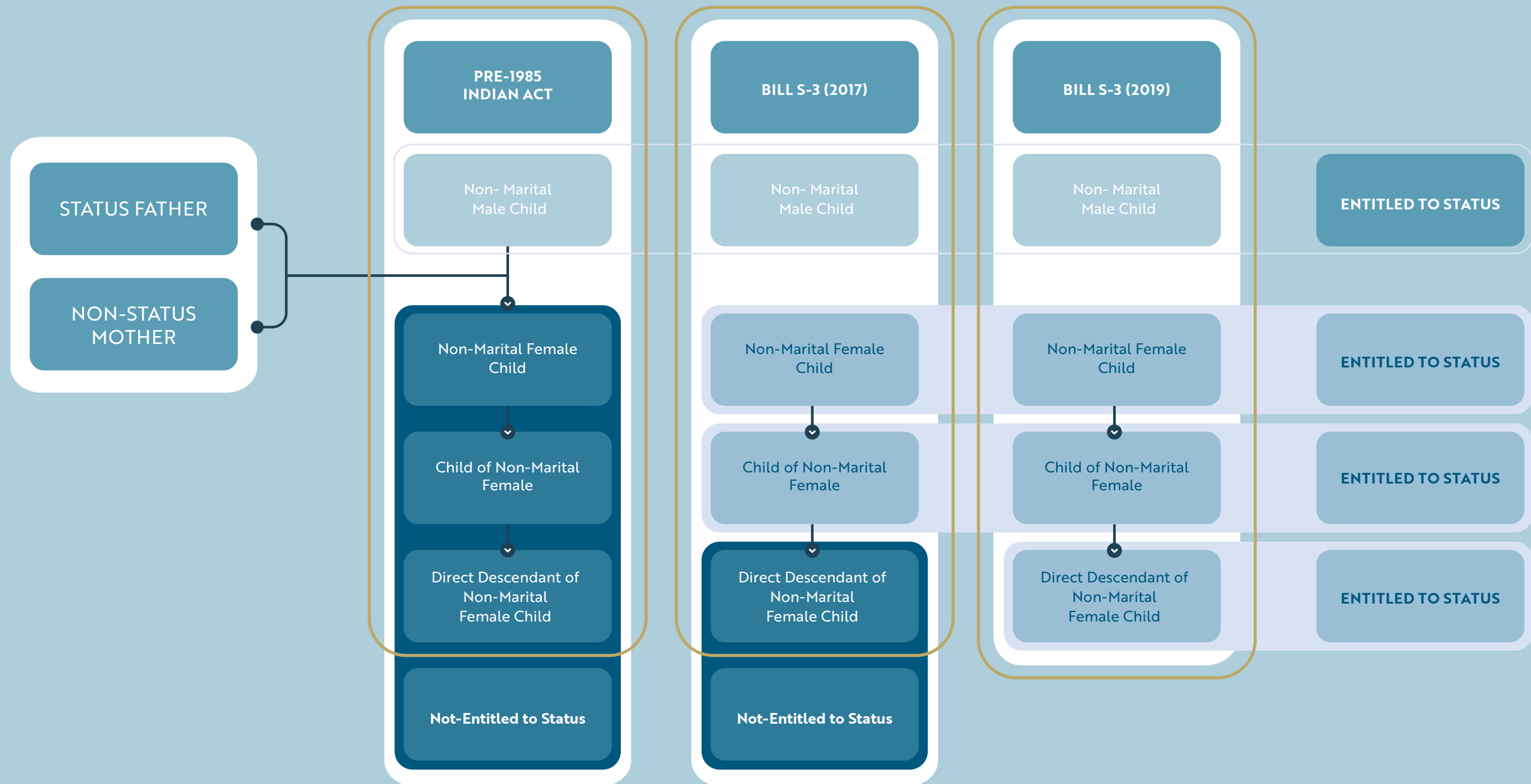


POST-BILL S-3 INFOGRAPHIC

