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PART 1: GENERAL

Short Title

1

This Inuit Law may be cited as the *Beneficiaries Enrolment Act*.

Definitions and Interpretation

2

- (1) This Act is to be read together with chapter 3 of the Agreement.
- (2) In this Act, words and phrases have the same meaning as in the Agreement.
- (3) For the purposes of this Act :

“Act” means the *Beneficiaries Enrolment Act*;

“Agreement” means the Labrador Inuit Agreement dated the 22nd day of January 2005;

“Applicant” means an individual who wishes to be enrolled as a beneficiary and includes an individual under a legal disability on whose behalf an application

is made

“Minister” means the First Minister of Nunatsiavut;

“Register” means the central register containing the names of the individuals who are beneficiaries of the Agreement established under section 3.6.1 of the Agreement and maintained under this Act ;

“Registrar” means the official of the Nunatsiavut Government to be known as the Registrar of Beneficiaries appointed under section 37; and

“Voters list” means the official voters list for the Inuit ratification vote held on May 26, 2004.

Purpose

3

The purpose of this Act is to establish procedures additional to those set out in the Agreement for

- (a) the administration of applications from individuals who apply to become enrolled as beneficiaries of the Agreement; and
- (b) the conduct of the business of the committees, commission and board under chapter 3 of the Agreement.

PART 2 ELEGIBILITY CRITERIA

Beneficiaries Must Meet the Criteria in the Agreement

4

An individual is eligible to be enrolled on the Register if the individual meets the Criteria as defined in section 3.1.1 of the Agreement.

Beneficiaries are Inuit

5

An individual who is enrolled on the Register is a beneficiary of the Agreement and an Inuk for purposes of Inuit Law.

Responsibility of Beneficiaries

6

An individual who is enrolled on the Register must give the Registrar written notice of any change of address.

PART 3 APPLICATION FOR ENROLMENT

Application Form to be Submitted to Registrar

7

An individual who wishes to apply to be enrolled as a beneficiary must:

- (a) apply to be enrolled as a beneficiary in the form set out in schedule A ;
- (b) designate in writing the Committee which the Applicant believes to be the appropriate Committee to consider the application; and
- (b) submit the completed application form and all required information to the Registrar.

Registrar to Register Applications

8

When the Registrar receives an application form under section 6 the Registrar must, as soon as practicable, and in any event within 14 days:

- (a) register the application and assign the application a serial number;
- (b) review the application and
 - (i) make a preliminary determination as to whether the application is complete and
 - (ii) make a determination as to whether or not the appropriate committee has been designated by the applicant to decide the application; and
- (c) give notice to the Applicant of receipt of the application, the serial number of the application, the committee to which the application has been, or will be, forwarded for a decision and either
 - (i) notice of any additional information that may be required in order to process the application, or
 - (ii) notice that the Registrar has made a preliminary determination that the application is complete.

Where Registrar Requires Additional Information

9

- (1) If the Registrar gives notice to an applicant that his or her application is incomplete the Applicant must:
 - (a) supply the information requested by the Registrar in writing, or

- (b) if the information is not available, provide a detailed written explanation why not.
- (2) An application will not be submitted to a Committee for a decision until the Applicant has complied with subsection (1).

Registrar to Forward Completed Applications to Committees for Decision

10

When the Registrar has made a preliminary determination that an application is complete or received an explanation under paragraph 9(1)(b) as to why an application remains incomplete, the Registrar must, as soon as practicable, forward the application to the designated Committee and enter in the register of Applications a copy of the application and all related information, the Committee to which the original application has been forwarded for a decision, and the date on which it was forwarded.

Committees must Consider Applications

11

A Committee must, as soon as practicable, consider all applications for enrolment forwarded to it by the Registrar.

Committees may Request Further Information

12

- (1) A Committee may ask an applicant to supply any additional information that it considers necessary to make a decision about an application.
- (2) If a Committee asks for additional information with respect to an application it must not proceed to make a preliminary decision on the application until 30 days after the date on which it asked for the information or until it receives the information, whichever happens first.
- (3) A Committee must consider an application as soon as practicable after the expiry of the time for additional information set out in subsection (2) has expired, whether or not it has received the information.
- (4) A Committee must forward a copy of any additional information received in relation to an application to the Registrar for entry in the applications registry.

