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qwelstuxw
MEMBERSHIP CODE

Indian Status **before**,
in the **present** and
in the **future**





HOW DOES INDIAN STATUS AFFECT SNUNEYMUXW MEMBERSHIP?

Currently, Snuneymuxw Membership and Indian status are managed by Indigenous Services Canada (ISC). ISC grants status to people based on the Indian Act. ISC then assigns membership to a First Nation based on affiliation and lineage. The rules under the Indian Act applied to Snuneymuxw were not created with Snuneymuxw members in mind and do not reflect our beliefs, values and traditional laws.

INDIAN STATUS AND BLOOD QUANTUM

ISC does not use blood quantum for Indian status. The rules under the Indian Act before 1985 followed a one-parent, patrilineal rule - where males could pass on their Indian status indefinitely, but women could not. This makes it hard to know a person's blood quantum based only on their status. Under the Indian Status registration system, a person could have status but have low blood quantum and a person could not have status with significant blood quantum.



BEFORE 1985

Prior to **1985**, Indian Status was based on the male line. A man with status who married and parented with a non-status woman would pass his status to his children. However, a woman with status who married and parented with a non-status man could not pass on status to her children.

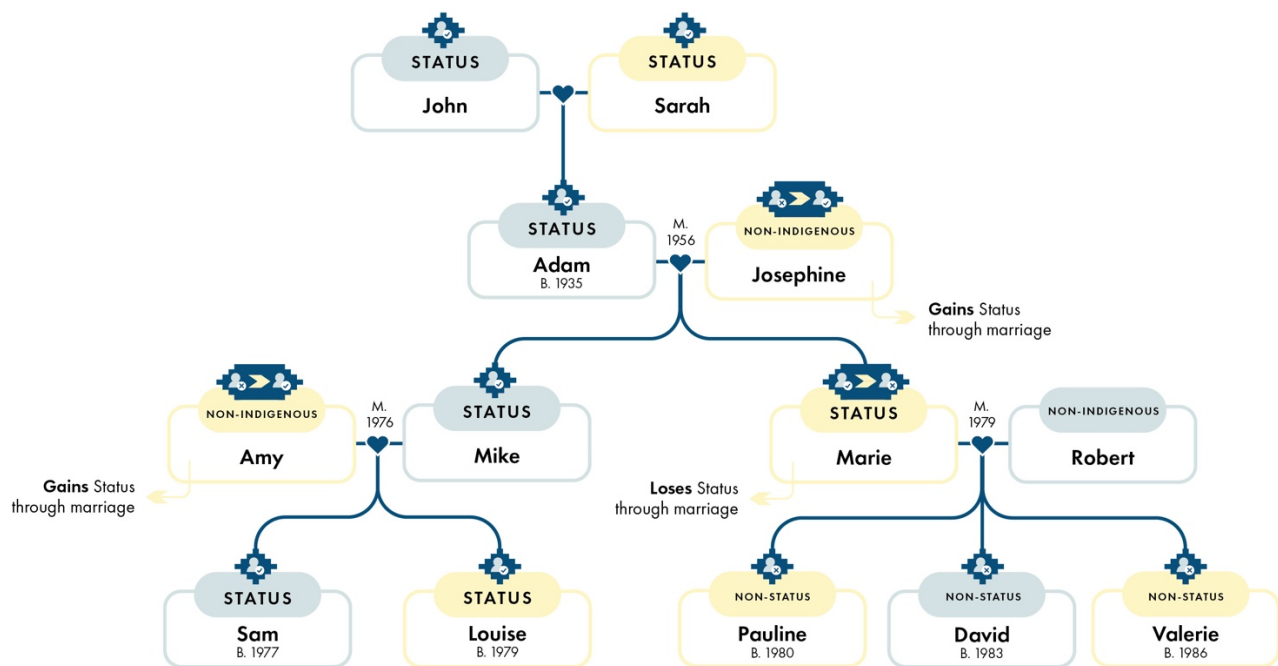
FOR EXAMPLE

John and Sarah both have status, and they have a son, Adam, in 1935.