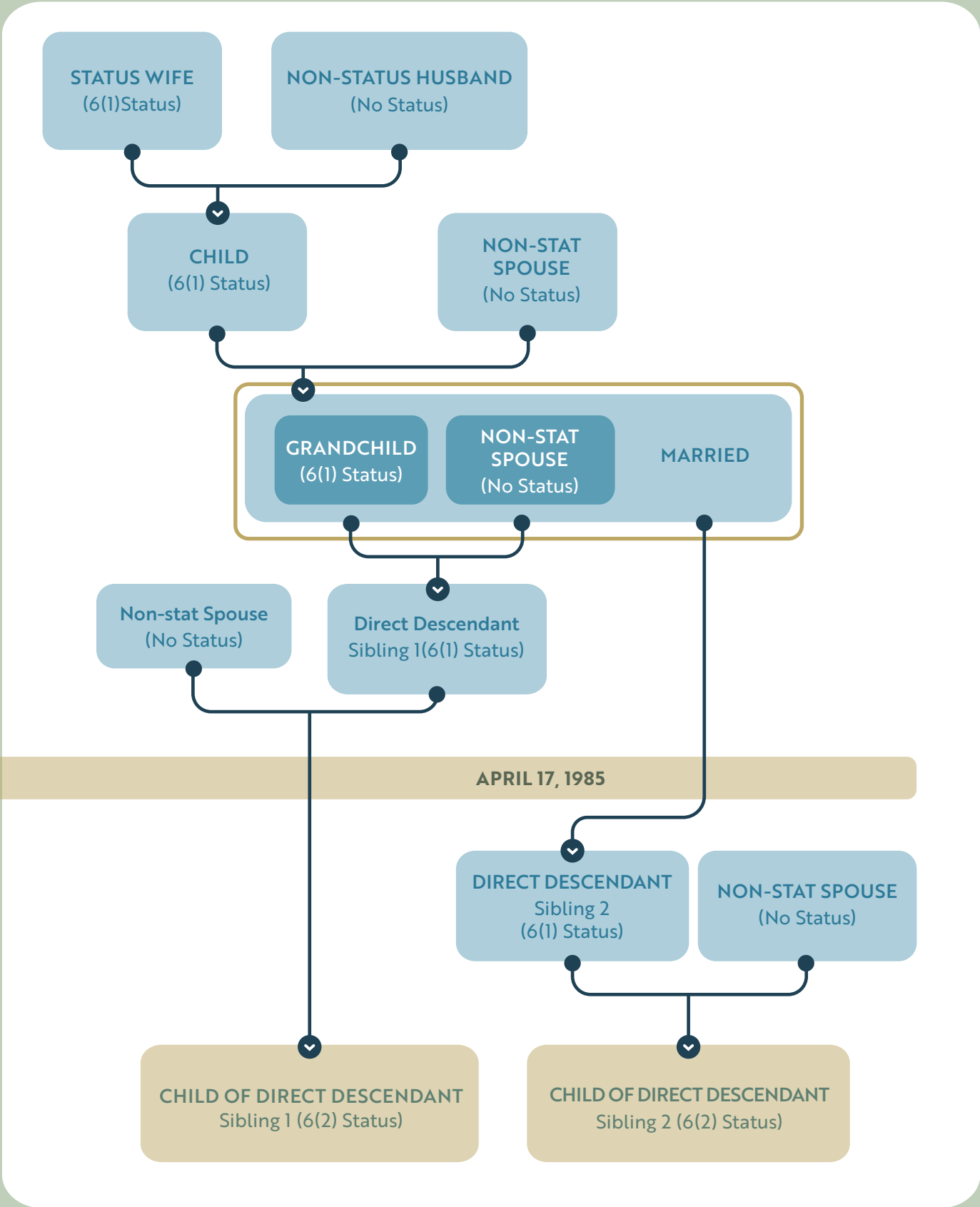
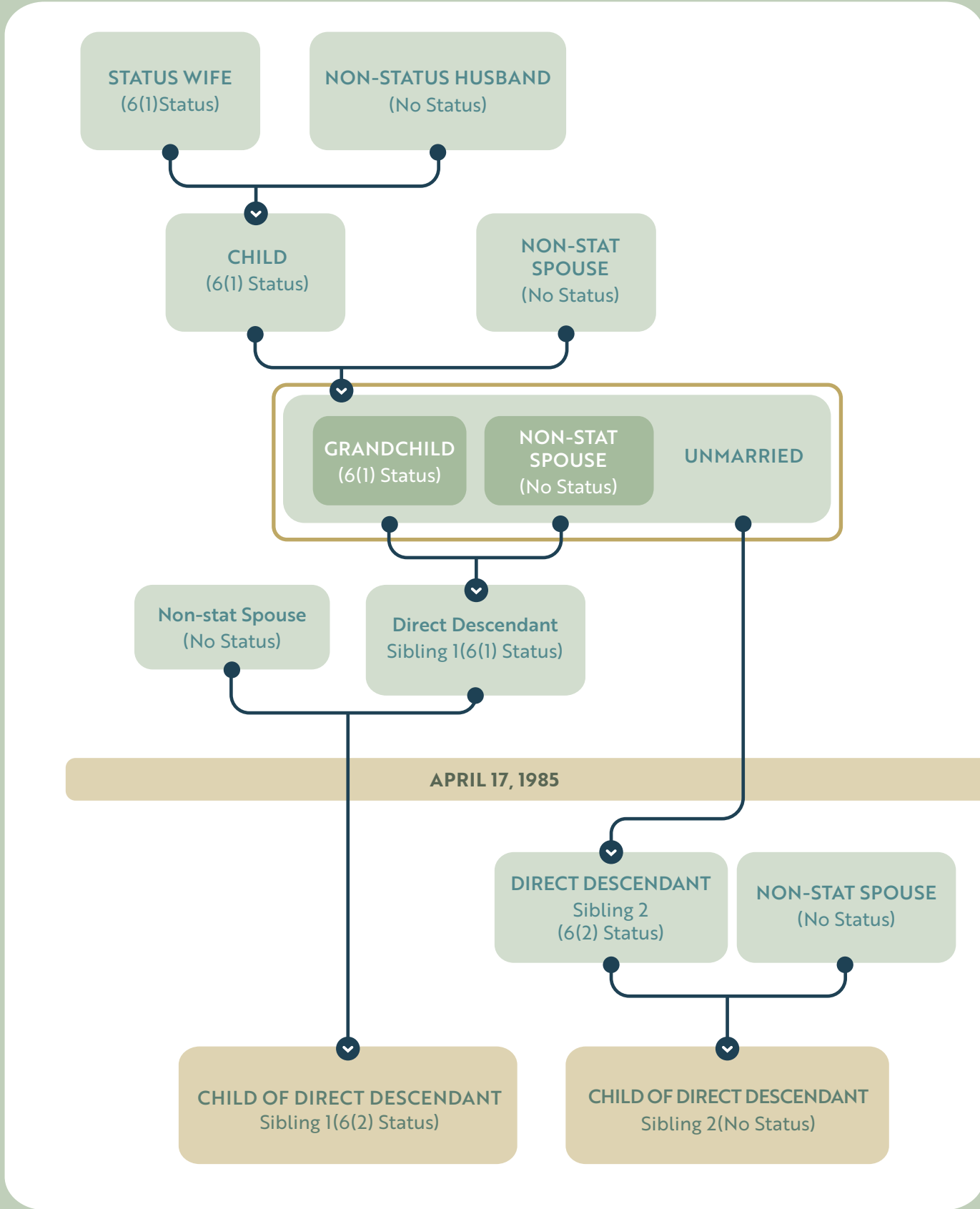
Changes to Entitlement to Register for Status under the Indian Act