Approval of Application

13

- (1) A committee must approve the enrolment of the applicant as a beneficiary if it is satisfied that the applicant meets the Criteria.

- (2) If a Committee approves the enrolment of an applicant under subsection (1), it must give written notice of its decision to the applicant and to the Registrar.
- (3) When the Registrar receives a notice under subsection (2) the Registrar must:
 - (a) enter the notice in the register of applications;
 - (b) enter the name and address of the applicant in the Register
 - (c) allocate the beneficiary a registration number;
 - (d) issue a certificate in the form set out in Schedule B to the beneficiary; and
 - (e) give the beneficiary written notice of the beneficiary's obligation under section 6.

Refusal to Approve Application

14

- (1) If a Committee intends to refuse to approve an application for enrolment, the Committee must, before it makes a final decision:
 - (a) give the applicant written notice of its preliminary decision with reasons in writing;
 - (b) by written request, ask the applicant to make written or oral representations to the Committee explaining why the preliminary decision to reject the application should not be made final and the applicant should be enrolled as a beneficiary; and
 - (c) give the applicant written notice that he or she has 38 clear days from the date of the notice to make written representations to the Committee or to request an oral hearing.
- (2) Notice of a preliminary decision, a request and the other notices required under subsection (1) must be given in accordance with section 24.
- (3) If a Committee receives a request for an oral hearing, it must, no later than 60 clear days from the date of the applicant's request for the hearing, convene a meeting to hear the applicant's representations as to why the preliminary decision to reject the application should not be made final and the applicant should be enrolled as a beneficiary.
- (4) Where a Committee has made a preliminary decision under subsection (1) it must, within 60 days after the date of the notice referred to in paragraph (1)(c) or hearing oral representations from the applicant under subsection (3):
 - (a) consider any representations it has received; and either

- (b) approve the enrolment of the applicant as a beneficiary if it is satisfied that the applicant meets the Criteria; or
 - (c) make a final decision to refuse the application for enrolment.
- (5) If a committee approves the enrolment of an applicant under paragraph (4)(b) it must comply with the requirements of subsections 13(2) and the Registrar must comply with subsection 13(3).
- (6) If a committee decides to refuse an application for enrolment under paragraph (4)(c) it must:
- (a) comply with section 3.11.10 of the Agreement; and
 - (b) give notice of the decision to the Registrar.

Applicant May Appeal a Refusal

15

An individual whose application for enrolment as a beneficiary of the Agreement is refused by a committee under paragraph 14(4) (c) may appeal that decision under part 3.5 or part 3.10 of the Agreement by filing written notice of appeal with the appropriate body within 30 clear days from the date on which he or she receives written reasons for the refusal.

PART 4 COMMITTEES AND COMMITTEE PROCEDURES

Enrolment Committees

16

- (1) The following enrolment committees are established:
- (a) an enrolment committee for the Rigolet and Lake Melville land use region comprised of [6 members];
 - (b) an enrolment committee for the Makkovik and Postville land use region comprised of [5 members];
 - (c) an enrolment committee for the Hopedale land use region comprised of [3 members]; and
 - (d) an enrolment committee for the Nain land use region and the land use region north of Nain comprised of [4 members].
- (2) The members of the committees are as set out in section 17 of the *Nunatsiavut Government Appointments Act*.

- (3) In the event of a vacancy in the membership of a committee a replacement member must be appointed by the President as soon as possible in accordance with the *Nunatsiavut Government Appointments Act*.
- (4) The enrolment committees shall perform the functions and duties set out for them in the Agreement in accordance with the requirements of the Agreement and this Act.
- (5) The enrolment committees shall be dissolved in accordance with section 3.4.10 of the Agreement.