Adam has status and marries Josephine, a non-Indigenous person, in 1956. Adam and Josephine have two children, Mike and Marie. Because Adam has status, Josephine gains status and both Mike and Marie have status.

In 1976, Mike marries Amy, a non-Indigenous woman, and Amy gains Indian status. Their children, Sam (1977) and Louise (1979), both have status.

In 1979, Marie marries Robert, a non-Indigenous man, and loses her status. Marie and Robert have three children, Pauline (1980), David (1983), and Valerie (1986). Pauline, David, and Valerie do not have status.



Also, before 1985, there were a number of ways a person could lose their status (become disenfranchised) under the *Indian Act*, including:

- a woman who married a non-status man
- enrolling in the military
- going to university or becoming a priest
- giving up status to own land or property off reserve (if the male chose to do this, his wife and children would all lose their status too)

FROM 1985–2011

In **1985**, sections 6(1) and 6(2) of the Indian Act were introduced. These two categories define a person's legal Indian status, giving both groups the exact same rights, benefits and access to services under the Indian Act, but differing in how that status can be passed down to children.

SITUATION	PARENT 1	PARENT 2	CHILD
Situation 1	6(1)	6(1)	6(1)
Situation 2	6(1)	6(2)	6(1)
Situation 3	6(2)	6(2)	6(1)
Situation 4	6(1)	Non-status/unknown	6(2)
Situation 5	6(2)	Non-status/unknown	Non-status

The 1985 amendments restored Indian status to enfranchised persons under 6(1) and to their children under 6(2). However, it maintained sex-based inequities in how male and female siblings could pass on their status.



Using the previous example, when the 1985 amendments were introduced, Mike would now be categorized under 6(1), and his son Sam would also be categorized under 6(1). Marie would gain her status back and would be categorized under 6(1). Her children would also gain status under 6(2).

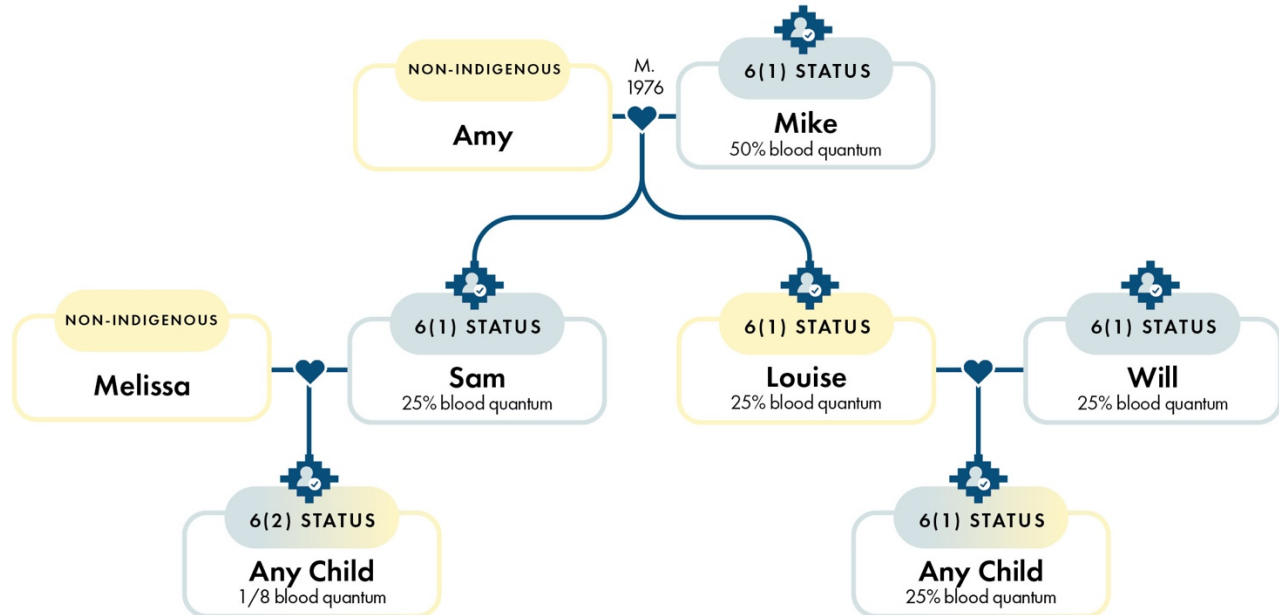
Both Mike and Marie have 50% blood quantum, and their children have 25% blood quantum, but because status followed the male line, Mike never lost status, and Marie did. With the introduction of 6(1) and 6(2), this changes how their status could be passed on to their descendants.

