



MÉTIS NATION-SASKATCHEWAN (MN-S)

RESOLUTION

MÉTIS NATION LEGISLATIVE ASSEMBLY

DATE: FEBRUARY 20, 2021

RESOLUTION NO. 02-2021-09

TITLE: AMENDMENTS TO THE MN-S CITIZENSHIP ACT 1999

SUBJECT: Amendments to the *MN-S Citizenship Act 1999*

MOVED BY: Mervin "Tex" Bouvier, Minister

OFFICE: Northern Region 3

SECONDED BY: Penny Hurton, Minister

OFFICE: Western Region 2A

DECISION: CARRIED (52 in favour; 28 opposed; 0 abstentions)

RESOLUTION:

WHEREAS the Métis Nation Legislative Assembly (MNLA) has adopted the *Métis Nation of Saskatchewan Citizenship Act, 1999* ("the Act") to provide for a process of registering eligible persons as Métis citizens;

WHEREAS it is necessary and expedient to amend the said Act to more accurately reflect the actual registration process, to protect the privacy rights of Métis citizens, and to preserve and enhance the Registry and in so doing to link the definition of Métis to the definition contained in the *Constitution of the Métis Nation – Saskatchewan*, rather than to membership in a Local, and to provide for appeals to be made to the MNLA;

THEREFORE BE IT RESOLVED THAT the MNLA adopt the proposed amendments to the Act, which are dated December 11, 2020, and are set out in the attached "Schedule A".

Certified copy of this resolution adopted on February 20, 2021 in Saskatoon, Saskatchewan

Richard Quintal
Clerk of the Métis Nation Legislative Assembly



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**SCHEDULE A to RESOLUTION No. 02-2021-09 of the
MÉTIS NATION LEGISLATIVE ASSEMBLY, February 20 and 21, 2021**

Métis Nation – Saskatchewan

Amendments to the “Métis Nation of Saskatchewan Citizenship Act, 1999”

Existing	Approved Amendments	Explanation
ARTICLE TWO - INTERPRETATION 2. In this Act:	ARTICLE TWO - INTERPRETATION 2. In this Act:	<i>(Note: Only definitions that are changed are listed here. All other definitions remain with no change.)</i>
2.4. "Citizenship Appeal Board" shall mean the Métis Nation - Saskatchewan Citizenship Appeal Board.	2.4 Repealed	2.4 The CAB was eliminated in 2008.
2.6. "Métis" shall mean a Métis citizen as defined by the Métis Nation - Saskatchewan Constitution.	2.6 "Métis" means a person who is Métis as defined in Article 10 of the Constitution.	2.6 Reference is changed to be more specific.
2.7. "Métis community" shall mean the Locals as set out by the Constitution.	2.7 Repealed	2.7 and 2.8 These terms are not used in the Act and to protect the privacy rights of individuals and the integrity of the registry, Locals are no longer involved in citizenship registration.
2.8. "Métis Local" shall mean a Métis Local listed in Schedule I of the Métis Nation - Saskatchewan Constitution.	2.8 Repealed	
ARTICLE THREE - COMMUNITY ACCEPTANCE 3. In this Act: 3.1. The Métis Nation - Saskatchewan shall accept a person as Métis if the person can produce records denoting the person as having Métis ancestry and is accepted by a Métis community and if the person complies with the following conditions: 3.1.1. The person normally resides within the community or jurisdiction of the Métis Nation - Saskatchewan; and	ARTICLE THREE - Repealed	These requirements are included in Article 10 of the amended Constitution, which defines Métis as follows: <i>a) Métis means a person, who self identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation Ancestry and is accepted by the Métis Nation.</i> Article 10-1.1 of the Constitution as it is proposed to be amended also requires residence in Saskatchewan:



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<p>3.1.2. The person expressly held him/herself out to be Métis in the community or jurisdiction;</p> <p>3.2. The authorized Métis Local must make its decision impartially and in good faith.</p>		<p>1.1. A person is entitled to be registered as a citizen of the Métis Nation Saskatchewan if the person resides in Saskatchewan and can establish that he or she is Métis.</p> <p>Locals are no longer involved in citizenship registration.</p>
<p>ARTICLE FOUR - REGISTRATION PROCESS</p> <p>4. In this Act:</p> <p>4.1. A person who wishes to be registered as a Métis may apply to a Métis Nation - Saskatchewan Local.</p>	<p>ARTICLE FOUR - REGISTRATION PROCESS</p> <p>4.1 A person who is entitled to be registered as a citizen of the Métis Nation Saskatchewan in accordance with the criteria set out in Article 10 of the Constitution may apply to the Registrar by completing the citizenship registration application form provided by the Registrar and submitting it together with all documents and records, including, where appropriate, oral history from Métis Elders reduced to writing, that are necessary to establish the person's entitlement to registration as a Métis citizen.</p>	<p>4.1 Applications for registration as a citizen will be made on the completed application form provided by the Registrar and accompanied by the documents and records that support the applicant's claim to be entitled to be registered as a Métis citizen in accordance with the criteria for citizenship set out in the Constitution. Application are made to the Registrar, not the Local.</p> <p><i>Words struck out "including, where appropriate, oral history from Métis Elders reduced to writing," as a result of the amendment from the floor.</i></p>
<p>4.2. The Métis Nation - Saskatchewan Local President or Secretary must issue a card recognizing the person as Métis if they meet the requirements of this Act, but not before they are registered by the Registrar.</p>	<p>4.2 Moved.</p>	<p>4.2 citizenship cards will be provided by the Registrar to the person who made the application in accordance with section 6.7.4.</p>
<p>4.3. The parent or guardian of a child under 16 years of age may apply for registration on behalf of the child.</p>	<p>4.3. The parent or guardian of a child under 16 years of age may apply for registration on behalf of the child.</p>	<p>No change</p>
<p>4.4 The guardian of a person who is under a mental or legal disability</p>	<p>4.4. The guardian of a person who is under a mental or legal disability</p>	<p>No change</p>



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may apply for registration on behalf of the person.	may apply for registration on behalf of the person.	
4.5. No person is obliged to apply for registration.	4.5. No person is obliged to apply for registration.	No change
4.6. In the case of an application for registration, the applicant must provide historical and genealogical evidence, such as the records or documents of a government, church or community, including oral testimony from a Métis Elder reduced to writing, to show that the person is a descendant of a Métis.	4.6 Moved.	4.6 The requirement to provide evidence is included in proposed article 4.1 above.
4.7. The Registrar shall review applications for registration and shall register a person as a Métis only if: 4.7.1. The person is entitled to be registered as a Métis pursuant to this <i>Act</i> and 4.7.2. The application is properly made.	4.7. The Registrar shall review applications for registration and shall register a person as a Métis only if: 4.7.1. The person is entitled to be registered as a Métis pursuant to this <i>Act</i> and 4.7.2. The application is properly made.	No change
ARTICLE FIVE - VOLUNTARY REMOVAL FROM REGISTRY 5. In this <i>Act</i> : 5.1. A person who is registered as a Métis citizen may, at any time, voluntarily remove him/herself from the registry. 5.2. The Registrar shall remove a person who, by written request, declares that he or she no longer wishes to be registered as a Métis. 5.3. A person who has removed him/herself from the registry may re-apply for registration.	ARTICLE FIVE - VOLUNTARY REMOVAL FROM REGISTRY 5. In this <i>Act</i> : 5.1. A person who is registered as a Métis citizen may, at any time, voluntarily remove him/herself from the registry. 5.2. The Registrar shall remove a person who, by written request, declares that he or she no longer wishes to be registered as a Métis. 5.3. A person who has removed him/herself from the registry may re-apply for registration.	No change



