



For enrolment on the Founding Members List:

**QALIPU MI'KMAQ FIRST NATION BAND**

**PARENT/GUARDIAN APPLICATION**

APPLICATION FOR: CHILDREN YOUNGER THAN 18  
MENTALLY INCOMPETENT ADULT WARDS

Date of Application: \_\_\_\_\_

**APPLICATION SUBMITTED AS:**

- Individual
  - OR
  - Part of a Family Package
- Name of MAIN APPLICANT: \_\_\_\_\_

**Part 1: CHILD/WARD'S PERSONAL INFORMATION**

**LEGAL NAMES OF CHILD/WARD (guidelines pages 11, 24-25)**

Last Name \_\_\_\_\_

Given Name(s) \_\_\_\_\_

**HOME ADDRESS OF CHILD/WARD**

Street Address \_\_\_\_\_ Unit/Apt. # \_\_\_\_\_

City/Town \_\_\_\_\_

Province \_\_\_\_\_ Postal Code \_\_\_\_\_

**PARENT/GUARDIAN INFORMATION**

Name \_\_\_\_\_

Mailing Address/P.O. Box \_\_\_\_\_ Unit/Apt. # \_\_\_\_\_

City/Town \_\_\_\_\_

Province \_\_\_\_\_ Postal Code \_\_\_\_\_

Phone # (daytime) \_\_\_\_\_

The applicant is my:

- Ward  Copy of guardianship Court Order attached
- Child  Child is subject to Court Order granting me custody
- Copy of custody Court Order attached

**CHILD/WARD'S CURRENT REGISTRATION STATUS (guidelines page 3)**

- My child/ward's name is NOT on the Indian Register of Canada

**LEGAL NAMES OF CHILD/WARD (guidelines pages 11, 24-25)**

Family Name at birth \_\_\_\_\_

(if different from Last Name, at left)

Given Name(s) at birth \_\_\_\_\_

(if different from Given Name(s), at left)

Reason for change of name(s)

- Marriage  Copy of marriage certificate attached
- Adoption  Copy of adoption papers attached (see below)
- Legal Name change  Copy of Court Order attached

**CHILD/WARD'S DATE OF BIRTH (guidelines pages 4, 8, 11)**

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
(month) (day) (year)

Gender:  Male  
 Female

- Copy of long-form birth certificate attached

**CHILD/WARD'S ADOPTION STATUS (guidelines pages 11-12)**

- Adopted through a Court Order
  - Copy of Court Order attached
- Adopted through Mi'kmaq tradition. Attached are:
  - Resolution from a local Mi'kmaq organization (specify): \_\_\_\_\_
  - Affidavits from: \_\_\_\_\_

(Use additional space if required.)

**APPLICANT SUMMARY – FOR OFFICE USE ONLY**

**TO BE COMPLETED BY ENROLMENT CLERK:**

Applicant Name: \_\_\_\_\_

Ancestor(s) that demonstrates Applicant's Aboriginal ancestry (Part 3):

Ancestor's relationship to Applicant:

\_\_\_\_\_

Ancestor(s) that connects Applicant to a pre-Confederation Newfoundland Mi'kmaq community (Part 4):

Ancestor's relationship to Applicant:

\_\_\_\_\_

Mi'kmaq Membership: Current (Part 5), Community :

Mi'kmaq Membership: Pre-Confederation (Part 4), Community:

\_\_\_\_\_

- Release signed
- Statement signed

**TO BE COMPLETED BY ENROLMENT COMMITTEE:**

Date reviewed: \_\_\_\_\_

- Approved

Signed: \_\_\_\_\_

- Denied Reason: \_\_\_\_\_

## Part 2: STATEMENTS / PRIVACY AND APPLICANT

### PRIVACY STATEMENT (guidelines pages 2, 6, 26-27)

The information you provide in this document is collected under the authority of the Agreement for the Recognition of the Qalipu Mi'kmaq First Nation Band and the *Indian Act*, 1985 R.S.C. I-5, for the purpose of the identification of the Founding Members of the Qalipu Mi'kmaq First Nation Band and their registration on the Indian Register. Information on individuals is used by the Members and Clerks of the Enrolment Committee and by the employees of the Office of the Registrar of Indian and Northern Affairs Canada who need to know the information in order to respond to your request and/or program requirements. The personal information will be transferred by the Enrolment Committee to the Office of the Registrar of Indian and Northern Affairs Canada and will be kept by that office for an indefinite period of time. Individuals have the right to the protection of and access to their personal information under the *Privacy Act*, R.S.C. 1985, c. P-21. The information collected is described under the Personal Information Bank INA PPU 110 which is detailed at [www.infosource.gc.ca](http://www.infosource.gc.ca). By signing the Parent/Guardian Statement below, you hereby consent to the collection, retention and use of the personal information provided about your child/ward that is herein in accordance with the above.

### PARENT/GUARDIAN STATEMENT (guidelines pages 2, 6, 26-27)

- I have the legal authority as a parent/guardian to act on behalf of (*name of child/ward*): \_\_\_\_\_
- The authority is based on a Court Order that I have included with Part 1 of this application
- I have read the Privacy Statement above on behalf of my child/ward

\_\_\_\_\_ is a member of the Mi'kmaq Group of Indians of Newfoundland and hereby requests to be included in the Founding Members List of the Qalipu Mi'kmaq First Nation Band and, following the recognition of the Qalipu Mi'kmaq First Nation Band as a band under the *Indian Act*, to be registered as an Indian in the Indian Register and that his/her name be entered on the Qalipu Mi'kmaq First Nation Band List. I hereby confirm that the information I have provided in and with this application is true and correct to the best of my knowledge and belief. I consent, on behalf of my child/ward, to the collection, retention and use of the personal information provided herein as set out in the Privacy Statement.

Signature of Parent/Guardian \_\_\_\_\_ Date \_\_\_\_\_

## Part 3: ABORIGINAL ANCESTRY

(guidelines pages 3, 5, 8-10, 13-16, 28-29)

You need to complete the Ancestry Chart only as far back as your child/ward's proven Aboriginal ancestor (Part 3).

### *If this application is:*

- ⇒ *Part of a Family Package, follow the instructions on the next page at 3.1, then complete the information at 3.1 below.*
- ⇒ *Submitted as an Individual Applicant or as the Main Applicant in a Family Package, follow the instructions on the next page at 3.2 then complete the information at 3.2 below.*

### 3.1 FAMILY PACKAGES: FAMILY MEMBERS ONLY (MAIN APPLICANTS GO TO SECTION 3.2 BELOW)

- Application submitted as part of a Family Package. See Ancestry Chart and support documents in the submission of the Main Applicant:

\_\_\_\_\_  
Name of Main Applicant

\_\_\_\_\_  
Applicant's relationship to Main Applicant

### 3.2 INDIVIDUAL APPLICANTS AND FAMILY PACKAGE MAIN APPLICANTS

Ancestor(s) that demonstrates my child/ward's Aboriginal ancestry: Ancestor's relationship to my child/ward:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Part 3: ABORIGINAL ANCESTRY (con't)

### 3.1 FAMILY MEMBER APPLICANTS (guidelines page 5, 28-29)

- Complete the Ancestry Chart at right to indicate how your child/ward is related to the Main Applicant. Put his or her name in the box labeled "Applicant," then provide the names of all relatives that link your child/ward to the Main Applicant. In the case of siblings or cousins, you will need to illustrate her or his relationship to the Main Applicant by indicating the ancestor you have in common (eg. parent, grandparent).
- In the spaces provided, indicate the types of support documents you are including to demonstrate your child/ward's relationship(s) to the person(s) that link him or her to the Main Applicant [or shared ancestor]. Add more paper if needed.
- In the spaces provided on the previous page, state the name of the Main Applicant in the Family Package and your child/ward's relationship to that person.