Membership Committees

17

- (1) On the earlier of the first anniversary of the Effective Date or the date on which the Register is first published the following membership committees are established:
 - (a) an enrolment committee for the Rigolet and Lake Melville land use region comprised of **[5 members]**;
 - (b) an enrolment committee for the Makkovik and Postville land use region comprised of **[4 members]**;
 - (c) an enrolment committee for the Hopedale land use region comprised of **[3 members]**; and
 - (d) an enrolment committee for the Nain land use region and the land use region north of Nain comprised of **[5 members]**.
- (2) The members of the membership committees must be appointed in accordance with the *Nunatsiavut Government Appointments Act* and section 3.9.2 of the Agreement and vacancies must be filled, for the unexpired portion of the term of the position that is vacant, in accordance with the *Nunatsiavut Government Appointments Act*.
- (3) Each member of a membership committee holds office for a term of 4 years, except as provided in subsection (4), and may be reappointed.
- (4) The President must:
 - (a) appoint no less than one third and no more than one half of the first members of each membership committee to serve an initial term of 2 years; and
 - (b) when making the first appointments to each membership committee, state which of the members are to serve initial 2 year terms under subsection (a).

Administrative Support for Committees

18

The Minister must ensure that personnel are made available to provide secretarial and translation services to the committees and to maintain their records.

Committees to Elect Chairpersons

19

- (1) Each committee must elect one of its members to be chairperson of the committee and give written notice to the Registrar of the name and address of the chairperson.
- (2) If a committee is comprised of an even number of members the chairperson has one vote on each question to be decided and a second, deciding, vote in the event of a tie vote.
- (3) If a committee is comprised of an uneven number of members the chairperson shall vote only in order to break a tie vote.
- (4) If a chairperson is not present a meeting of a committee the remaining members of the committee shall appoint one of their number to act as chairperson at the meeting.
- (5) The chairperson is responsible for:
 - (a) convening meetings of the committee in accordance with this Act;
 - (b) chairing all meetings of the committee;
 - (c) giving directions to personnel assigned to assist the committee to perform its functions;
 - (d) receiving applications on behalf of the committee from the Registrar and advising the registrar of committee decisions; and
 - (e) signing all decisions, notices and correspondence of the committee.

Quorum of Committee

20

A quorum of the committee is a majority of the members.

Meetings

21

- (1) The chairperson must call a meeting of the committee on at least 5 days written notice to each committee member as soon as practicable after receiving an application from the Registrar, but a meeting must be held to consider an application no later than 30 days after the application is received from the Registrar.
- (2) A committee may schedule monthly meetings on a set day in each month in which case:
 - (a) a meeting may be convened on the date set for the meeting without notice; and

- (b) the chairperson may cancel a scheduled meeting if, on the day immediately prior to the date set for the meeting there are no applications or other business to be considered by the committee.
- (3) A member must be personally present in order to participate in a meeting.
- (4) Subject to subsections 19(2), 19(3) and 22(1), a committee must try to reach its decisions by consensus but if consensus is not possible, a decision must be made by a motion passed by a majority of the voting members.

Rules and Procedures for Committee Meetings

22

- (1) Each member has one vote on all questions.
- (2) A vacancy in membership of the committee does not impair the power of the remaining members to act.
- (3) A committee must use all reasonable efforts to perform its functions within any time prescribed by the Agreement, this Act or the Registrar.
- (4) Subject to the Agreement, this Act and any regulations that the Executive Council may enact for the purposes of managing and administering the business of the committees generally, a committee may determine its rules and procedures but all such rules and procedures shall be set out in writing and a copy must be provided to the Registrar.

Hearing of Oral Representations

23

- (1) If a committee hears oral representations from or on behalf of an Applicant the chairperson must, at the hearing:
 - (a) take all reasonable steps to provide the Applicant with an opportunity to understand:
 - (i) the preliminary decision of the committee,
 - (ii) the committee's reasons for its preliminary decision; and
 - (iii) the information required so as not to make the committee's preliminary decision final and to decide, instead, that the Applicant should be enrolled as a beneficiary;
 - (b) give the Applicant a full and fair opportunity to make representations as to why the preliminary decision to reject the application should not be made final and why the Applicant should be enrolled as a beneficiary and to present information relevant to those representations;

- (c) give the members of the committee an opportunity to raise any relevant questions they may have with respect to the representations made and the information presented by or on behalf of the Applicant; and
 - (d) give the Applicant a full and fair opportunity to respond to all questions.
- (2) Nothing in subsection (1) prevents the chairperson from raising any relevant questions he or she may have with respect to the representations made and the information presented by or on behalf of an Applicant.