FOR EXAMPLE

Descendants of Mike & Amy

Sam marries Melissa, a Korean woman. Their children get status under 6(2). (with $\frac{1}{8}$ blood quantum).

Their daughter, Louise, marries Will (b. 1980). Will also has status, with an Indigenous father and a non-Indigenous mother. Will has status under 6(1). Louise and Will's children get status under 6(1) (with 25% blood quantum).

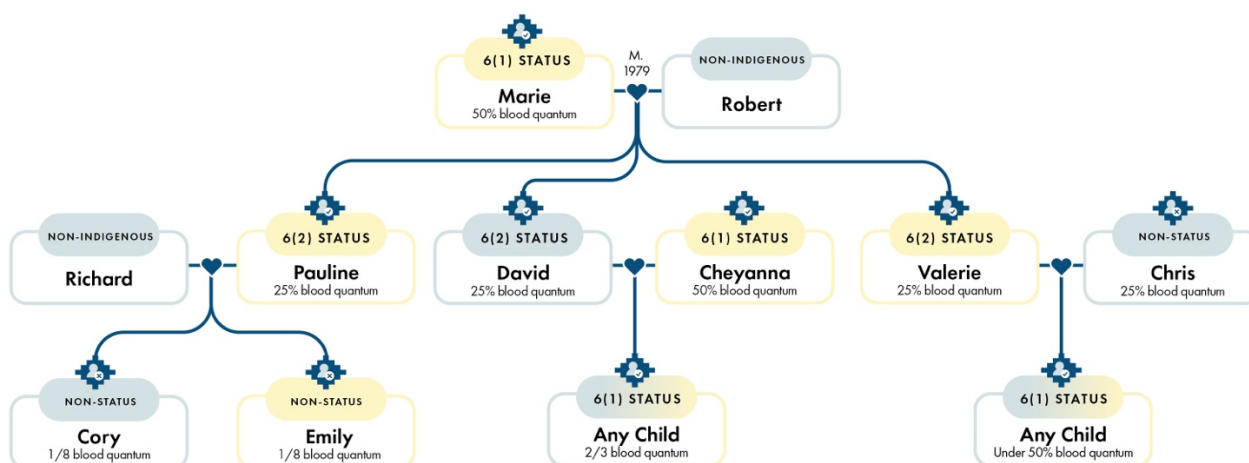


Descendants of Marie & Robert

Pauline marries Richard, a non-Indigenous man, and they have two children, Emily (2001) and Cory (2003). Emily and Cory do not get status (1/8th blood quantum).

David marries Cheyanna (b. 1983). Both of Cheyanna's parents are full status, so Cheyanna has 6(1) status. David and Cheyanna's children get status under 6(1) (with just under $\frac{2}{3}$ blood quantum).

Valerie has kids with Chris (b. 1980), who is Indigenous but does not have status. Chris's grandmother lost her Indian status when she married his grandfather. As a result, his mother was born without Indian status (50% blood quantum). In 1985, Chris's grandmother regained status under 6(1), and his mom under 6(2). Chris has heard that his dad was also Indigenous, but he is not named on his birth certificate. Valerie and Chris's children do get status (just under 50% blood quantum).



CURRENTLY

In **2011** and again in **2017**, the *Indian Act* was amended to try and make the descendants of women who lost their status by marrying out before 1985 equal to the descendants of males who did not lose their status. Using the family in the above example, here is how that was adapted.

