indian under the *Indian Act*. It also explains how to apply to be registered, how decisions are made about a person's membership in a First Nation, and what types of federal programs are available to Registered Indians.

Although the information in this pamphlet is based on the *Indian Act*, it is not intended to be a substitute for the Act.

WHO IS ELIGIBLE FOR REGISTRATION?

Over the years, there have been many rules for deciding who is eligible for registration. Important changes were made to the *Indian Act* in 1985, when Parliament passed Bill C-31. These changes were intended to remove parts of earlier legislation that discriminated against women. The changes also gave First Nations the opportunity to control their own membership.

Normally, you are eligible for registration if:

- ≡ you were eligible before the Act was changed in 1985;
- ≡ you lost your registration as a result of your marriage to a non-Indian man;
- ≡ you lost your registration because your father was not an Indian;
- ≡ you lost your registration because you or your parents applied to give up registration and First Nation membership through the process known as "enfranchisement"; or
- ≡ both of your parents are eligible for registration for any reason.

You may also be eligible for registration if only *one* of your parents is eligible.



HOW DO YOU APPLY

Registration does not happen automatically.

FOR PERSONS BORN ON OR AFTER APRIL 17, 1985

- 1) Obtain a certified copy of the child's birth registration that shows the names of the child's parents. This document can be obtained from the Division of Vital Statistics for the province or territory where the child was born.
- 2) Write a letter that states that you wish to register the child as an Indian. Give the name of the parent with which the child should be registered (children are registered with only one parent). Both parents must sign this letter.
- 3) Send the original birth certificate and the letter to your First Nation Band office or to your nearest office of Indian and Northern Affairs Canada.

FOR PERSONS BORN BEFORE APRIL 17, 1985

- 1) Obtain and fill out *one* of the following forms:
 - ≡ For a person who is 18 or older, the "Application for Registration of an Adult under the *Indian Act*."
 - ≡ For a person who is under 18 or for a person who is intellectually impaired, the "Application for Registration of Children under the *Indian Act*."

Both forms can be obtained from offices of Indian and Northern Affairs Canada, First Nations or Aboriginal associations, and Aboriginal Friendship Centres.

- 2) Include as much information as you can about the applicant's Aboriginal background. Include the name or location of the First Nation, or First Nations, to which the applicant's ancestor belonged. If you know the names of relatives who have been registered, you should include these al

- 3) Send the completed form to:
Registrar
Indian Registration and Band Lists
Indian and Northern Affairs Canada
Ottawa, Ontario
K1A 0H4

If Indian and Northern Affairs Canada staff require more information, they will contact you by mail or telephone.

WHO IS ELIGIBLE FOR FIRST NATION MEMBERSHIP?

Membership in a First Nation may be decided by the First Nation itself or by Indian and Northern Affairs Canada. Contact your First Nation or Indian and Northern Affairs Canada office if you are not certain who makes decisions on membership for your First Nation.

If your First Nation decides its own membership, it will have its own rules. These rules are likely to be different from the rules for registration as an Indian. This means that if you are eligible for registration as an Indian, you may not necessarily be eligible for First Nation membership. The reverse is also true: you may be eligible for First Nation membership, but not for registration as an Indian.

If Indian and Northern Affairs Canada still maintains the membership list for your First Nation, you will automatically be recorded as a member of that First Nation as soon as you are registered as an Indian.

If you have questions or wish to obtain further advice or assistance, please contact your local Indian and Northern Affairs Canada office.



WHAT FEDERAL SERVICES ARE AVAILABLE TO REGISTERED INDIANS?

Registered Indians may be eligible for federal programs designed especially for them.

ON-RESERVE PROGRAMS

The Government of Canada funds certain programs and services for residents on reserves. These programs assist First Nations in meeting their overall needs for housing, infrastructure, school facilities and other community services.

First Nations administer most on-reserve programs themselves, according to their priorities and policies. For example, most First Nations have their own local housing policies and programs. The policies for allocating housing in the community should apply to new First Nations members in the same way as they apply to other members. Some First Nations councils may also pass by-laws relating to residency.

OFF-RESERVE PROGRAMS

Only a few programs are offered to Registered Indians who don't live on a reserve. These include some assistance for post-secondary education and some non-insured health benefits.

Further information on programs and benefits for Registered Indians is available from any office of Indian and Northern Affairs Canada. Ask for the booklet, *You Wanted to Know*. This publication is also available on the Internet at: <http://www.inac.gc.ca/pubs>

To find out where your nearest Indian and Northern Affairs Canada office is, contact the Information Kiosk at (819) 997-0380 from 8:30 a.m. to 4:30 p.m. (EST), Monday to Friday, or leave a message on voice mail outside of these hours.

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