

2015 CHARTS ON MEMBERSHIP/REGISTRATION

MCK MEMBERSHIP DEPARTMENT

For Kahnawà:ke there are two separate lists: The *Indian Act* federal Band List managed by Aboriginal Affairs and Northern Development Canada (AANDC); the other list is under the Kahnawà:ke Membership Law which establishes the Kanièn'kehà:ka of Kahnawà:ke Registry (KKR) and the criteria of members who are recognized as Kanièn'kehà:ka or Onkwèhòn:we. The KKR is managed by the Mohawk Council of Kahnawà:ke (MCK) Membership Department. The "Band cards" are issued by AANDC for registered Indians who meet the criteria set out in the *Indian Act*.

The Membership Department prepared 3 charts for the MCK Residency Website to explain the impact on Members having children with non-Indians would have on membership and on Indian registration under the *Indian Act*.

1) MCK MEMBERSHIP DIAGRAM

Illustrates under the Kahnawà:ke Membership Law (KML) the impact on eligibility of a member who must meet the minimum criteria of four (4) great-grandparents of Kanièn'kehà:ka or indigenous lineage. The diagram illustrates a member with 8 Kanièn'kehà:ka great-grandparents, and had a child with a non-Indian, their child with four (4) great-grandparents of Kanièn'kehà:ka or indigenous lineage may be eligible for membership, but if that grown child has a child with a non-Indian, then their child will not meet the minimum criteria of 4 of 8 Indigenous great-grandparents and would not be eligible to become a member under KML.

2) INDIAN ACT REGISTRATION AFTER BILL C-31

Illustrates the same situation as above after Bill C-31 amended the *Indian Act* as of April 17, 1985. A member who was a section 6.1 status Indian had a child with a non-Indian, their child was registered as a 6.2 status Indian and could not pass on Indian status on their own. So, when a 6.2 status Indian had a child with a non-Indian, their child was not eligible to be registered as an Indian according to the *Indian Act*.