FOR EXAMPLE

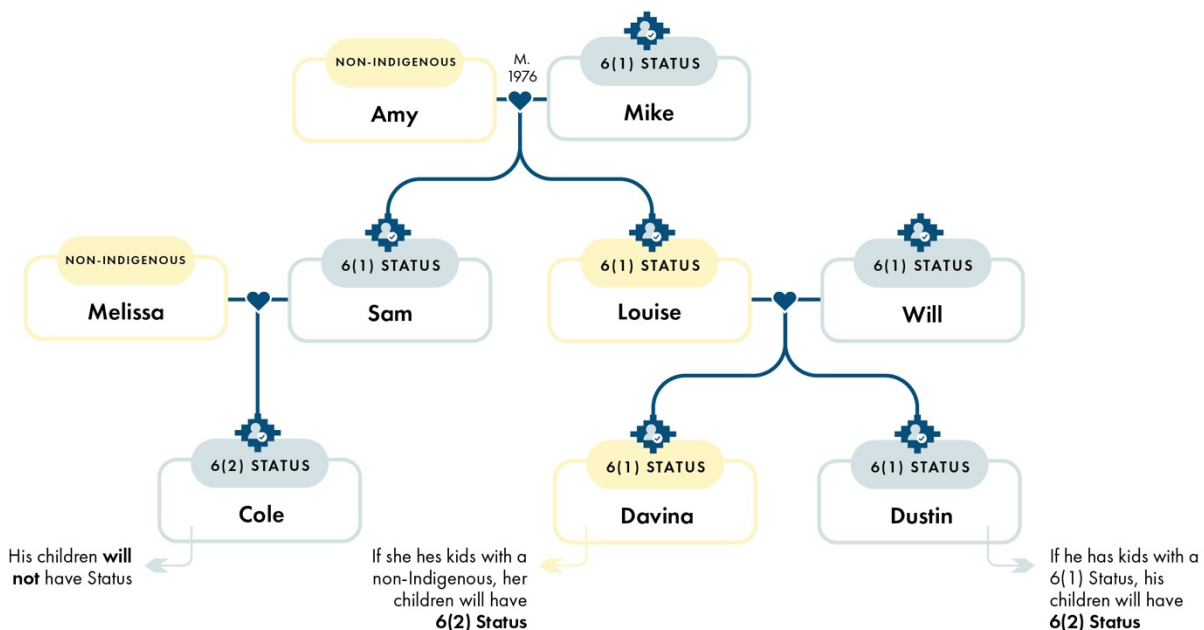
Descendants of Mike & Amy

Sam 6(1) & Melissa (non-Indigenous)

- Cole 6(2) parents with non-Indigenous
 - Children, non-status

Louise 6(1) and Will 6(1)

- Davina 6(1) parents with non-Indigenous
 - Children get 6(2)
- Dustin 6(1) parents with 6(2)
 - Children get 6(1)



Descendants of Marie & Robert

Pauline becomes 6(1) & Richard (non-Indigenous)