### 3.2 INDIVIDUAL APPLICANTS AND FAMILY PACKAGE MAIN APPLICANTS (guidelines pages 8-10, 13-16, 28-29)

- Complete the Ancestry Chart at right to demonstrate your child/ward's connection to an ancestor who is proven to be Aboriginal. You may complete additional charts if you wish to demonstrate her or his connection to more than one Aboriginal ancestor. (Download additional charts at [www.qalipu.com](http://www.qalipu.com), or draw your own on a separate sheet of paper.)
- Fill in the names of all direct ancestors linking your child/ward to his/her proven Aboriginal ancestor.
- In the spaces provided on the Chart, indicate the types of support documents included for each ancestor. Use more paper if needed.
- In the spaces provided on the previous page, state which ancestor is named on the Ancestry Chart to demonstrate your child/ward's Aboriginal ancestry, and that person's relationship to your child/ward.

#### Examples of documents that you could include to demonstrate that your child/ward's ancestor was Aboriginal (see guidelines page 16):

Extract from census records  
 Extract from historical textbook(s)  
 Extract from historical paper(s)  
 Church records  
 School records  
 Personal journal  
 Affidavit confirming your child/ward's ancestor was Aboriginal









#### Examples of documents that link your child/ward to his/her ancestor(s) (see guidelines pages 8-9):

Vital Statistic records  
 Court documents  
 Church records  
 Family records  
 Mi'kmaq membership records  
 Historical texts  
 Historical records  
 Affidavits  
 Oral history evidence  
 DNA evidence

#### Examples of documents that demonstrate your child/ward's ancestor's membership in a pre-Confederation Newfoundland Mi'kmaq community are listed in Part 4B.

## ANCESTRY CHART

For Parts 3 and 4B (guidelines pages 28-29, 32-33)

GREAT-GREAT-GREAT-GREAT-GRANDPARENT	Name:
	 Support Documents:
GREAT-GREAT-GREAT-GRANDPARENT	Name:
	 Support Documents:
GREAT-GREAT-GREAT-GRANDPARENT	Name:
	 Support Documents:
GREAT-GREAT-GRANDPARENT	Name:
	 Support Documents:
GREAT-GRANDPARENT	Name:
	 Support Documents:
GRANDPARENT	Name:
	 Support Documents:
PARENT	Name:
	 Support Documents:
<b>APPLICANT</b>	
Name:	
<input type="checkbox"/>  Long-form birth certificate attached	

## Part 4: MI'KMAQ MEMBERSHIP / PRE-CONFEDERATION

(guidelines pages 3, 14-15, 17-19, 30-31, 32-33)

⇒ *Fill out Part 4A below if your ward was:*

*Born on or before March 31, 1949, AND has a personal connection to a pre-Confederation Newfoundland Mi'kmaq community AND you are able to provide evidence in support.*

⇒ *Fill out Part 4B on the next page if your child/ward was:*

*EITHER*

*Born on or before March 31, 1949, BUT you cannot provide evidence of his/her personal connection to a pre-Confederation Newfoundland Mi'kmaq community.*

*OR*

*Born after March 31, 1949.*

## Part 4A: MI'KMAQ MEMBERSHIP / PRE-CONFEDERATION (personal)

My ward has a personal connection to the pre-Confederation Newfoundland Mi'kmaq community written below:

\_\_\_\_\_

- This community is listed on page 17 of the guidelines.
- This community is not listed on page 17 of the guidelines, but I have enclosed evidence to support my claim that it is a pre-Confederation Newfoundland Mi'kmaq community.


**Support your personal connection:**

⇒ *If your ward lived in or around this community, complete 4.1 below.*

⇒ *If your ward did not live in or around this community BUT maintained a substantial connection to it or its residents AND maintained a Mi'kmaq way of life, complete 4.2 below.*

### 4.1 RESIDENT

- Prior to March 31, 1949, my ward lived in or around this community.