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<p>ARTICLE SIX – CENTRAL REGISTRY 6. In this Act:</p> <p>6.1. The Registrar shall maintain a uniform system for the registration of the citizens of the Métis Nation - Saskatchewan.</p>	<p>ARTICLE SIX – CENTRAL REGISTRY 6. In this Act:</p> <p>6.1. The Registrar shall maintain a uniform system for the registration of the citizens of the Métis Nation - Saskatchewan.</p>	<p>No change</p> <p>No change</p>
<p>6.2. The following minimum information about a Métis citizen may be included in the Central Registry:</p> <p>6.2.1. The person's name;</p> <p>6.2.2. The person's address or place of residence;</p> <p>6.2.3. The person's date of birth;</p> <p>6.2.4. The person's marital status and the name of any spouse;</p> <p>6.2.5. The dates of any marriages;</p> <p>6.2.6. The names and dates of birth of any children of the person;</p> <p>6.2.7. The Local under which the person has applied for registration;</p> <p>6.2.8. The Mother's full name and date of birth;</p> <p>6.2.9. The Father's full name and date of birth;</p> <p>6.2.10. The other information submitted in support of the person's application for registration; and</p> <p>6.2.11. Such genealogical information about the person as may exist.</p>	<p>6.2. The following minimum information about a Métis citizen may be included in the Central Registry:</p> <p>6.2.1. The person's name;</p> <p>6.2.2. The person's address or place of residence;</p> <p>6.2.3. The person's date of birth;</p> <p>6.2.4. The person's marital status and the name of any spouse;</p> <p>6.2.5. The dates of any marriages;</p> <p>6.2.6. The names and dates of birth of any children of the person;</p> <p>6.2.7. The Local under which the person has applied for registration;</p> <p>6.2.8. The Mother's full name and date of birth;</p> <p>6.2.9. The Father's full name and date of birth;</p> <p>6.2.10. The other information submitted in support of the person's application for registration; and</p> <p>6.2.11. Such genealogical information about the person that may exist.</p>	<p>No change</p>
<p>6.3. The Registrar may collect and register additional demographic information about Métis citizens.</p>	<p>6.3. The Registrar may collect and register additional demographic information about Métis citizens.</p>	<p>No change</p>
<p>6.4. The Registrar shall treat the registry as confidential.</p>	<p>6.4. The Registrar shall treat the registry as confidential.</p>	<p>No change</p>
<p>6.5. The Registrar shall cause the registry system to be kept safely by administrative, physical and</p>	<p>6.5. The Registrar shall cause the registry system to be kept safely by administrative, physical and</p>	<p>No change</p>



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technological safeguards that are reasonable and consistent with this Act.	technological safeguards that are reasonable and consistent with this Act.	
6.6. The Registrar with the consent of the Provincial Métis Council may enter into agreements with the government of a province or territory or with the government of Canada respecting the collection and exchange of information for the better functioning of the registry system but may not disclose confidential information without the consent of the registrant.	6.6. The Registrar with the consent of the Provincial Métis Council may enter into agreements with the government of a province or territory or with the government of Canada respecting the collection and exchange of information for the better functioning of the registry system but may not disclose confidential information without the consent of the registrant.	No change
6.7. The process for registration shall be such that:	6.7. The process for registration shall be such that:	No change
6.7.1. A person makes application to a Métis Local for citizenship by completing the Métis Nation - Saskatchewan Citizenship Application Form.	6.7.1 Moved	6.7.1 The application form is referred to in article 4.1.
6.7.2. The President of the Métis Local submits the Citizenship Application Form to the Registrar for consideration and entry into the Registry.	6.7.2 Repealed	6.7.2 Locals do not submit applications.
6.7.3. The Registrar rejects or registers the person into the Registry and notifies the Métis Local President in writing of the decision.	6.7.3 Repealed	6.7.3 Locals are not notified of citizenship decisions.
6.7.4. In the event that the Registrar accepts the registration, the Registrar forwards a signed standardized Métis Nation - Saskatchewan Citizenship Card to the Métis Local President or Secretary who then issues the standardized Métis Nation - Saskatchewan Citizenship Card to the person.	6.7.4. In the event that the Registrar accepts an application for registration, the Registrar shall forward a signed Métis Citizenship Card to the person.	6.7.4 provides for issuance of citizenship card by the Registrar to the applicant.