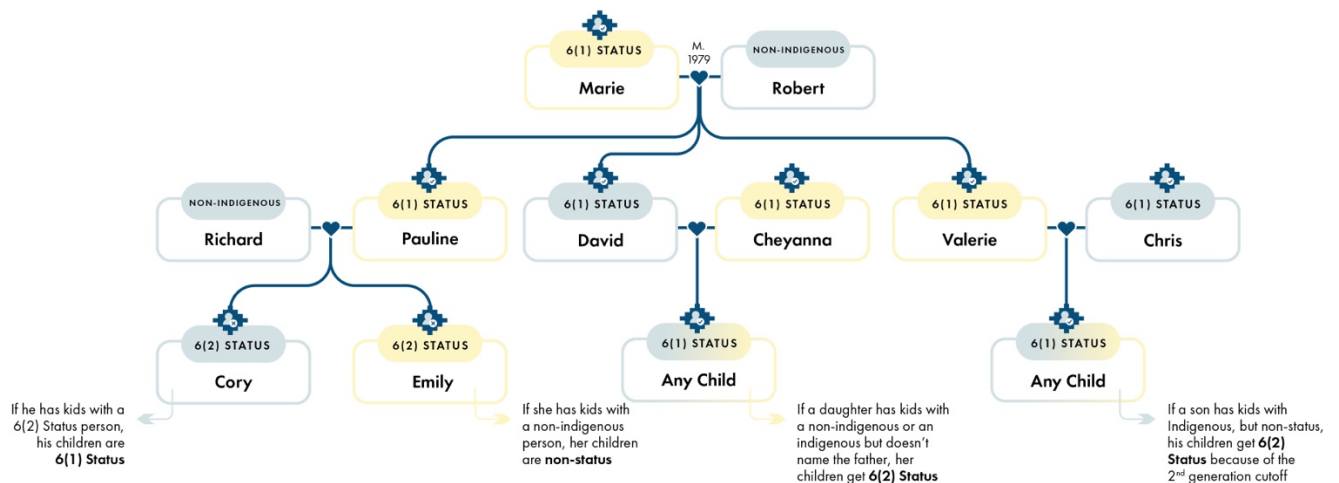
- Emily becomes 6(2), parents with non-Indigenous
 - children, non-status
- Cory becomes 6(2), parents with 6(2)
 - Children get 6(1)

David becomes 6(1), parents with Cheyanna 6(1)

- Tyra 6(1), parents with non-Indigenous
 - Children get 6(2)
- Lisa 6(1), parents with Indigenous, but doesn't name the father
 - Children get 6(2)

Valerie becomes 6(1) and Chris becomes 6(1)

- Jessica 6(1) parents with non-Indigenous
 - Children get 6(1)
- Bobby 6(1) parents with Indigenous, but non-status because of the 2nd generation cutoff
 - Children get 6(2)



Additional changes were made earlier in **2026** to make Indian status equal for descendants of people who lost their status because of other forms of enfranchisement, like education, military service, or owning land off reserve.

FOR EXAMPLE

Jerry and Susan are both status. In 1931, they have Edward and in 1934 they have Calvin. Both have status.

Edward gives up his status in 1952 so that he can go to university. He marries Katherine in 1956 (non-Indigenous).

- They have a daughter, Andrea (50% blood quantum), in 1960. Andrea does not get status.
 - Andrea has a child, Lacey, b. 1982, with Mark (non-Indigenous). Lacey has 25% blood quantum.

