
Frequently Asked Questions

Date: December 31, 2013

Qalipu Mi'kmaq First Nation Band Enrolment Process – Sworn Declarations and Affidavits

Q.1. Why are Sworn Declarations and Affidavits required?

A.1. Applicants who, on September 22, 2011, were not residing in one of the locations of the Mi'kmaq Group of Indians of Newfoundland must provide additional documentation to show that on a regular basis over a reasonably extended period of time, they made frequent visits to and/or communications with residents of one of the locations of the Mi'kmaq Group of Indians of Newfoundland and participated in the group's ceremonial, religious, traditional or cultural activities prior to September 22, 2011. Please note that Sworn Declarations and Affidavits are not the same thing.

Applicants who provide additional information must also provide:

- A Sworn Declaration from the applicant who is providing additional documentation; and
- Affidavits from at least two people other than the applicant who were resident in one of the locations of the Mi'kmaq Group of Indians of Newfoundland.

Q.2. What is a Sworn Declaration?

A.2. A Sworn Declaration is a written statement sworn by the applicant to be true before a person who is authorized to take oaths in the jurisdiction in which the written statement is presented to be sworn. The form for the Sworn Declaration is available at www.aandc.gc.ca/qalipu.

Q.3. Who must provide a Sworn Declaration?

A.3. A Sworn Declaration must be provided by each applicant who provides documents to show that he/she has made frequent visits and/or communications with resident members of the Mi'kmaq Group of Indians on the island of Newfoundland and participated in the group's ceremonial, religious, traditional or cultural activities prior to September 22, 2011.



Please note that for applicants under the age of 18 at time of application or who were under the age of 18 on September 22, 2011, but applied after that date, they do not have to provide a Sworn Declaration if (i) they are not providing their own documentation demonstrating that they had participated in the group's ceremonial, religious, traditional or cultural activities prior to September 22, 2011 and (ii) at least one of their parents has provided a Sworn Declaration with documentation that he/she has provided in support of his/her own application. They must however, provide a Sworn Declaration if neither of their parents has submitted an application. If neither parent has made an application, then those applicants may provide documentation, accompanied by a Sworn Declaration, showing that one or both of their parents made frequent visits and/or communications with resident members of the Mi'kmaq Group of Indians on the island of Newfoundland and participated in the group's ceremonial, religious, traditional or cultural activities prior to September 22, 2011. If the applicant is 18 or older, the applicant must provide the Sworn Declaration. If the applicant is under 18, the Sworn Declaration should be signed by his/her parent or Legal Guardian (where proof of a Court Order appointing the Legal Guardian is provided).

Q.4. Why is a Sworn Declaration being requested?

A.4. Each applicant must provide a Sworn Declaration to confirm the authenticity of the documentation that the applicant is providing in support of his/her application and to explain how the documentation relates to his/her participation in the ceremonial, religious, traditional, or cultural activities of the Mi'kmaq Group of Indians of Newfoundland (see section 12 of the June 2013 Directive).

Q.5. Where can a Sworn Declaration be sworn?

A.5. It can be sworn in or outside the jurisdiction in which the applicant lives before a Commissioner of Oaths, Notary Public, or other officer authorized to take oaths in that jurisdiction.

Q.6. Why are Affidavits being requested?

A.6. Only Applicants who did not reside in one of the locations of the Mi'kmaq Group of Indians on the island of Newfoundland on September 22, 2011, are being requested to provide Affidavits. The reason is to give the Enrolment Committee the opportunity to consider detailed evidence from people other than the applicant as to why the applicant made frequent visits and communications with members of the Mi'kmaq Group of Indians of Newfoundland and what religious, ceremonial, traditional, or cultural activities the applicant practiced in one of the locations of the Mi'kmaq Group of Indians of Newfoundland. The evidence in the Affidavits will help the Enrolment Committee assess whether an applicant had a current and substantial connection with the Mi'kmaq Group of Indians of Newfoundland on September 22, 2011, so as to be considered a Member of the

Group. This is one of the criteria that the applicant must meet to become a member of the Qalipu Mi'kmaq First Nation.

Q.7. Who can provide Affidavits?

A.7. Only residents of the Mi'kmaq Group of Indians of Newfoundland on the island of Newfoundland can provide Affidavits in support of an application made by an applicant who on September 22, 2011 was not residing in one of the locations of the Mi'kmaq Group of Indians of Newfoundland.

Q.8. Where can an Affidavit be sworn?

A.8. An Affidavit can be sworn before a Commissioner of Oaths, Notary Public, or other officer authorized to take oaths in the jurisdiction where the person giving the Affidavit lives. This does not mean that the person providing the Affidavit must have it sworn in the jurisdiction in which he/she lives. If, for whatever reason, it cannot be sworn in the jurisdiction in which the person lives, it can be sworn before a Commissioner of Oaths, Notary Public, or other officer authorized to take oaths in the jurisdiction in which the person presents it to be sworn.