Service of Notices, Requests and Decisions of Committees

24

Wherever the Agreement or this Act:

- (a) requires that a committee must give notice of a preliminary decision or a decision or any other notice in relation to a proceeding under the Agreement or this Act; or
- (b) gives a committee the power to issue a request,

the notice or request is considered to have been given if it is personally delivered to the addressee or if it is sent by registered mail to the last known address of the addressee as shown in the application form of an Applicant or the Register in respect of any other individual.

PART 5 SPECIAL PROCEDURES RESPECTING INITIAL ENROLMENT

Individuals Listed on the Official Voters List not to Apply to Enroll unless Requested

25

Despite any other provision of this Act, an individual enumerated on the official voters list for the Inuit ratification vote that was held on May 26, 2004, will be considered to have applied to be enrolled as a beneficiary under the agreement and to have supplied all information required in support of the application and must not make any further application for enrolment or supply any further information in support of an application for enrolment unless requested by written notice from an enrolment committee to do so.

Official Voters List to be Provided to Each Committee

26

- (1) The Registrar must provide to each committee:
- (a) a copy of the voters list;
 - (b) a copy of the application for enumeration of each individual on the voters list:

- (i) who is a permanent resident of the land use region for which the committee is responsible; and
- (ii) who is resident outside the Labrador Inuit Settlement Area but who is connected to the land use region for which the committee is responsible; and
- (c) any other information available to the Registrar that was used in the enumeration of voters for the Inuit ratification vote that may be of relevance to the committee's review.

Committee to Use Official Voters List in Preparation of Preliminary List

27

- (1) The committees must review the voters list for purposes of establishing preliminary lists of beneficiaries as required by section 3.4.7(c) of the Agreement.
- (2) In conducting the review under subsection (1) a committee:
 - (a) must approve the enrolment of an individual enumerated on the official voters list unless it requires further information or has reason to believe that the individual may not meet the Criteria; or
 - (b) may require, by written notice, that an individual enumerated on the official voters list make an application for enrolment or provide further information, as specified by the committee, in support of his or her enrolment as a beneficiary; or
 - (c) may make a preliminary decision not to enroll an Individual enumerated on the voters list; and
 - (d) must thereafter proceed in accordance with part 3 which shall apply with all necessary changes in points of detail.
- (3) For greater clarity, and without limiting the generality of paragraph (2)(d):
 - (a) if an enrolment committee approves the enrolment of an individual under paragraph (2)(a) the individual must be enrolled in accordance with the procedures set out in section 13;
 - (b) if an enrolment committee requires that an individual submit an application or further information under paragraph (2)(b), the requirement shall be dealt with as if it were a request for information under section 12 and the committee must then proceed with its determination in accordance with the ensuing procedures set out in part 3; and
 - (c) if a committee makes a preliminary decision not to enroll an Individual enumerated on the voters list under paragraph (2)(c), it shall proceed in accordance with the requirements of section 14.

- (4) An individual who was enumerated on the voters list but whose enrolment as a beneficiary of the Agreement is refused by a committee under this section may appeal that decision under part 3.5 or part 3.10 of the Agreement by filing written notice of appeal with the appropriate body within 30 clear days from the date on which he or she receives written reasons for the refusal.

PART 6 RENUNCIATIONS, REVOCATIONS AND OTHER REMOVALS

Renunciation of Status as a Beneficiary

28

- (1) An individual may renounce his or her status as a beneficiary of the Agreement and as an Inuk for purposes of Inuit Law by sending a written notice in the prescribed form requesting the Registrar to remove his or her name from the Register.
- (2) A renunciation is effective under subsection (1) when the name of the individual is removed from the Register.
- (3) When the Registrar removes the name of an individual from the Register the Registrar must give written notice that the individual is not a beneficiary and not an Inuk for purposes of Inuit Law to the appropriate committee and to the Government of Newfoundland and Labrador, the Government of Canada and all departments and agencies of the Nunatsiavut Government.
- (4) An individual who has renounced his or her status a beneficiary and an Inuk for purposes of Inuit Law may be reinstated if he or she submits an application under section 7 and the application is approved in accordance with the Agreement and this Act.