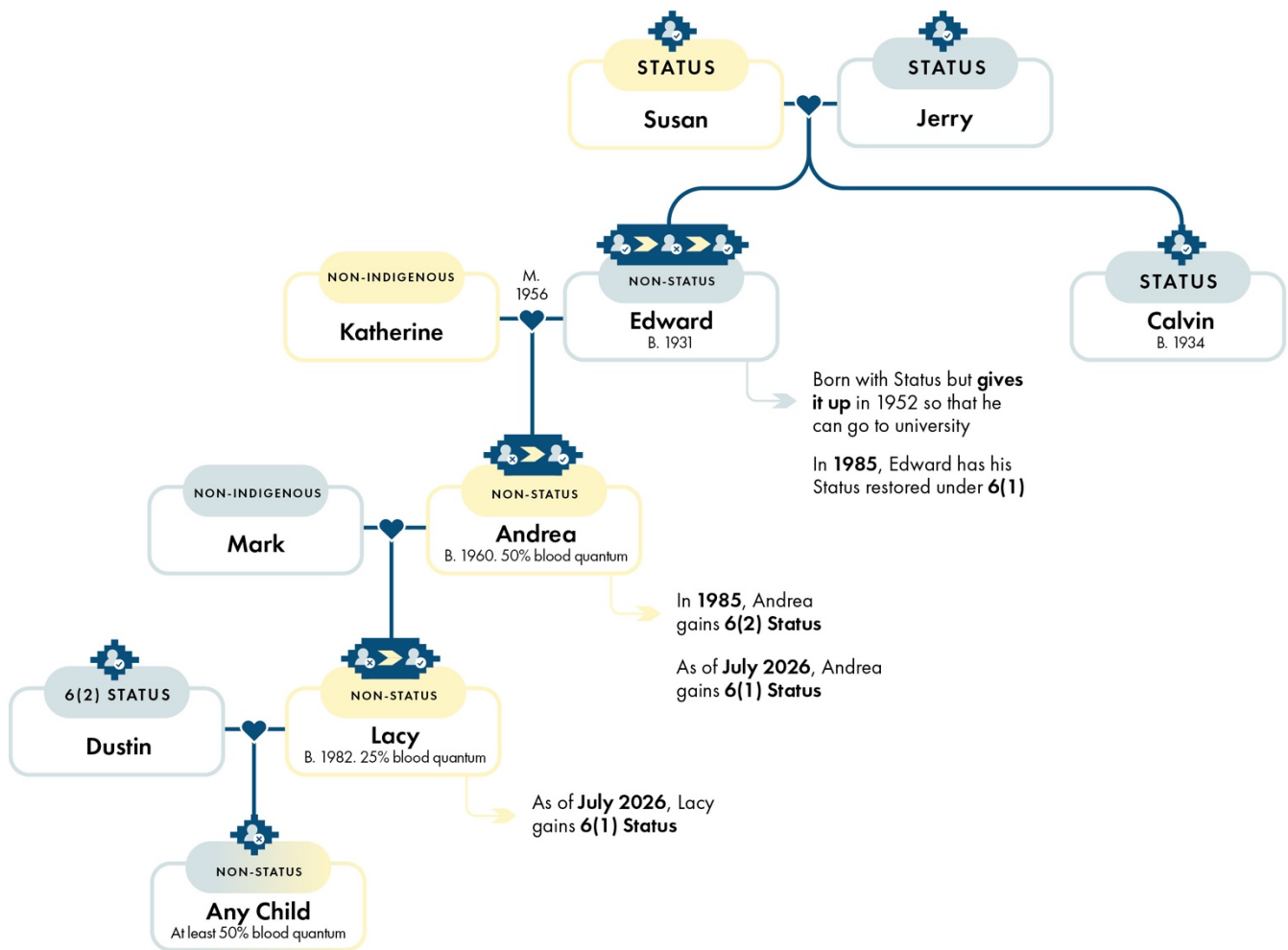
In 1985, Edward has his status restored under 6(1) and Andrea gains status under 6(2), Lacey is not eligible for status.

- Lacey has a child with Dustin, who has status under 6(2)
 - Their child (at least 50% blood quantum) is not eligible for status.

As of July 2026

- Andrea gains status under 6(1)
- Lacey gains status under 6(1)





Jerry and Susan are both status. In 1931, they have Edward and in 1934 they have Calvin. Both have status.

- Calvin marries Anna (non-Indigenous) in 1954. Anna gains status. They have two children: Darlene and Laurence. Both born with status.

In 1959, Calvin gives up his status to buy a farm off reserve. Anna, Darlene, and Laurence all lose their status.

- Darlene marries and has two children with Herb (non-Indigenous) in 1982: Alex (1983) and Simon (1986)
- Laurence has two children with Kristen (Metis), but they aren't married: Kayla (1984) and Jamie (1987)