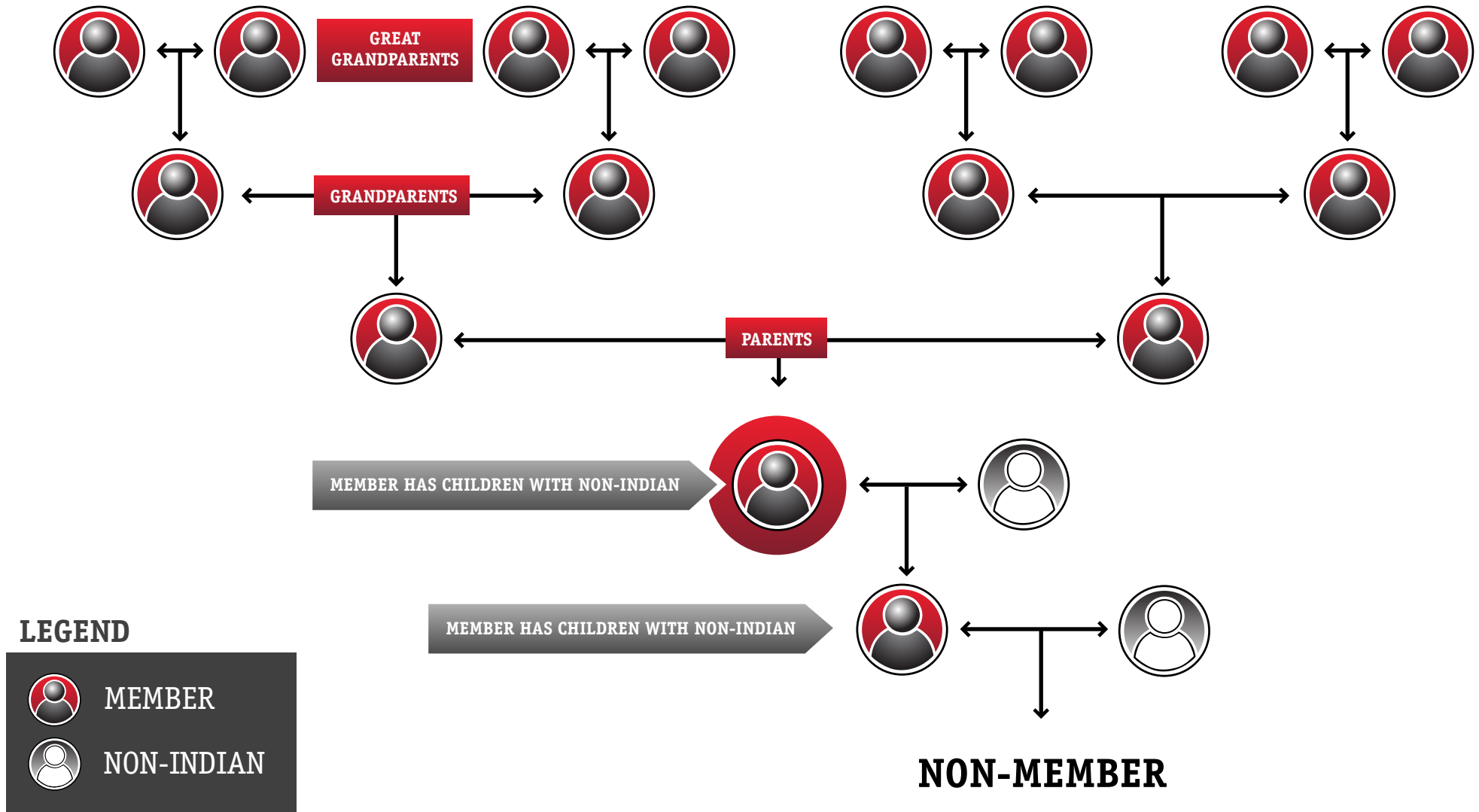
3) INDIAN ACT REGISTRATION AFTER BILL C-3

This chart illustrates the impact of registration after Bill C-3 came into effect in January 2011 and amended the *Indian Act*. When a 6.1 status Indian had a child with a non-Indian, the child was registered as a 6.2 status Indian. However, C-3 allowed the grandchildren of those persons who were affected by the gender discrimination in the *Indian Act* to be registered as a 6.2 Indian and extended Indian status for another generation. The rule remains that children born of one 6.2 parent and a non-Indian will not be entitled to be registered as an Indian under the *Indian Act* after April 17, 1985.

MCK MEMBERSHIP DIAGRAM

ILLUSTRATING 4 GREAT-GRANDPARENT RULE UNDER KAHNAWÀ:KE MEMBERSHIP LAW

(EXAMPLE: IF THE OFFSPRING OF A MEMBER WITH 8 GREAT-GRANDPARENTS WERE TO MARRY A NON-INDIAN)

