

Métis Nation – Saskatchewan An Act respecting Métis Citizenship

Table of Contents

1 Short title	7 Improper registrations
2 Definitions	8 Citizenship appeals
3 Registrar	9 Removal from registry by request
4 Registry office	10 Repeal
5 Central registry	11 Coming into force
6 Application for registration	

The Métis Nation Legislative Assembly, in accordance with the authority granted to it by the Métis Nation within Saskatchewan through its Constitution, enacts as follows:

Short title

1 This Act may be cited as the *Citizenship Act, 2024*.

Definitions

2 In this Act:

“Métis” means a person who is Métis as defined in the Constitution;

"Registrar" means the Registrar appointed pursuant to section 3;

“registry” means the central registry of MN-S Citizens maintained by the Registrar in accordance with section 5.

Registrar

3(1) The MNLA shall appoint a Registrar for a maximum term of office of four years, and who may be reappointed.

(2) The Registrar shall:

(a) administer this Act;

(b) establish and implement a process to seek out and encourage the registration of all persons who are entitled to be registered as MN-S Citizens;

(c) maintain the registry and manage the staff of the Registry Office;

(d) accept and review each citizenship application received, decide whether the applicant is entitled to be registered as an MN-S Citizen, and provide a written decision to the applicant in relation to each application;

DRAFT

for discussion purposes only subject to change based on feedback received

- (e) remove individuals from the registry when requested to do so in accordance with section 9;
- (f) forward any appeals together with the relevant files to the MN-S Judicial Body;
- (g) obtain a seal of office to be affixed to official documents issued by the registry;
- (h) deliver a report to the Provincial Métis Council and to the Clerk of the MNLA at least 60 days prior to each sitting of the MNLA.

Registry office

4(1) A Registry Office is established consisting of the Registrar and the staff of the Registry Office, who shall act impartially and in good faith in the exercise of the functions of the Registry Office.

(2) The Registry Office is separate and independent from the public service of the Métis Nation – Saskatchewan, but the staff of the Registry Office are to be considered as members of the public service for the purpose of employment benefits.

(3) The PMC shall establish the remuneration and employment benefits of the Registrar and the staff of the Registry Office based on available fiscal resources.

Central registry

5(1) The Registrar shall maintain a central registry comprising a uniform system for the registration of MN-S Citizens containing, at a minimum, the following information with respect to each person registered:

- (a) name;
- (b) address or place of residence;
- (c) date of birth;
- (d) marital status and the name of any spouse;
- (e) dates of any marriages;
- (f) names and dates of birth of any children of the person;
- (g) the mother's full name and date of birth;
- (h) the father's full name and date of birth;
- (i) the other information submitted in support of the person's application for registration;
and
- (j) any genealogical information that may exist to establish the person's Métis ancestry.

for discussion purposes only subject to change based on feedback received

- (2) The Registrar may collect and register additional demographic information about MN-S Citizens.
- (3) The Registrar and the staff of the Registry Office shall treat the registry as confidential.
- (4) 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.
- (5) The Registrar 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 in relation to an individual without the individual's consent.
- (6) The Registry shall be maintained separate from the political structure of the Métis Nation – Saskatchewan.

Application for registration

6(1) A person who is Métis in accordance with the criteria set out in the Constitution is entitled to be registered as a citizen of the Métis Nation – Saskatchewan, whether or not the person resides in Saskatchewan.

(2) A person described in subsection (1) may apply to the Registrar by submitting a completed application in the form provided by the Registrar together with the documents and records necessary to establish the person's entitlement to registration.

(2.1) The application form provided by the Registrar may only include questions relating to the definition of Métis contained in the Constitution.

(3) The parent or guardian of a child under 16 years of age may apply for registration on behalf of the child.

(4) The guardian of a person who is under a mental or legal disability may apply for registration on behalf of the person.

(5) No person is obliged to apply for registration as an MN-S Citizen.

(6) The Registrar shall review each application and shall:

(a) if the person is entitled to be registered, register the person as an MN-S Citizen in the registry; or

(b) otherwise, reject the application;

and in all cases shall notify the applicant in writing of the decision.

DRAFT

for discussion purposes only subject to change based on feedback received

(7) If the Registrar registers a person as an MN-S Citizen, the Registrar shall forward a citizenship card to the person to whom it relates, and only a citizenship card issued by the Registrar constitutes proof of MN-S citizenship.

Improper registrations

7 Where the Registrar determines that any person has obtained registration as an MN-S Citizen by providing inaccurate, incorrect or fraudulent information, the Registrar may remove that person's name from the registry and shall notify the person of that decision.

Citizenship appeals

8(1) The appellant bears the burden of proof on any appeal.

(2) Any person whose application for registration as an MN-S Citizen is denied or whose name is removed from the registry is entitled to appeal by forwarding a written notice of appeal within 30 days of the Registrar's decision to the MN-S Judicial Body.

(3) A notice of appeal must include the following:

- (a) the name and address of the appellant;
- (b) the evidence submitted as proof of Métis ancestry;
- (c) copies of all correspondence regarding the application and appeal;
- (d) the signature of the appellant; and
- (e) the date of submission of the appeal.

(4) Unless an appeal is settled through mediation, the MN-S Judicial Body shall hear the appeal and may:

- (a) dismiss the appeal; or
- (b) allow the appeal and direct the Registrar to register the appellant as a Métis citizen in the registry.

(5) All appeals are confidential and shall be treated as such by all involved parties.

Removal from registry by request

9(1) Any person who is registered as an MN-S Citizen may apply to the Registrar to have their name removed from the registry and, on receipt of the application and the person's citizenship card, the Registrar shall remove the person's name from the registry.

(2) A person whose name has been removed from the registry may reapply for registration in accordance with section 6.

Repeal

10 The Métis Nation - Saskatchewan Citizenship Act, 1999 is repealed.

DRAFT

for discussion purposes only subject to change based on feedback received

Coming into force

11 This Act comes into force when it is enacted by the Métis Nation Legislative Assembly.

Métis Nation – Saskatchewan
Copyright © 2024

DRAFT