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6.7.5. The standardized Métis Nation - Saskatchewan Citizenship Cards shall be numbered consecutively following the Métis Local numbers.	6.7.5 Repealed	6.7.5 citizenship cards are not numbered by reference to the Locals.
6.7.6. Only the standardized Métis Nation - Saskatchewan Citizenship Cards shall be recognized as legitimate for the purposes of the Constitution and this Act.	6.7.6. Only the standardized Métis Nation - Saskatchewan Citizenship Cards shall be recognized as legitimate for the purposes of the Constitution and this Act.	No change
6.7.7. The Provincial Métis Council will be responsible for the development of the Métis Nation - Saskatchewan Citizenship Application Form and the standardized Citizenship Card.	6.7.7. Repealed	6.7.7 Forms are a technical requirement and will be provided by the Registrar.
None	<i>6.8 The Registry shall be maintained separate from the political structure of the Métis Nation – Saskatchewan.</i>	<i>6.8 was added as an amendment from the floor.</i>
ARTICLE SEVEN - REGISTRY OFFICE 7. A Registry Office shall be established, based on available fiscal resources. 7.1. The Registry Office shall consist of: 7.1.1. The Registrar and 7.1.2. The staff of the Registry Office.	ARTICLE SEVEN - REGISTRY OFFICE 7. A Registry Office shall be established, based on available fiscal resources. 7.1. The Registry Office shall consist of: 7.1.1. The Registrar and 7.1.2. The staff of the Registry Office.	No change
7.2. The Registry Office 7.2.1. is separate and independent from the public service of the Métis Nation but the staff of the Registry Office shall be considered to be members of the public service for the purpose of employment benefits; 7.2.2. Shall act impartially and in good faith in the exercise of its functions; and	7.2. The Registry Office 7.2.1. is separate and independent from the public service of the Métis Nation but the staff of the Registry Office shall be considered to be members of the public service for the purpose of employment benefits; 7.2.2. Shall act impartially and in good faith in the exercise of its functions; and	



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7.2.3 [Repealed September 9, 2008.]		
7.2.4. Shall retain and provide copies of the standardized Métis Nation - Saskatchewan Citizenship Application Form and the standardized Métis Nation - Saskatchewan Citizenship Cards to Métis Local Presidents.	7.2.4. Repealed	7.2.4 Citizenship cards are issued by the Registrar to the person.
ARTICLE EIGHT - THE REGISTRAR 8. The Registrar: 8.1.1. [Repealed September 9, 2008.] 8.1.2. [Repealed September 9, 2008.] 8.1.3. [Repealed September 9, 2008.] 8.1.4. [Repealed September 9, 2008.] 8.1.5. Shall maintain the Central Registry. 8.1.6. Shall administer this <i>Act</i> .	ARTICLE EIGHT - THE REGISTRAR 8. The Registrar: 8.1.5. Shall maintain the Central Registry. 8.1.6. Shall administer this <i>Act</i> .	No change
8.1.7. Shall accept and review applications for citizenship submitted on the standardized Citizenship Application Form by a Métis Local President and decide whether a person is entitled to be registered pursuant to this <i>Act</i> .	8.1.7. Shall accept and review applications for citizenship submitted and decide whether a person is entitled to be registered pursuant to this <i>Act</i> .	8.1.7 changes reference to citizenship application form.
8.1.8. Shall respond in writing to the Métis Local President on the decision of an application for citizenship.	8.1.8 Repealed	8.1.8 Locals are not involved in citizenship applications.
8.1.9. Shall make decisions on the voluntary removal from the registry of individuals pursuant to this <i>Act</i> .	8.1.9. Shall make decisions on the voluntary removal from the registry of individuals pursuant to this <i>Act</i> .	No change