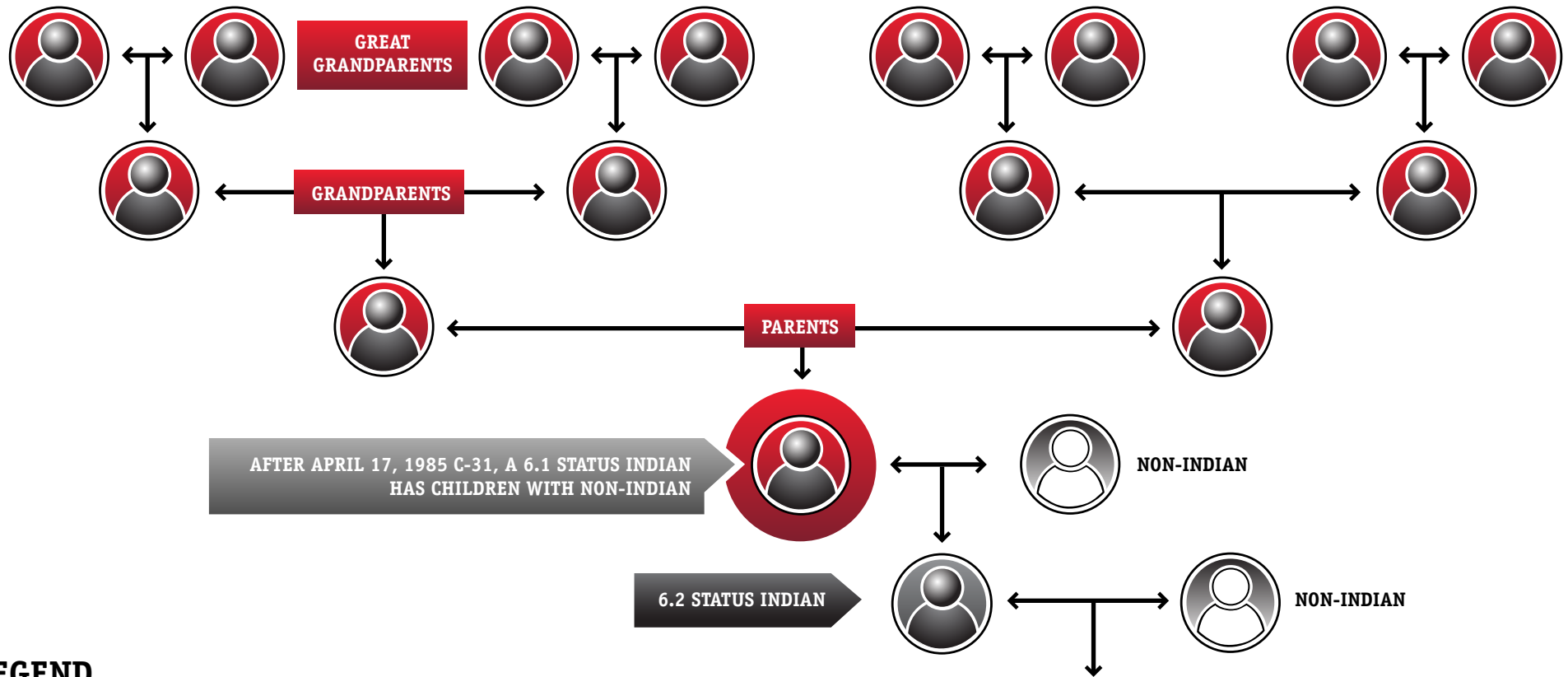


PLEASE REFER TO THE KAHNAWÀ:KE MEMBERSHIP LAW FOR MORE INFORMATION ON MEMBERSHIP CRITERIA

INDIAN ACT REGISTRATION AFTER BILL C-31

ILLUSTRATING 4 GREAT-GRANDPARENT RULE UNDER INDIAN ACT REGISTRATION FOR STATUS INDIANS

(EXAMPLE: IF THE OFFSPRING OF A MEMBER WITH 8 GREAT-GRANDPARENTS WERE TO MARRY A NON-INDIAN)



