

# INDIAN STATUS IN CANADA

Status eligibility is purposefully confusing and the definition has changed many times. Let's break down the basics.

## COMMON MYTHS



**MYTH:** All Indigenous peoples have status.

**TRUTH:** Inuit and Métis peoples **do not** have status but are indigenous to Canada.



**MYTH:** Those with status don't have to pay taxes.

**TRUTH:** Only those with status who **also** live on reserves do not pay federal or provincial taxes on personal and real property. Those who work on reserve do not pay federal or provincial taxes on employment income. Provinces such as Ontario have implemented exemptions from paying the 8% Ontario component of the HST on qualifying items.



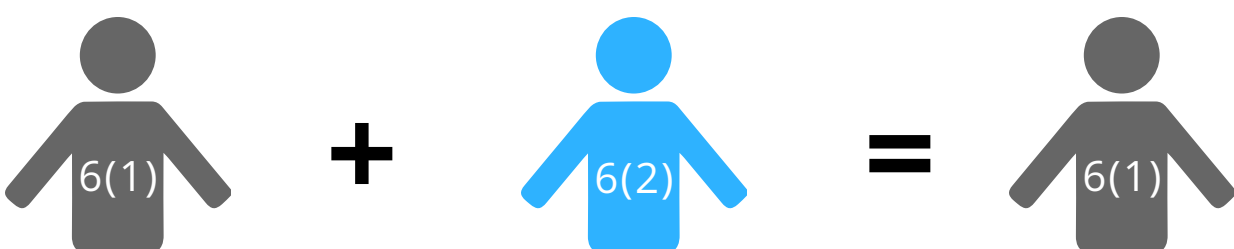
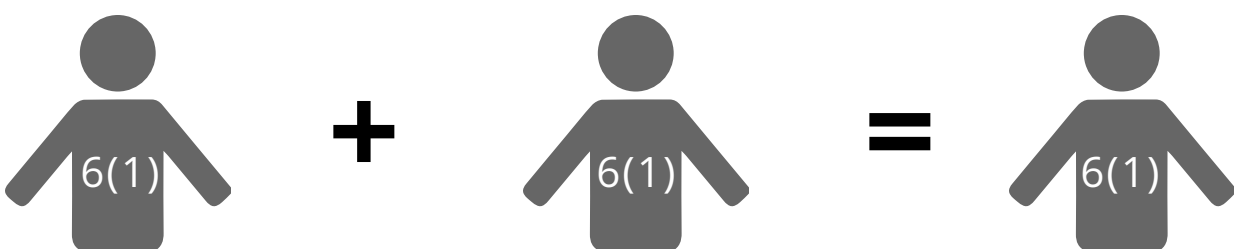
**MYTH:** Post-secondary education is free.

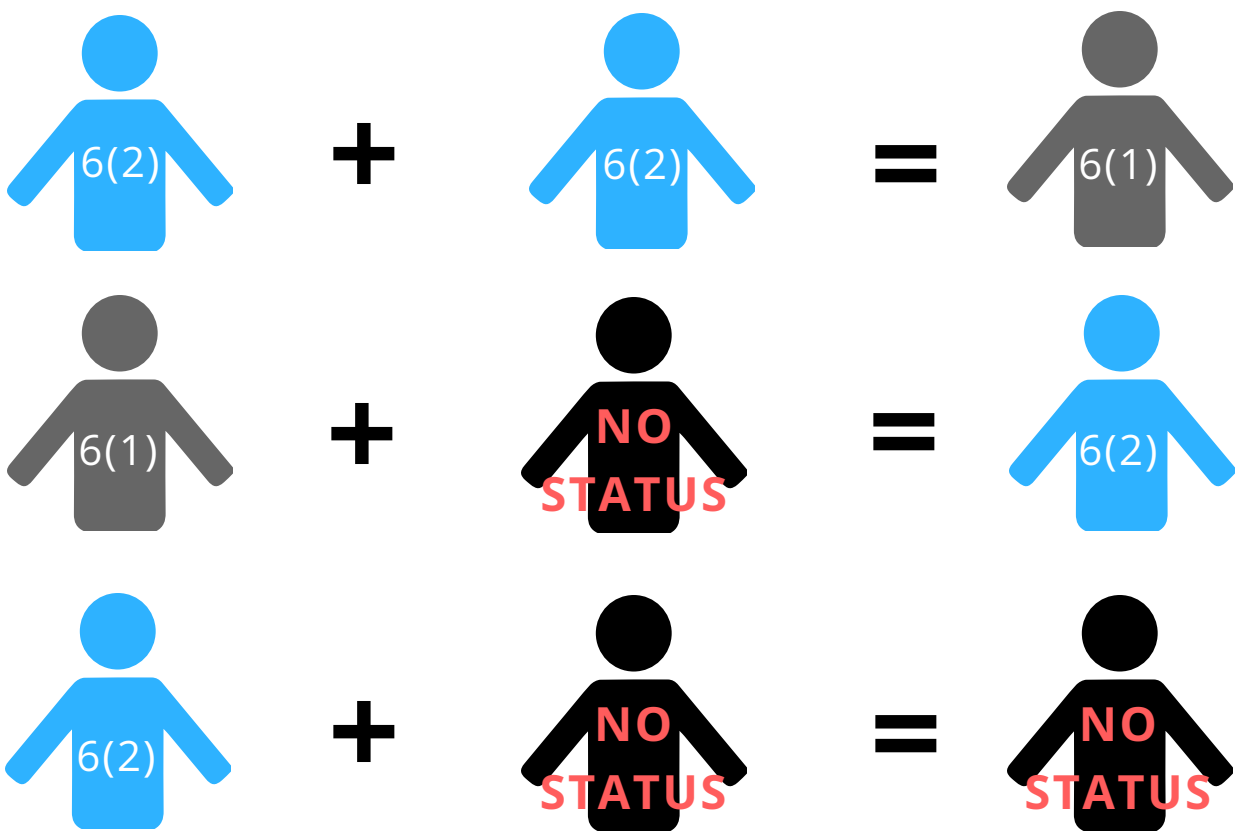
**TRUTH:** Bands get a certain amount of funding each year for post-secondary education and it isn't enough for every aspiring student. Funding is allocated depending on a student's grades and students must re-apply every year.

## HOW DOES STATUS WORK?

The government continues to determine who does and does not qualify for "Indian" status.

Eligibility is based on descent in one's family. A person may be eligible for status if at least one parent **is, was** or **was entitled to be** registered as 6(1). A person is also eligible if two parents are registered as 6(2). These are references to subsections 6(1) and 6(2) of the *Indian Act*.





After two generations of "out parenting", a child loses status. This is commonly referred to as the **second generation cut-off**. As more status "Indians" have children with non-status persons, the number of status persons will gradually diminish.



## WHO IS ELIGIBLE?



At least one of your parents holds 6(1) status **OR** both of your parents hold status.



You were entitled to status prior to changes made to the *Indian Act* in 1985.



You lost status as a result of marriage to a non-status man.



Your maternal or paternal grandmother did not have status before her marriage and so you lost status upon turning 21 (*double mother rule*).



Your registration was successfully protested despite your father's non-status and because of your mother's status.



You lost status because you or your parents were enfranchised.



You are the child of anyone listed above.

## DENIED STATUS?

Within **3 years** of the Registrar having made its decision, you can appeal and an investigation will take place, as per section 14.2 of the *Indian Act*.