Revocation of Enrolment

29

- (1) If a committee has reason to believe that an individual who has been enrolled as a beneficiary of the Agreement does not meet the Criteria whether as a consequence of false representation, fraud, knowingly concealing a material fact or circumstance, error or otherwise, the committee must:
 - (a) make a preliminary decision to remove that individual's name from the Register and to make a declaration that the individual is not entitled to the status of a beneficiary of the Agreement or of an Inuk for purposes of Inuit Law; and
 - (b) send a written notice to that individual advising him or her that the committee intends to make a final decision, to remove the individual's name from the Register and declaring that the individual is not entitled to the status of a beneficiary of the Agreement or of an Inuk for purposes of Inuit Law.
- (2) The notice under paragraph (1)(b) must:

- (a) give the reasons for the intended decision;
 - (b) state that the individual may make written or oral representations to the Committee explaining why the preliminary decision should not be made final; and
 - (c) give notice that the individual has 38 clear days from the date of the notice to make written representations to the committee or to request an oral hearing.
- (3) Notice of a preliminary decision under paragraph (1)(b) is considered to have been given if personally delivered to the applicant or if sent by registered mail to the address of the applicant shown in the Register.
- (4) If a Committee receives a request for an oral hearing, it must, no later than 60 clear days from the date of the applicant's request for the hearing, convene a meeting to hear the applicant's representations as to why the preliminary decision should not be made final.
- (5) Where a Committee has made a preliminary decision under paragraph (1)(a) it must, within 60 days after the date of the notice referred to in paragraph (1)(b) or hearing oral representations from the applicant under subsection (4):
- (a) consider any representations it has received; and either
 - (b) rescind the preliminary decision if it is satisfied that the applicant meets the Criteria; or
 - (c) make a final decision to remove that individual's name from the Register and to declare that the individual is not entitled to the status of a beneficiary under the Agreement or of an Inuk for purposes of Inuit Law.
- (6) If a committee decides to revoke an enrolment under paragraph (5)(c) it must:
- (a) comply with section 3.11.10 of the Agreement; and
 - (b) give written notice of its decision to the Registrar.
- (7) The Registrar must not act on a notice received under paragraph (6)(b):
- (a) until the time for an appeal from the decision of the committee has expired and no appeal has been made; or
 - (b) if the decision of the committee has been appealed, all appeals and reviews of appeal decisions, if any, have been finally determined.

Removal of Names of Deceased Beneficiaries from the Register

30

- (1) The Registrar and each committee must establish procedures to identify the names of beneficiaries who have died.
- (2) If a committee has reason to believe that an individual whose name is enrolled on the Register is dead, it must give written notice to the Registrar and written reasons for its belief, together with any supporting information or document
- (3) If the Registrar has reason to believe that an individual whose name is enrolled on the Register is dead or receives a notice under subsection (2), the Registrar shall take reasonable measures to verify that the individual is deceased.
- (4) When the Registrar is satisfied that an individual whose name is enrolled on the Register is dead, the Registrar shall delete that beneficiary's name from the Register and give notice of the deletion of the name to the appropriate committee.

PART 7 PROCEDURES OF ENROLMENT APPEAL COMMISSION AND INUIT MEMBERSHIP APPEAL BOARD

Definitions

31

In this part:

- (a) "Appeal Tribunal" means the Enrolment Appeal Commission and the Inuit Membership Appeal Board.

Notice to Registrar on receipt of an Appeal

32

- (1) When an Appeal Tribunal receives a notice of appeal it must send a copy to the Registrar.
- (2) When the Registrar receives a notice of appeal from a decision to refuse an application, the Registrar must enter the notice in the applications register with respect to the application.
- (3) When the Registrar receives a notice of appeal from a decision to revoke an enrolment, the Registrar must not act on that decision until the appeal is disposed of and notice has been received from the appeal tribunal under section 34.

Notice to Registrar on receipt of an Application

33

- (1) When an Appeal Tribunal receives an application under Section 3.11.12 of the Agreement it must send a copy to the Registrar.
- (2) If the Registrar receives a notice under subsection (1) the Registrar must:
 - (a) immediately advise the Minister in writing;
 - (b) as soon as practicable inquire of the chairperson and any other member of the relevant committee as to the reason or reasons why the committee has not made a final decision with respect to a preliminary decision under section 3.11.6 of the Agreement within the time limited by section 3.11.12 of the Agreement; and
 - (c) report to the Minister on the outcome of the Registrar's inquiry under paragraph (2)(b) and provide any recommendations the Registrar may have arising out of the inquiry.