NON-MARITAL FEMALE CHILDREN



NOTE: Under the pre-1985 *Indian Act*, a non-marital (“illegitimate”) male child of a male person entitled to status under the Act was entitled to status regardless of the status of the child’s mother. However, a non-marital female child of a male person entitled to status would not be entitled to status if the child’s mother was not entitled to status. Bill S-3 extended status entitlement to such non-marital female children and their children in 2017. In 2019, the final provisions of Bill S-3 came into force, extending status entitlement to the “direct descendants” of such non-marital female children, born before April 17, 1985, or born to parents married to each other at any time before that date.

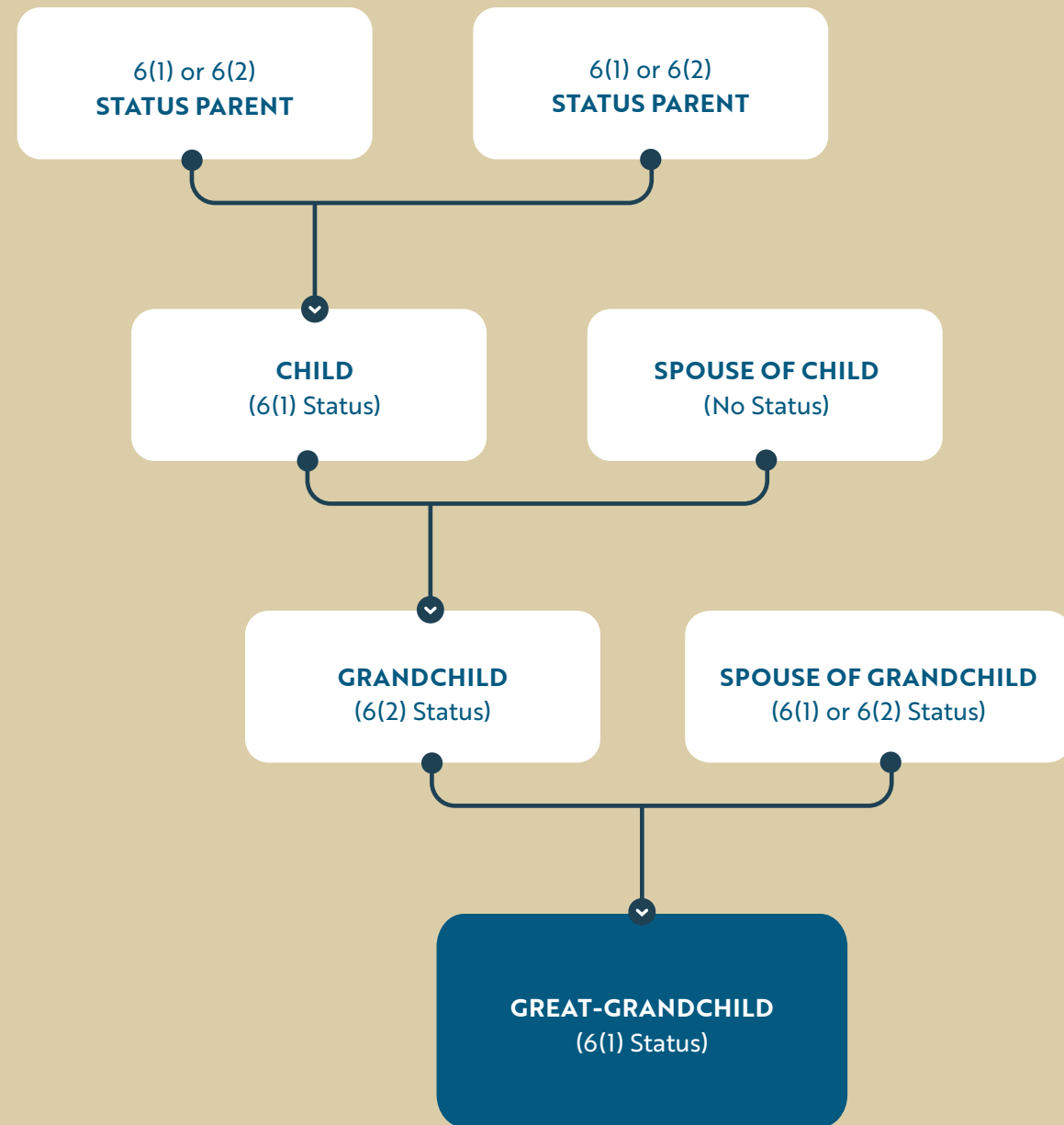
1985 CUT-OFF (AGE AND MARITAL STATUS)