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8.1.10. Shall forward Appeals to the Citizenship Appeal Board on the issue, pursuant to this <i>Act</i> .	8.1.10. Shall forward appeals to the Métis Nation Legislative Assembly.	8.1.10 Appeals about citizenship will go to the MNLA since the Citizenship Appeal Board was removed in 2008.
8.1.11. Shall ensure that the relevant files are provided to the Citizenship Appeal Board in cases of appeal.	8.1.11 Repealed	8.1.11 Appeals about citizenship will go to the MNLA.
8.1.12. Shall ensure that a final report is written and filed on any appeal that comes before the Registrar or the Citizenship Appeal Board.	8.1.12. Repealed	8.1.12 Appeals about citizenship will go to the MNLA.
8.1.13. Shall manage the staff of the Registry Office.	8.1.13. Shall manage the staff of the Registry Office.	No change
8.1.14. Shall have a seal of office that may be reproduced by the Registrar in any manner and has the same effect whether it is manually applied or otherwise reproduced.	8.1.14. Shall have a seal of office that may be reproduced by the Registrar in any manner and has the same effect whether it is manually applied or otherwise reproduced.	No change
8.1.15. Shall deliver an annual report to the Provincial Métis Council, to be submitted to the Métis Nation Legislative Assembly, through the Senate, within 60 days following the end of each calendar year.	8.1.15. Shall deliver an annual report to the Provincial Métis Council, to be submitted to the Métis Nation Legislative Assembly, through the <i>Clerk of the MNLA</i> Senate, within 60 days following the end of each calendar year.	<i>“Senate” struck out and replaced with “Clerk of the MNLA” as a result of the amendment from the floor.</i>
ARTICLE NINE - CITIZENSHIP APPEAL BOARD 9. [Repealed September 9, 2008.]		
ARTICLE TEN - CITIZENSHIP APPEALS 10. The process for Appeals will be such that: 10.1. The Appellant bears the burden of proof.	ARTICLE TEN - CITIZENSHIP APPEALS 10. The process for Appeals will be such that: 10.1. The Appellant bears the burden of proof.	No change
10.2. Any person who has made application on the Métis Nation - Saskatchewan Citizenship	10.2 Repealed	10.2 Locals are not involved in citizenship registration.



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Application Form to a Métis Local President and is denied registry by the Métis Local President is entitled to appeal this decision in writing to the Registrar within thirty (30) days of the President's decision.		
10.3. Any person whose Citizenship Application Form has been forwarded by a Métis Local President to the Registrar and has been rejected in writing by the Registrar may appeal in writing to the Citizenship Appeal Board within thirty (30) days of the Registrar's decision.	10.3. Any person whose application for registration as a Métis citizen is rejected in writing by the Registrar may appeal in writing to the Métis Nation Legislative Assembly within 30 days of the Registrar's decision and the decision of the Assembly is final.	10.3 Appeals from decisions of the Registrar in relation to citizenship will go to the MNLA.
10.4. Any person whose application has been rejected by the Citizenship Appeal Board may appeal in writing to the Métis Nation Legislative Assembly, whose decision shall be final and binding, complying with the requirements set out in the <i>Métis Nation - Saskatchewan Legislative Assembly Act</i> , and shall do so within thirty (30) days of the Citizenship Appeal Board's decision.	10.4 Repealed	10.4 Appeals to the MNLA will be final.
10.5. All appeals by a person regarding rejection of registration by the Local President or Registrar or Citizenship Appeals Board must include:	10.5 All appeals by a person regarding rejection of registration must include:	10.5 Removes reference to CAB.
10.5.1. The name and address of the person who has been rejected;	10.5.1. The name and address of the person who has been rejected;	No change
10.5.2. The Local to which application was made;	10.5.2 Repealed	10.5.2 Locals are not involved in the citizenship registration process.
10.5.3. The evidence submitted as proof of Métis ancestry;	10.5.3. The evidence submitted as proof of Métis ancestry;	No change



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10.5.4. Copies of all correspondence regarding the appeal;	10.5.4. Copies of all correspondence regarding the appeal;	No change
10.5.5. The signature of the person who has been rejected; and	10.5.5. The signature of the person who has been rejected; and	No change
10.5.6. The date of submission of the appeal.	10.5.6. The date of submission of the appeal.	No change
10.6. Any person whose registration is being objected to shall be given a reasonable opportunity to make representation in the case at each level, and shall receive copies of all correspondence regarding the appeal.	10.6. Any person whose registration is being objected to shall be given a reasonable opportunity to make representation in the case at each level, and shall receive copies of all correspondence regarding the appeal.	
10.7. The decision of the Citizenship Appeal Board must be in writing, signed by the deciding members of the Citizenship Appeal Board, and forwarded to the affected parties within 14 days of the date of its decision.	10.7. Repealed	10.7 the Citizenship Appeal Board no longer exists.
10.8. The Registrar shall take whatever steps are necessary to implement the decision of the Citizenship Appeal Board.	10.8. The Registrar shall take whatever steps are necessary to implement the decision of the Métis Nation Legislative Assembly.	10.8 Appeal decision will come from the MNLA.
10.9. All appeals are confidential and shall be treated as such by all involved parties.	10.9. All appeals are confidential and shall be treated as such by all involved parties.	No change
ARTICLE ELEVEN – CHALLENGES TO PERSONS CURRENTLY REGISTERED 11. Challenges to persons registered as Métis may be made by Métis citizens registered in the Central Registry:	ARTICLE ELEVEN – CHALLENGES TO PERSONS CURRENTLY REGISTERED 11. Challenges to persons registered as Métis may be made by Métis citizens registered in the Central Registry:	No change
11.1. Challenges of Métis ancestry to persons currently on MNS citizenship/membership lists may be made by Métis citizens/members in writing to the	11.1. Challenges of Métis ancestry to persons currently on MNS citizenship/membership lists may be made by Métis citizens/members in writing to the	