Notice to Registrar of Decision

34

When an Appeal Tribunal makes a decision with respect to an appeal or an application it must give written notice of its decision to the Registrar.

Administrative Support for Tribunals

35

- (1) The Minister may enter into a funding agreement with the Government of Canada and the Government of Newfoundland and Labrador for purposes of providing funding to the Enrolment Appeal Commission so as to enable it to obtain and pay for any administrative support that it may require in order to perform its functions.
- (2) The Minister must ensure that personnel are made available to provide administrative and translation services to the Inuit Membership Appeal Board.

PART 8 ADMINISTRATION

Minister's Responsibilities

36

The Minister is responsible to the Nunatsiavut Assembly for:

- (a) the administration of this Act and all matters pertaining to the enrolment of beneficiaries of the Agreement including the maintenance of a current and reliable register;
- (b) the fair, effective and efficient administration of all procedures necessary for the initial enrolment of beneficiaries of the Agreement and the ongoing processing of applications for enrolment; and

- (c) as soon as practicable after this Act comes into effect and on an ongoing basis thereafter:
- (i) giving notice in English and Inuktitut of the Criteria and of the enrolment procedures and time limitations established under this Act and chapter 3 of the Agreement; and
 - (ii) preparing and providing information in English and Inuktitut that is needed by the committees to administer the enrolment of beneficiaries and that may, in the Minister's opinion be of assistance to the committees in the performance of their functions under this Act and the Agreement.

Minister to Appoint the Registrar

37

- (1) The Minister must, in accordance with the *Nunatsiavut Civil Service Act*, appoint an individual to be the Registrar of Beneficiaries.
- (2) The Registrar must have a seal of office.

Registrar's Functions

38

- (1) The Registrar must
 - (a) maintain, or supervise and direct the maintenance of, the register in accordance with this Act so that it is complete and current;
 - (b) supervise, and assist in, the coordination of the bodies and procedures established for the enrolment of beneficiaries established under this Act and chapter 3 of the Agreement,
 - (c) supervise and direct such employees of the Nunatsiavut government, if any, as may be assigned to assist the Registrar and the committees in the performance of their respective duties and the exercise of their respective powers; and
 - (d) perform the duties prescribed by this Act or directed by the Minister.
- (2) The Registrar must
 - (a) prepare and publish the Register within one year from the effective date of the agreement;
 - (b) update and republish the register annually;
 - (c) provide a copy of the Register as published under paragraph (a) and paragraph (b) to the Government of Canada and the Government of Newfoundland and Labrador;

- (d) maintain the Register in an electronic data base that is accessible to departments and officials responsible for conducting Nunatsiavut Government elections;
- (e) provide for the security and safety of all records held in the registry and for that purpose must keep a duplicate register and, as prescribed by the regulations or by any method the Registrar considers appropriate, a duplicate of other information held by the Registrar;
- (f) take and maintain measures to protect the privacy of information about individuals that is held by the Registrar.

Beneficiaries Enrolled as Minors

39

- (1) The registrar must maintain a record of beneficiaries who are enrolled as minors.
- (2) At least 30 days but no more than 90 days before a beneficiary referred to in subsection (1) reaches the age of majority the Registrar must send to the beneficiary:
 - (a) written notice advising him or her of section 3.11.4 of the Agreement;
 - (b) an application form; and
 - (c) such other information as in the opinion of the Registrar may be of assistance to the beneficiary to reapply for enrolment on reaching the age of majority.