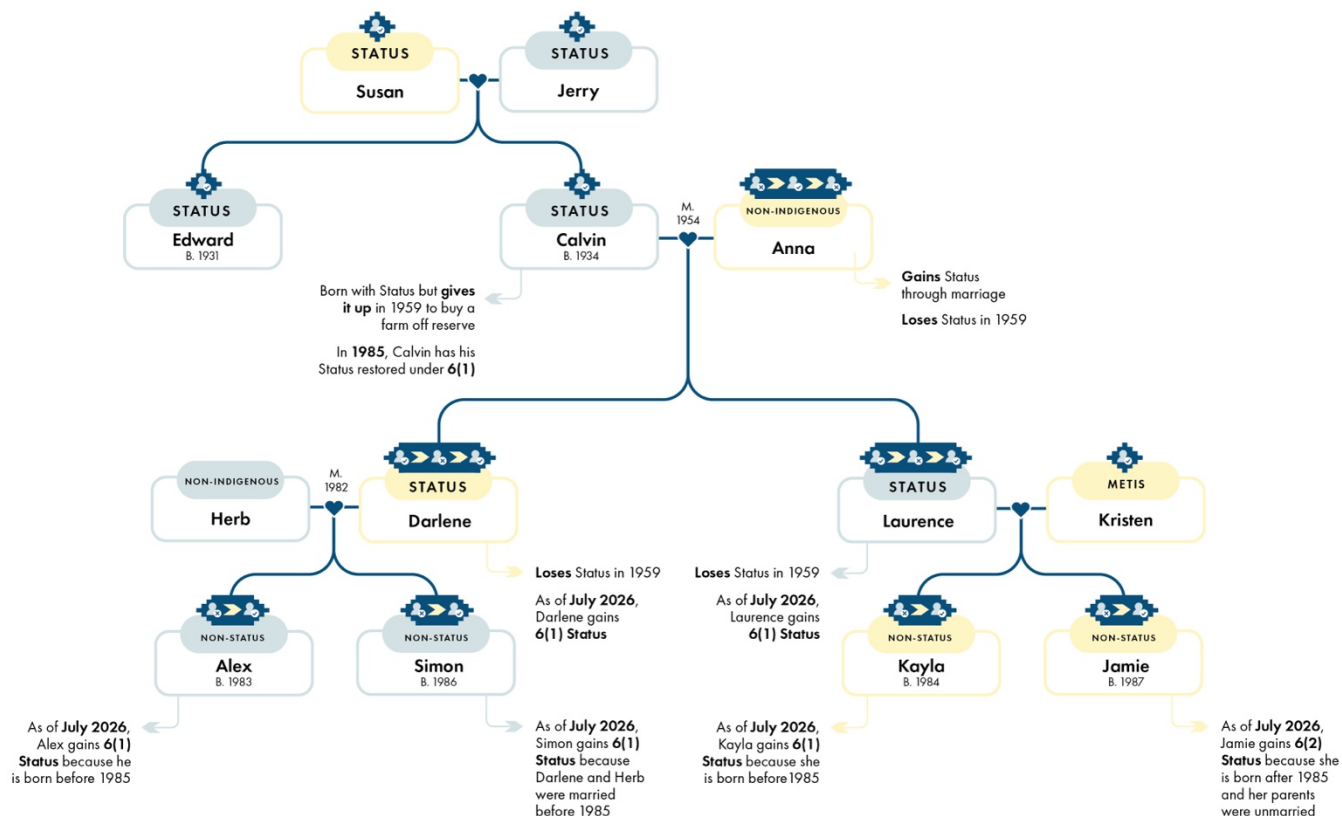
In 1985, Calvin has status restored under 6(1). Darlene and Laurence have status restored under 6(2).

- Alex and Simon, and Kayla and Jamie are not eligible for status.

As of July 2026

- Darlene and Laurence gain status under 6(1)
- Alex and Kayla, because they are born before 1985, gain status under 6(1)
- Simon gains status under 6(1) – because Darlene and Herb were married before 1985
- Jamie gets status under 6(2), because she is born after 1985 and her parents were unmarried





These changes set the clock back to pre-1985, making people eligible for Indian status under 6(1) based on a one-parent rule regardless of the sex of their parent, if they were born before April 17, 1985 (when the Indian Act was first amended to include 6(1) and 6(2)).



FUTURE AMENDMENTS

Currently, Bill S2 proposes to get rid of the second-generation cutoff rule. This would do away with 6(2), and there would only be status without any cutoff. As long as one parent has status, they will be able to pass it along to their children indefinitely.

We have heard that members want to ensure Snuneymuxw has more control over who becomes a member. Membership Code would ensure that decisions of membership would remain with Snuneymuxw, instead of ISC, regardless of whether Bill S2 is passed or not.





Share your **knowledge.**
Build a **stronger Snuneymuxw.**



Visit **www.snuneymuxw.ca/cp/codes** for more information on what membership code means and when Snuneymuxw will be voting to approve the new code.