 Documents demonstrating his/her residency are:

*(Check all that apply.)*

- Birth certificate
- Extract from pre-Confederation census records
- Extract from historical textbook(s)
- Extract from historical record(s)
- Deed or other land ownership papers
- Church records confirming your place of birth and baptism
- Household papers (*specify*): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Affidavit from: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Other: \_\_\_\_\_

### 4.2 NON-RESIDENT

- Prior to March 31, 1949, my ward had substantial connection to this community, even though he/she did not live in or around it.

 Documents demonstrating my ward's connection and his/her Mi'kmaq way of life are:

*(Check all that apply.)*

- Extract from historical textbook(s)
- Extract from historical record(s)
- Family documents (correspondence, photos):  
\_\_\_\_\_
- Church records
- Document(s) from Aboriginal organization(s):  
\_\_\_\_\_  
\_\_\_\_\_
- Affidavits from: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- Other: \_\_\_\_\_

## Part 4B: MI'KMAQ MEMBERSHIP / PRE-CONFEDERATION (ancestral)

(guidelines pages 3, 14-15, 17-19, 30, 32-33)

My child/ward has an ancestral connection to the pre-Confederation Newfoundland Mi'kmaq community written below:

\_\_\_\_\_

- This community is listed on page 17 of the guidelines.
- This community is not listed on page 17 of the guidelines, but I have enclosed evidence to support my claim that it is a pre-Confederation Newfoundland Mi'kmaq community.
- I have identified this ancestor on my child/ward's Ancestry Chart as the ancestor that connects him/her to a pre-Confederation Newfoundland Mi'kmaq community:

\_\_\_\_\_

\_\_\_\_\_


\_\_\_\_\_

### Support your your child/ward's ancestral connection:

- ⇒ *If your child/ward's ancestor lived in or around this community, complete 4.3 below.*
- ⇒ *If your child/ward's ancestor did not live in or around this community BUT maintained a substantial connection to it or its residents AND maintained a Mi'kmaq way of life, complete 4.4 below.*

#### 4.3 RESIDENT ANCESTOR


- My child/ward's ancestor lived in or around this community.

 Documents supporting his/her ancestor's residency are:  
(Check all that apply.)

- Birth certificate
- Extract from pre-Confederation census records
- Extract from historical textbook(s)
- Extract from historical record(s)
- Deed or other land ownership papers
- Church records confirming ancestor's place of birth and baptism
- Household papers (specify): \_\_\_\_\_
- Affidavit from: \_\_\_\_\_
- Other: \_\_\_\_\_

#### 4.4 NON-RESIDENT ANCESTOR

- My child/ward's ancestor had substantial connection to this community, even though she/he did not live in or around it. She/he also maintained a Mi'kmaq way of life.

 Documents demonstrating my child/ward's ancestor's connection to the community and that she/he maintained a Mi'kmaq way of life are:

- (Check all that apply.)
- Extract from historical textbook(s)
  - Extract from historical record(s)
  - Family documents (correspondence, photos): \_\_\_\_\_
  - Church records
  - Document(s) from Aboriginal organization(s): \_\_\_\_\_
  - Affidavits from: \_\_\_\_\_
  - Other: \_\_\_\_\_

***\*If the ancestor that connects your child/ward to a pre-Confederation Newfoundland Mi'kmaq community is not on your child/ward's Ancestry Chart, please contact an Enrolment Clerk for assistance.***

## Part 5: MI'KMAQ MEMBERSHIP / CURRENT

(guidelines pages 3, 20-22, 34-35)

My child/ward has a connection to the Newfoundland Mi'kmaq community written below:

\_\_\_\_\_

- This community is listed on page 22 of the guidelines.
- This community is not listed on page 22 of the guidelines, but I have enclosed evidence to support my claim that it is a current Mi'kmaq community on the island of Newfoundland.

### Support your child/ward's current connection:

⇒ If your child/ward lives in or around this community, complete 5.1 below.