The Register

40

- (1) The Register shall be comprised of:
 - (a) the full name of each individual who is determined to be a beneficiary of the Agreement under chapter 3 of the Agreement; and
 - (b) the mailing address of each beneficiary.
- (2) The Register shall also contain the following additional information:
 - (a) the serial number assigned to each beneficiary's application for enrolment;
 - (b) the unique registration number assigned to each beneficiary on enrolment;
 - (c) the beneficiary's date of birth; and

- (d) any other information that the Registrar deems necessary or advisable or that may be required by an Inuit Law.
- (3) The Registrar and every department and official who has access to the Register must protect the confidentiality of the information referred to in subsection (2).
- (4) Nothing in subsection (3) prevents the Registrar from
 - (a) confirming or certifying information or the accuracy of information referred to in subsection (2) that has been disclosed by a beneficiary or by the parent or guardian of a beneficiary under a legal disability in relation to that beneficiary; or
 - (b) disclosing or certifying a beneficiary's enrolment number and age to an officer of a court for purposes of a legal proceeding; or
 - (c) disclosing or certifying a beneficiary's enrolment number and age to an authorized official of a government in connection with the recognition, protection or advancement of the rights, privileges and benefits to which the beneficiary is or may be entitled under the Agreement or any law.
- (5) The Register must be organized as both:
 - (a) a listing of all beneficiaries by family name in alphabetic order; and
 - (b) a listing of all beneficiaries by place of residence in alphabetic order by family name.

Records

41

- (1) The Registrar may keep the records required under this Act
 - (a) in written form,
 - (b) by any photographic or electronic means, or
 - (c) by any other means or combination of means,as the Registrar considers appropriate.
- (2) In addition to the Register the Registrar must keep a record of:
 - (a) all applications
 - (b) the disposition of all applications; and

- (c) renunciations;
- (d) decisions to revoke enrolments;
- (e) deaths; and
- (f) any other matter that, in the discretion of the Registrar, is relevant to the administration of applications for enrolment and the currency and accuracy of the register.

Public Access to the Register

42

- (1) Subject to the other provisions of this section, during the open hours of the Registrar's office the Registrar must:
 - (a) make the Register or extracts from the register available to the public;
 - (b) provide a certified copy of the Register or extract from the Register.
- (2) A person who wants access to information referred to in subsection (1) must submit a request for the information to the Registrar an application form prescribed by the regulations and pay any fee that may be prescribed by regulation.
- (3) The Registrar must not make available to the public any of the information referred to in subsection 40(2).
- (4) Records maintained or kept by the Registrar, other than the Register, are not available for examination by, and must not be released to the public.

PART 9 OFFENSES

43

An individual commits an offense punishable under Inuit Law if that individual by false representation, fraud, or knowingly concealing a material fact or circumstance:

- (a) becomes enrolled as a beneficiary;
- (b) attempts to become enrolled as a beneficiary;
- (c) assists another individual to become or attempt to become a beneficiary; or
- (d) causes, attempts to cause or assists another individual to cause or attempt to cause a beneficiary's enrolment to be revoked.

PART 10 REGULATIONS

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The Minister may, with the consent of the President-in-Council, make regulations:

- (a) respecting applications the information to be included in applications and records or documents that must be submitted with applications;
- (b) respecting the establishment and maintenance of the register;
- (c) respecting the maintenance of records pertaining to the administration of applications and decisions respecting enrolment and the protection of privacy of information contained in the records;
- (d) forms, notices and requests for information required for purposes of this Act;
- (e) prescribing fees to be paid for applications, certifications and access to information;
- (f) respecting certificates, cards, documentation or other evidence of enrolment on the register; and
- (g) respecting the procedures of the committees and the Inuit Membership Appeal Board.

SCHEDULE A

**APPLICATION TO BE ENROLLED AS A BENEFICIARY
OF THE
LABRADOR INUIT LAND CLAIMS AGREEMENT**

PLEASE PRINT CLEARLY

PART 1: PERSONAL BACKGROUND. Provide all information requested. If a section is not applicable, please say so.

