

REGISTRATION ON INDIAN REGISTER UNDER THE INDIAN ACT

When registering on Indian Register under the Indian Act the following is the first areas to determine:

1. If person was born prior to April 17, 1985 (the date the Indian Act was amended to include Bill C-31). Person is then registered according to appropriate section of Indian Act as it read before amended, as provided under Section 6 (1) (a) to 6 (1) (e) of present Indian Act. (Except Bill C-31 Registration –see below)
2. If person was born after April 17, 1985 (see below and Bill C-31 registrations) Anyone who is entitled to registration as a result of Bill C-31 must apply on an application for registration under the Indian Act that is sent to Ottawa for processing. The exception is a birth that occurs after April 17, 1985 to a parent(s) who have already been registered through Bill C-31, can be reported by band membership clerk.

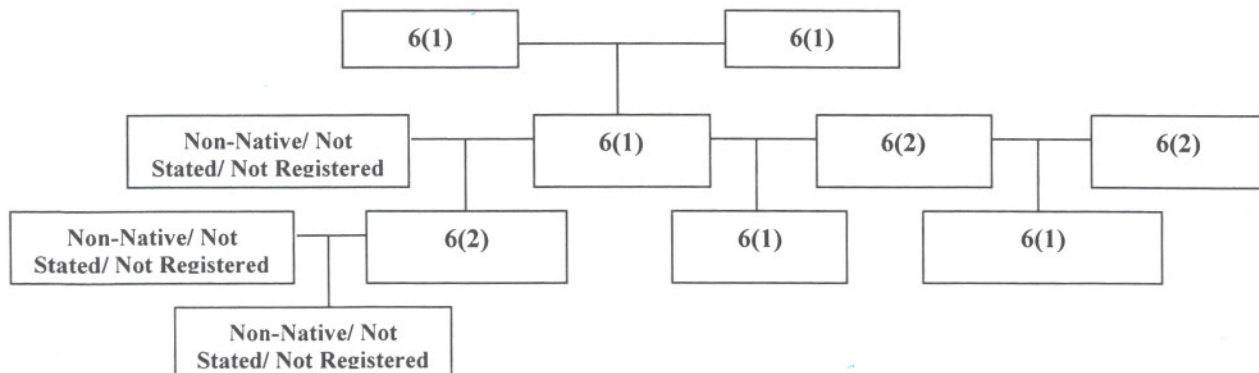
For all births recorded for persons born after April 17, 1985 and most Bill C-31 registrations, persons are registered either under Section 6 (1) or 6 (2) of the Indian Act.

- 6 (1) Person has TWO parents who are registered or entitled to be registered under the Indian Act.
- 6 (2) Person has ONE parent who is registered under Section 6(1) of the Indian Act. In this case the other parent is non-Indian or not shown on birth document or not registered.

Any person who is registered under Section 6 (2) of the Indian Act, cannot pass “status” onto their children unless the other parent is a registered Indian.

CALCULATION OF ENTITLEMENT CATEGORY

The following chart may be used for entitlements which arise as a result of the amendments to the Indian Act which came into effect April 17, 1985.



Since the “*degree*” of the entitlement to Indian status of a child will be dependent on the entitlement of BOTH parents, it is important to identify both parents in order to determine the entitlement of a child to registration under the Indian Act. Where a birth document does NOT name the father, statutory declarations from the parents should be obtained where the natural father may admit or deny paternity before a determination as to entitlement can be made. The result of such research will help assess the entitlement under Section 6(1) or 6(2).