



Resolution Duly Approved by the
Métis Nation-Saskatchewan
Provincial Métis Council on October 15, 2024
#241015-13

Amendments to the *Métis Nation of Saskatchewan Citizenship Act, 1999*

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC (PMC Resolution #240417-02) supported proceeding with constitutional amendments related to the following areas in time for consideration at the Fall 2024 session of the Métis Nation Legislative Assembly (MNLA):

- Addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*;
- Election of provincial representatives for women and youth to be included in the provincial MN-S general election every four years;
- Provisions allowing for the creation of a Métis Judiciary;
- Changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and
- General clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details);

WHEREAS amendments to the *Constitution of the Métis Nation – Saskatchewan* necessitated amendments to be made to the *Métis Nation of Saskatchewan Citizenship Act, 1999* (the *Citizenship Act*); and

WHEREAS the proposed amendments to the *Citizenship Act* included in Annex A are supported by MN-S citizens, having solicited their views during community consultations undertaken in 2019, 2021, 2022, 2023 and 2024;

THEREFORE BE IT RESOLVED that the PMC supports amendments to the *Citizenship Act*, to:

- (a) clarify that MN-S citizenship is available to eligible Métis persons wherever they live;
- (b) require the Registrar to only request information to be provided by applicants that is relevant to determining their eligibility for registration as MN-S Citizens;
- (c) provide for citizenship appeals to be taken to the MNLA and heard by a committee appointed by the MNLA as an interim measure until the Métis Judiciary Act is enacted; and
- (d) revise and reorganize the provisions of the *Citizenship Act* to aid in understanding; and

FURTHER BE IT RESOLVED that the PMC supports the resolution and amendments included in Annex A to be voted on at the Fall 2024 MNLA on November 2-3, 2024.

Dated this 15th day of October, 2024

Moved by: Lisa McCallum, Secretary

Seconded by: Michelle LeClair, Vice President

ANNEX A to Resolution #241015-13

DATE:	November 2-3, 2024	Resolution #MNLA2411XX-XX
SUBJECT:	Constitutional Reform, Legislation	
MOVED BY:	Michelle LeClair	Vice President
SECONDED BY:	Lisa McCallum	Secretary
TITLE:	Approve Amendments to the <i>Métis Nation - Saskatchewan Citizenship Act, 1999</i>	

WHEREAS the Métis Nation Legislative Assembly (MNLA) established a committee to review the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) and related legislation and directed that the committee would consult across the province of Saskatchewan on changes to the *Constitution* and related legislation (MNLA Resolution #190302-06);

WHEREAS after initial consultation it was determined that constitutional reform was needed and the MNLA supported continued consultation that would result in proposed amendments to the *Constitution* and legislation to be considered at a future date by the MNLA (MNLA Resolution #190414-11);

WHEREAS the Métis Nation – Saskatchewan (MN-S) undertook community consultations with citizens throughout the province in 2019, 2021, 2022, 2023 and in 2024 to solicit their views on constitutional reform and has incorporated this information into a substantial package of proposed constitutional amendments and legislation;

WHEREAS the Provincial Métis Council (PMC) approved of a phased approach to constitutional reform to ensure thoughtful consideration by Métis citizens and by the officials elected to represent them (PMC Resolution #240417-01); and

WHEREAS it is necessary to revise and amend the *Métis Nation - Saskatchewan Citizenship Act, 1999* (the *MN-S Citizenship Act*) in order to:

- (a) clarify that MN-S citizenship is available to eligible Métis persons wherever they live;
- (b) require the Registrar to only request information to be provided by applicants that is relevant to determining their eligibility for registration as MN-S Citizens;
- (c) provide for citizenship appeals to be taken to the MNLA and heard by a committee appointed by the MNLA as an interim measure until the Métis Judiciary Act is enacted; and
- (d) revise and reorganize the provisions of the Act to aid in understanding;

THEREFORE BE IT RESOLVED THAT the MNLA, having confirmed a phased approach to constitutional reform that necessitated changes to the *MN-S Citizenship Act, 1999*, adopt “An Act respecting Métis Citizenship”, being the “Citizenship Act, 2024”, attached to this resolution as Annex A.

(Annex A is attached to this resolution)

ANNEX A

Métis Nation – Saskatchewan An Act respecting Métis Citizenship

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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:
 - “Constitution” means the *Métis Nation – Saskatchewan Constitution*;
 - “Métis” means a person who is Métis as defined in the Constitution;
 - “MNLA” means the Métis Nation Legislative Assembly provided for in the Constitution;
 - “MN-S Citizen” means a Métis person who is registered in the registry as a citizen of the Métis Nation – Saskatchewan;
 - “PMC” means the Provincial Métis Council provided for 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;
 - “Registry Office” means the Registry Office established pursuant to section 4.

Registrar

3. (1) The MNLA shall appoint a Registrar to administer the Registry.
 - (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;
- (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 Clerk of the MNLA;
- (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.
- (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, with the consent of the PMC, 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.
- (3) The application form provided by the Registrar may only include questions relating to the definition of Métis contained in the Constitution.
- (4) The parent or guardian of a child under 16 years of age may apply for registration on behalf of the child.
- (5) The guardian of a person who is under a mental or legal disability may apply for registration on behalf of the person.
- (6) No person is obliged to apply for registration as an MN-S Citizen.
- (7) 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.
- (8) 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 Clerk of the MNLA.
- (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) The MNLA shall appoint a committee consisting of three of its members to hear an appeal under this section and the committee shall report to the MNLA recommending either, that the appeal:
 - (a) be dismissed; or
 - (b) be allowed and the Registrar directed to register the appellant as an MN-S 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.

Coming into force

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