

Métis Nation – Saskatchewan Citizenship Act, 1999

*Ratified November 6, 1999
Amended November 2001
Amended July 4, 2003
Amended September 9, 2008
Amended February 20, 2021*

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ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation - Saskatchewan Citizenship Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:

- 2.1. "Act" shall mean the Métis Nation - Saskatchewan Citizenship Act.
- 2.2. "Appeals" shall mean any written objection by a person who has been rejected entry in the Métis Nation - Saskatchewan Central Registry or by a Métis Nation - Saskatchewan citizen who is objecting to the registration of any person to the Métis Nation - Saskatchewan Central Registry.
- 2.3. "Child" shall mean a child of a Métis citizen.
- 2.4. Repealed (*February 20, 2021*).
- 2.5. "Membership" shall mean citizenship.
- 2.6. "Métis" means a person who is Métis as defined in Article 10 of the Constitution (*amended February 20, 2021*).

- 2.7. Repealed (*February 20, 2021*).
- 2.8. Repealed (*February 20, 2021*).
- 2.9. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation - Saskatchewan, as set out in the Constitution.
- 2.10. "Records" shall mean any records used to support an application for citizenship including historical records, church records, archival records, census records and oral history from Métis Elders.
- 2.11. "Registered" shall mean registered as a Métis under this Act.
- 2.12. "Registrar" shall mean the Registrar appointed by the Métis Nation Legislative Assembly to administer the Central Registry. (*Amended September 9, 2008*)
- 2.13. "Genealogical evidence" shall mean evidence which indicates proof that an applicant's parent is, or parents are, of Métis Ancestry. (*Amended July 4, 2003*)

ARTICLE THREE – REPEALED (*February 20, 2021*).

ARTICLE FOUR - REGISTRATION PROCESS

- 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 that are necessary to establish the person's entitlement to registration as a Métis citizen. (*amended February 20, 2021*)
- 4.2. (*moved to 6.7.4 February 20, 2021*).
- 4.3. The parent or guardian of a child under 16 years of age may apply for registration on behalf of the child.
- 4.4. The guardian of a person who is under a mental or legal disability may apply for registration on behalf of the person.
- 4.5. No person is obliged to apply for registration.
- 4.6. (*moved to 4.1 February 20, 2021*).
- 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 Act and
 - 4.7.2. The application is properly made.

- 4.8. Following the coming into force of this Act, the Registrar shall establish and implement a process to seek out and encourage the registration of all persons who are entitled to be registered as Métis.

ARTICLE FIVE - VOLUNTARY REMOVAL FROM REGISTRY

5. In this Act:
- 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 SIX – CENTRAL REGISTRY

6. In this Act:
- 6.1. The Registrar shall maintain a uniform system for the registration of the citizens of the Métis Nation - Saskatchewan.
- 6.2. The following minimum information about a Métis citizen may be included in the Central Registry:
- 6.2.1. The person's name;
- 6.2.2. The person's address or place of residence;
- 6.2.3. The person's date of birth;
- 6.2.4. The person's marital status and the name of any spouse;
- 6.2.5. The dates of any marriages;
- 6.2.6. The names and dates of birth of any children of the person;
- 6.2.7. The Local under which the person has applied for registration;
- 6.2.8. The Mother's full name and date of birth;
- 6.2.9. The Father's full name and date of birth;
- 6.2.10. The other information submitted in support of the person's application for registration; and

- 6.2.11. Such genealogical information about the person as may exist.
- 6.3. The Registrar may collect and register additional demographic information about Métis citizens.
- 6.4. The Registrar shall treat the registry as confidential.
- 6.5. The Registrar shall cause the registry system to be kept safely by administrative, physical and 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.
- 6.7. The process for registration shall be such that:
- 6.7.1. *(moved to 4.1, February 20, 2021).*
- 6.7.2. Repealed *(February 20, 2021).*
- 6.7.3. Repealed *(February 20, 2021).*
- 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. *(amended February 20, 2021).*
- 6.7.5. Repealed *(February 20, 2021).*
- 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.
- 6.7.7. Repealed *(February 20, 2021).*
- 6.8. The Registry shall be maintained separate from the political structure of the Métis Nation – Saskatchewan. *(new February 20, 2021)*

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.

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

7.2.3 Repealed (*September 9, 2008*).

7.2.4. Repealed (*February 20, 2021*).

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 Act.

8.1.7. Shall accept and review applications for citizenship submitted and decide whether a person is entitled to be registered pursuant to this Act. (*amended February 20, 2021*)

8.1.8. Repealed (*February 20, 2021*).

8.1.9. Shall make decisions on the voluntary removal from the registry of individuals pursuant to this Act.

8.1.10. Shall forward appeals to the Métis Nation Legislative Assembly. (*amended February 20, 2021*)

8.1.11. Repealed (*February 20, 2021*).

8.1.12. Repealed (*February 20, 2021*).

8.1.13. Shall manage the staff of the Registry Office.

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.

- 8.1.15. Shall deliver an annual report to the Provincial Métis Council, to be submitted to the Métis Nation Legislative Assembly, through the Clerk of the Métis Nation Legislative Assembly, within 60 days following the end of each calendar year. (*amended February 20, 2021*)

ARTICLE NINE – 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.
 - 10.2. Repealed (*February 20, 2021*).
 - 10.3. Any person whose application for registration as a Metis 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 (*amended February 20, 2021*).
 - 10.4. Repealed (*February 20, 2021*).
 - 10.5. All appeals by a person regarding rejection of registration must include (*amended February 20, 2021*):
 - 10.5.1. The name and address of the person who has been rejected;
 - 10.5.2. Repealed (*February 20, 2021*).
 - 10.5.3. The evidence submitted as proof of Métis ancestry;
 - 10.5.4. Copies of all correspondence regarding the appeal;
 - 10.5.5. The signature of the person who has been rejected; and
 - 10.5.6. The date of submission of 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. Repealed (*February 20, 2021*).
 - 10.8. The Registrar shall take whatever steps are necessary to implement the decision of the Métis Nation Legislative Assembly. (*amended February 20,*

2021)

- 10.9. All appeals are confidential and shall be treated as such by all involved parties.

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:
- 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 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.
- 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 Metis Nation Legislative Assembly, whose decision is final. (*amended February 20, 2021*)
- 11.3. Repealed (*February 20, 2021*).
- 11.4. Repealed (*February 20, 2021*).

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. (*amended February 20, 2021*)

ARTICLE THIRTEEN – REPEALED (*February 20, 2021*)

ARTICLE FOURTEEN - ENACTMENT

14. This Act:
- 14.3. Comes into force upon ratification by the Métis Nation Legislative Assembly.
- 14.4. Is binding on all citizens of the Métis Nation - Saskatchewan and its Affiliates and organizations.
- 14.5. Repeals all former citizenship legislation.
- 14.6. Has received ratification on this 6th day of November, 1999.