1.1 Last Name _____ Maiden Name _____

1.2 Given Names _____

1.3 Are you a Canadian citizen? Yes No

1.4 Are you a permanent resident of Canada? Yes No

1.5 Proof of birth. Please provide a copy of one of the following documents:

- Birth certificate
- Baptism certificate
- Affidavit or Declaration on your birth

1.6 Are you receiving benefits from another Canadian Aboriginal land claims agreement? Yes No

If yes, which agreement? _____

1.7 Place of permanent residence _____
Community/Town Province/Country

1.8 How long have you lived there? _____
Years Months

1.9 Present Mailing Address _____

Postal Code _____

1.10 Phone Number _____ Fax Number _____

1.11 E-Mail Address _____

1.12 Date of birth (day/month/year) _____

1.13 Place of birth _____

Part 2: FAMILY BACKGROUND

2.1 Do you consider that you have at least one quarter Inuit ancestry? Yes No

2.2 Give the following information about your ancestors.

Ancestor	Given and Family Names	Date of birth	Place of birth	Years Resident in Claims Area	Permanent Residence	Date of death	Per Resi time
Father							
Mother							
Father's Father							
Father's Mother							
Mother's Father							
Mother's Mother							

2.3 If your place of permanent residence (given in 1.7) is not in the Labrador Inuit Settlement Area, please answer the following questions and have two (2) sponsors complete Part 5.

A.1 To which Region in the Labrador Inuit Land Claims Area are you most closely connected?

Nain and north of Nain Hopedale
Makkovik and Postville Rigolet and Lake Melville

A.2 Explain your connection to the Labrador Inuit Land Claims Area or a Region.

B. Give the names of two (2) people in the Labrador Inuit Land Claims Area or Region to whom you are related and explain your relationship.

1. Name _____ Relationship _____
2. Name _____ Relationship _____

C. Give the names of two (2) people who are Inuk or Kablunângajuk residing in the Labrador Inuit Land Claims Area and are not related to you, but who know you and your connection to the Labrador Inuit Land Claims Area.

1. Name _____ Community _____
2. Name _____ Community _____

2.4 Were either of your parents permanent residents of the Labrador Inuit Land Claims Area at the time

of your birth?
No

Yes

2.5 Did your mother have to leave the Labrador Inuit Land Claims Area for your birth?

No

Yes

2.6 Do you consider yourself to be an Inuk or Kablunângajuk?

Inuk (Complete Part 3)

Kablunângajuk (Complete Part 4)

PART 3: INUK ONLY. Both questions must be answered

3.1 Please explain why you consider yourself to be an Inuk.

3.2 Which of your ancestors, including those listed in 2.2, were Inuit?

PART 4: KABLUNÂNGAJUK. All questions must be answered

4.1 Please explain why you consider yourself to be Kablunângajuk.

4.2 Please identify two (2) Inuit who would consider you to be Kablunângajuk according to Inuit customs and traditions.

1. Name _____ Community

2. Name _____ Community

4.3 Which of your ancestors listed in 2.2 has Inuit ancestry? Give their names and explain their Inuit ancestry.

4.4 Other than people listed in 2.2, do you have any other Inuit ancestors? Give their names, explain their Inuit ancestry, and explain your relationship to them.

4.5 If you have no Inuit ancestry, were any of your ancestors permanently resident in the Labrador Inuit Land Claims Area before 1940? Provide details in this table.

Name	Year Arrived in Claims Area	Place of Permanent Residence in Claims Area	Number Lived in Area

PART 5: SPONSORS. To be completed on behalf of applicants residing outside the Labrador Inuit Settlement Area who are claiming a connection to the Labrador Inuit Land Claims Area by two (2) sponsors not related by kinship to the applicant. The sponsors must either be Inuit or Kablunângajuit who are Permanent Residents of the Labrador Inuit Land Claims Area.

We the undersigned hereby recognize that the applicant,

_____ ,
 has close ties to a Region in the Labrador Inuit Land Claims Area.

Name	Address	Signature	Date

PART 6: DECLARATION

The information in this Application is true and correct to the best of my knowledge. I understand that the decision about whether I am eligible to be enrolled as a Beneficiary of the Labrador Inuit Land Claims Agreement depends on the accuracy of the information that I have provided and, if requested by the Enrolment Committee, I will give further information in support of my Application. I make this Application knowing that if any of the information is false or misleading, it is an offence.

I hereby apply to be enrolled as a Beneficiary of the Labrador Inuit Land Claims Agreement.

Witness

Signature of Applicant

Date

SCHEDULE B

SAMPLE CERTIFICATE OF BENEFICIARY STATUS

Nunatsiavut Government

This certifies that _____ is a beneficiary of the Labrador Inuit Land Claims Agreement.

Signature

Registrar