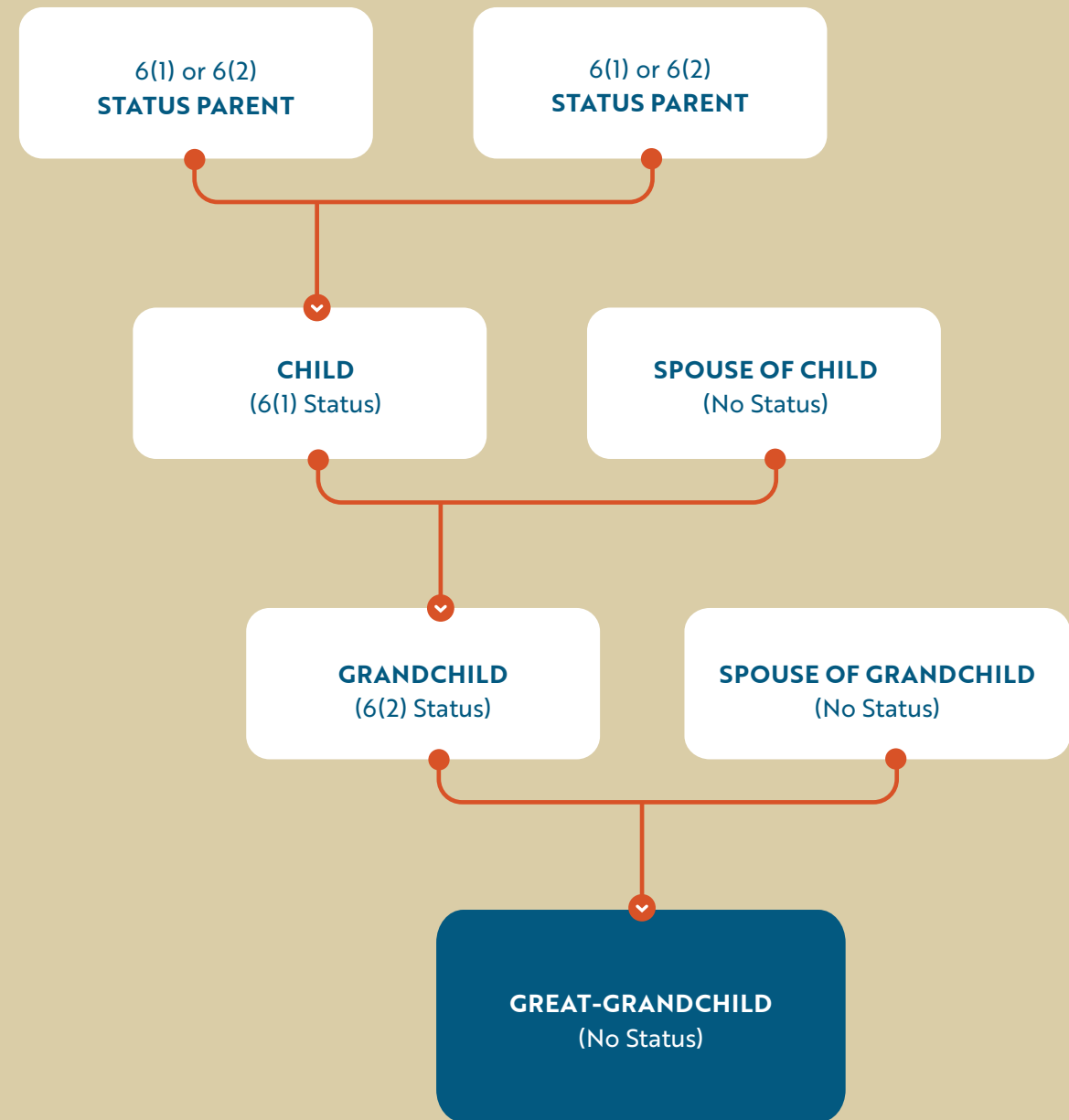
NOTE: Bill S-3 created age and marital status requirements that affect whether a person is entitled to register under the Indian Act. Under the Post-Bill S-3 registration provisions, two siblings born to the same unmarried parents can be treated differently on the basis of age if one sibling was born before the 1985 cut-off (becoming entitled to status under subsection 6(1)) and the other was born after the 1985 cut-off (becoming entitled to status under subsection 6(2)).

SECOND-GENERATION CUT-OFF

ONE GENERATION OF NON-STATUS PARENTAGE



TWO GENERATIONS OF NON-STATUS PARENTAGE



NOTE: Bill C-31 created the Second-Generation Cut-Off rule that is, on its face, gender-neutral. Under the Second-Generation Cut-Off rule, an individual who has only one status parent may not pass on entitlement to status to their children unless the other parent of their children is also entitled to status. Bill S-3 did not specifically address concerns about adverse discriminatory effects of the Second-Generation Cut-Off Rule; however, the legislated burden of proof of a reasonable inference for proving the status entitlement of an unknown or unstated parent may assuage the burden and risks related to these provisions.