⇒ If your child/ward's does not live in or around this community BUT maintains a substantial connection to it or its residents AND maintains a Mi'kmaq way of life, complete 5.2 below.

#### 5.1 RESIDENT

- My child/ward lives in or around this community.
  - My child/ward lives with me
  - My child/ward lives with:  
\_\_\_\_\_

Support documents showing my child/ward's residency are:

#### EITHER

(Check one.)

- Notice of assessment for Income Tax
- Notice of assessment for Municipal tax
- Real property lease or rental agreement
- Affidavit from: \_\_\_\_\_

OR

(Check two.)

- Property tax bill
- Telephone bill
- Cable bill
- Hydro bill
- Oil bill
- Newfoundland Driver's Licence
- Other Provincial Licence (specify): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### 5.2 NON-RESIDENT

- My child/ward has substantial connection to this community even though she/he does not live in or around it. She/he also maintains a Mi'kmaq way of life.

His/her support documents are:

#### Re: Connection to the community:

(At least two affidavits are required to support this section.  
Use additional space if required.)

- Affidavits from: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

AND

#### Re: Maintenance of a Mi'kmaq way of life:

(Check all that apply.)

- Extract from textbook(s)
- Extract from published material(s)
- Family documents (correspondence, photos):  
\_\_\_\_\_  
\_\_\_\_\_
- Church records
- Document establishing membership in a Newfoundland Mi'kmaq organization:  
\_\_\_\_\_
- Document establishing membership in an Aboriginal organization: \_\_\_\_\_  
\_\_\_\_\_
- Affidavit(s) from: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Part 6: FULL AND FINAL RELEASE

(guidelines pages 2, 36)

### **In this Release:**

“Action” means the action launched against Her Majesty the Queen in Right of Canada by the Federation of Newfoundland Indians and leaders of groups affiliated to the Federation, on behalf of their members, bearing the court file number T-129-89 in the Trial Division of the Federal Court of Canada.

“Releasees” means Her Majesty the Queen in Right of Canada and any of her officials, servants, employees, agents, successors and assigns.

“Releasor” means the applicant.

This Release shall be binding on the executors, administrators, legal representatives, heirs, successors and assigns of the Releasor.

In this Release initially capitalized terms not defined in this Release have the meanings set out in the Agreement entered into by the Federation of Newfoundland Indians and Canada on June 23, 2008, with respect to the establishment of the Qalipu Mi’kmaq First Nation Band, including its Annexes. Words importing the singular number include the plural and vice versa, words importing any gender include all genders and words importing persons include individuals, partnerships, associations, trusts, unincorporated organizations, corporations and governmental authorities. The term “including” means “including without limiting the generality of the foregoing”.

THIS RELEASE WITNESSES that in consideration of the right of the Releasor to be enrolled as a Founding Member in the Qalipu Mi’kmaq First Nation Band, to be registered as an Indian on the Indian Register and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged:

### **1. Direct Release**

- a) The Releasor fully and forever releases, acquits and discharges each of the Releasees from any and all actions, causes of action, liabilities, claims and demands, whatsoever of every nature or kind for damages, contribution, indemnity, costs, expenses and interest which the Releasor ever had, now has or may hereafter have in any way relating to or arising from the failure by any of the Releasees to, at any time prior to the addition of the Releasor’s name to the schedule of the Order-in-Council establishing the Qalipu Mi’kmaq First Nation band, recognize the Releasor and his ancestors as Indians and/or provide him or them with benefits comparable to those available to Indians under federal legislation, federal programs or as a result of any federal financial contribution to provincial programs designed to benefit Indians, whether such claims were made or could have been made in any proceeding including the Action.
- b) The Releasor agrees that the said consideration is in full and final settlement and satisfaction of any and all such claims now and in the future.