AFTER APRIL 17, 1985 C-31, A 6.1 STATUS INDIAN HAS CHILDREN WITH NON-INDIAN

6.2 STATUS INDIAN

NOT ENTITLED TO BE REGISTERED AS AN INDIAN

LEGEND

 **6.1 STATUS INDIAN**
(Two parents entitled to Indian Status)

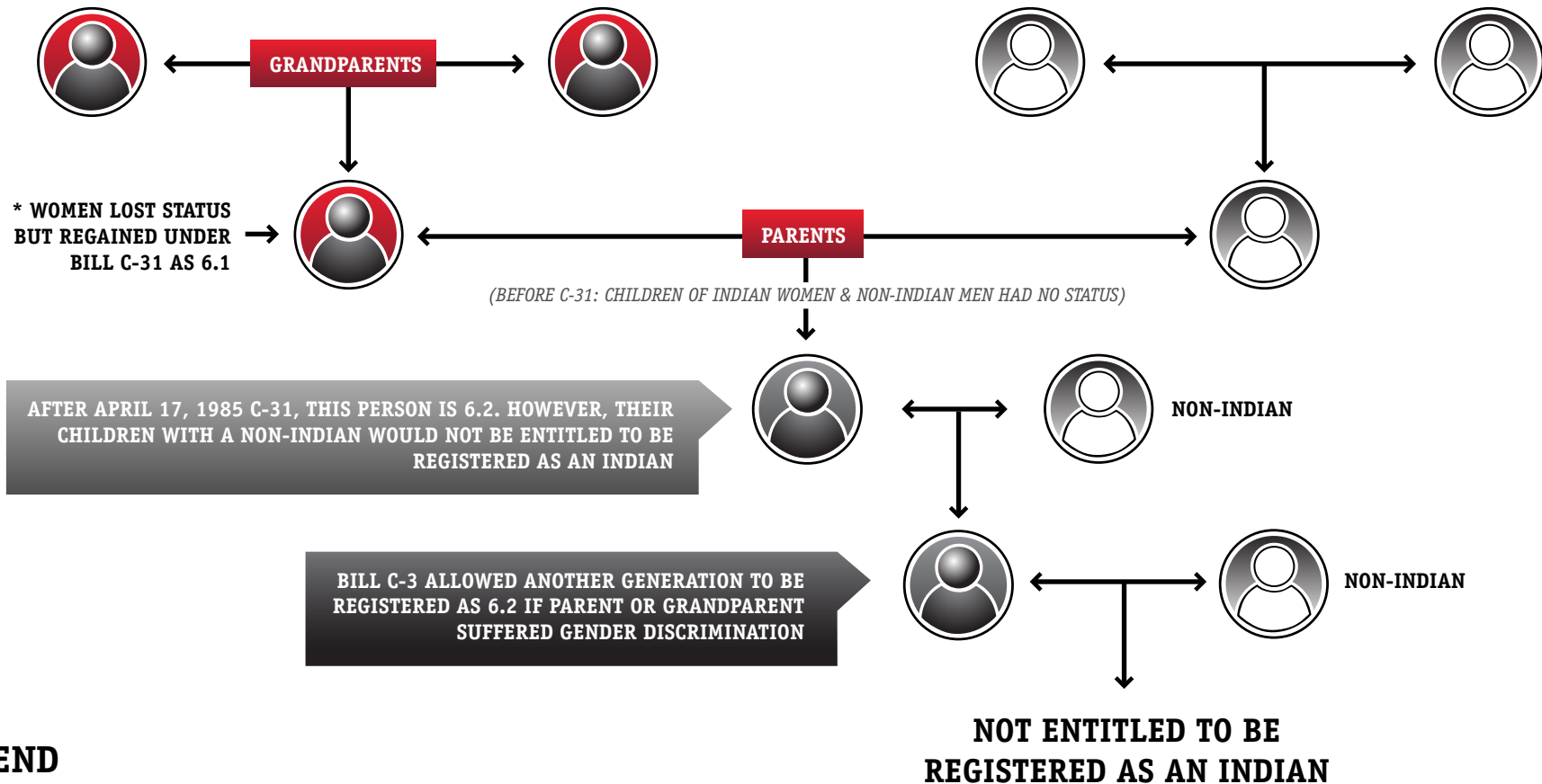
 **6.2 STATUS INDIAN**
(One parent entitled to Indian Status)

 **NON-INDIAN**

THIS IS A GENERIC SAMPLE CHART ONLY. OTHER FACTORS THAT CHANGE THIS STRUCTURE ARE THE GENDER EQUITY IN INDIAN REGISTRATION ACT (BILL C-3), REGISTRATIONS PRIOR TO BILL C-31 AND OTHER SITUATIONS WHERE 6.2 STATUS INDIANS MAY HAVE MARRIED OTHER 6.2 OR 6.1 STATUS INDIANS. PLEASE REFER TO THE ABORIGINAL AFFAIRS AND NORTHER DEVELOPMENT CANADA WEBSITE AT WWW.AADNC-AANDC.GC.CA FOR MORE INFORMATION ON INDIAN ACT REGISTRATION

INDIAN ACT REGISTRATION AFTER BILL C-3

ILLUSTRATING INDIAN ACT REGISTRATION FOR STATUS INDIANS AFFECTED BY BILL C-31 & C-3



LEGEND



6.1 STATUS INDIAN

(Two parents entitled to Indian Status)



6.2 STATUS INDIAN

(One parent entitled to Indian Status)



NON-INDIAN

THIS IS A GENERIC SAMPLE CHART THAT IS BASED ONLY ON THE SCENARIO WHERE A STATUS INDIAN HAS CHILDREN WITH A NON-INDIAN. PLEASE REFER TO THE ABORIGINAL AFFAIRS AND NORTHER DEVELOPMENT CANADA WEBSITE AT WWW.AADNC-AANDC.GC.CA FOR MORE INFORMATION ON INDIAN ACT REGISTRATION