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<p>Registrar. The challenge must include the full name of the person being challenged, the Local which that person is registered with, and the grounds for the challenge. The person so challenged will be notified by the Registrar in writing and shall have the right to refute that challenge by providing evidence that he/she is in fact Métis the burden of proof being the same as required for all persons applying for inclusion as Métis under this Act.</p>	<p>Registrar. The challenge must include the full name of the person being challenged, the Local which that person is registered with, and the grounds for the challenge. The person so challenged will be notified by the Registrar in writing and shall have the right to refute that challenge by providing evidence that he/she is in fact Métis the burden of proof being the same as required for all persons applying for inclusion as Métis under this Act.</p>	
<p>11.2. The written decision of the Registrar shall be forwarded by registered mail to both parties, and shall inform them of their right to appeal within thirty (30) days to the Citizenship Appeal Board.</p>	<p>11.2. The written decision of the Registrar shall be forwarded by registered mail to both parties and shall inform them of their right to appeal within 30 days to the Métis Nation Legislative Assembly, whose decision is final.</p>	<p>11.2 Appeals will be to the MNLA, whose decision will be final.</p>
<p>11.3. The Citizenship Appeal Board shall provide at least two (2) weeks' notice to both parties of the appeal hearing date and then render its decision in writing by registered mail to both parties to the appeal and inform them of their right to appeal to the Métis Nation Legislative Assembly.</p>	<p>11.3 Repealed</p>	<p>11.3 The CAB no longer exists.</p>
<p>11.4. The decision of the Citizenship Appeal Board may be appealed by either party in writing to the Métis Nation Legislative Assembly, whose decision shall be final and binding. Such appeal must be registered in conformity with the <i>Métis Nation Legislative Assembly Act</i> within thirty (30) days after receipt of the Citizenship Appeal Board's written decision.</p>	<p>11.4 Repealed</p>	<p>11.4 There is no Citizenship Appeal Board.</p>



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<p>ARTICLE TWELVE - FINANCES 12. The remuneration and employment benefits of the Registrar, the staff of the Registry Office and the Citizenship Appeals Board shall be established by the Métis Nation - Saskatchewan Treasury Board, based on available fiscal resources.</p>	<p>ARTICLE TWELVE - FINANCES 12. The remuneration and employment benefits of the Registrar and the staff of the Registry Office shall be established by the Métis Nation – Saskatchewan Treasury Board, based on available fiscal resources.</p>	<p>Removes references to Citizenship Appeal Board.</p>
<p>ARTICLE THIRTEEN - GRANDFATHER CLAUSE 13. In Grandfathering existing memberships. 13.3. Those members currently listed on the Métis Nation updated Local Membership Lists shall be automatically entered into the Central Registry and receive the new standardized Métis Nation - Saskatchewan Citizenship Card. All Métis not currently listed on the Métis Local Membership Lists shall have to apply for registration as a Citizen of the Métis Nation – Saskatchewan on the standardized Métis Nation – Saskatchewan Citizenship Application Form.</p>	<p>ARTICLE THIRTEEN - GRANDFATHER CLAUSE 13 and 13.3 Repealed</p>	<p>Registration will occur by application to the Registrar and only on proof that the applicant is eligible to be registered as a Métis citizen in accordance with Article 10 of the Constitution</p>

“Schedule A” to Resolution #02-2021-09, dated December 11, 2020