### **2. Cessation of Litigation**

- a) The Releasor hereby consents to the dismissal without costs of any claim or proceeding of any kind, including the Action, made directly or indirectly against any Releasee that in any way relates to or arises from the failure by any of the Releasees to, at any time prior to the addition of the Releasor’s name to the schedule of the Order-in-Council establishing the Qalipu Mi’kmaq First Nation band, recognize the Releasor and his ancestors as Indians and/or provide him or them with benefits comparable to those available to Indians under federal legislation, federal programs or as a result of any federal financial contribution to provincial programs designed to benefit Indians.

The Releasor undertakes not to now or at any time hereafter:

- i. commence in;
- ii. assist in;
- iii. acquiesce in;
- iv. take any benefit from;

*release continued next page...*

## Part 6: FULL AND FINAL RELEASE (con't)

- v. opt-in; or
- vi. unless with the concerned Releasee's consent, permit the Releasor's name to be used in

any claim or proceeding of any kind, including any class action, directly or indirectly against any Releasee or any other person in any way relating to or arising from the failure by any of the Releasees to, at any time prior to the addition of the Releasor's name to the schedule of the Order-in-Council establishing the Qalipu Mi'kmaq First Nation band, recognize the Releasor and his ancestors as Indians and/or provide him or them with benefits comparable to those available to Indians under federal legislation, federal programs or as a result of any federal financial contribution to provincial programs designed to benefit Indians.

Without limiting the generality of the above, the Releasor undertakes to opt-out from any class action in any way relating to or arising from the failure by any of the Releasees to, at any time prior to the addition of the Releasor's name to the schedule of the Order-in-Council establishing the Qalipu Mi'kmaq First Nation band, recognize the Releasor and his ancestors as Indians and/or provide him or them with benefits comparable to those available to Indians under federal legislation, federal programs or as a result of any federal financial contribution to provincial programs designed to benefit Indians and any benefit that may accrue to the Releasor as a result of such class action is hereby assigned to Canada.

### 3. Complete Bar

The Releasor agrees that this Release is a complete defence to any claim or proceeding of any kind brought by the Releasor directly or indirectly against any Releasee in any way relating to or arising from the failure by any of the Releasees to, at any time prior to the addition of the Releasor's name to the schedule of the Order-in-Council establishing the Qalipu Mi'kmaq First Nation band, recognize the Releasor and his ancestors as Indians and/or provide him or them with benefits comparable to those available to Indians under federal legislation, federal programs or as a result of any federal financial contribution to provincial programs designed to benefit Indians, whether such claims were made or could have been made in any proceeding including the Action.

THE PARENT/GUARDIAN ON BEHALF OF THE RELEASOR HEREBY ACKNOWLEDGES that this Release is made with a denial of liability by the Releasees and nothing in it nor any action of any Releasee will be construed as an admission of liability by any Releasee.

THE PARENT/GUARDIAN ON BEHALF OF THE RELEASOR HEREBY DECLARES that the parent/guardian on behalf of the Releasor has had the opportunity to seek independent legal advice with respect to the terms and effect of this Release and the undersigned fully understands and accepts each and every term and condition of this Release and that this Release is given voluntarily for the purpose of making a full and final compromise and settlement of all claims and other matters in any way relating to or arising from the failure by any of the Releasees to, at any time prior to the addition of the Releasor's name to the schedule of the Order-in-Council establishing the Qalipu Mi'kmaq First Nation band, recognize the Releasor and his ancestors as Indians and/or provide him or them with benefits available to Indians under federal legislation, federal programs or as a result of any federal financial contribution to provincial programs designed to benefit Indians, whether such claims were made or could have been made in any proceeding including the Action.

THIS RELEASE will be governed by and construed in accordance with the laws of the Province of Newfoundland and Labrador and the laws of Canada applicable therein.

IN WITNESS WHEREOF the undersigned has executed this Release.

DATED \_\_\_\_\_ 20\_\_

SIGNED in the presence of:

\_\_\_\_\_  
Signature of Parent/Guardian on behalf of the Releasor

\_\_\_\_\_  
Witness