

Wula na kinu  
THIS IS WHO WE ARE

## Nova Scotia Mi'kmaq Enrollment Process

**The regulatory document explaining the key elements  
and procedures for the Process**

**TABLE OF CONTENTS**

PREAMBLE ..... 3

ELIGIBILITY..... 5

APPLICATIONS PROCESS FOR ENROLLMENT ..... 7

OPTIONS IF AN APPLICATION FOR ENROLLMENT IS REJECTED..... 8

REMOVAL FROM ENROLLED LIST..... 9

ENROLLMENT COMMITTEE.....10

    TERM OF APPOINTMENT ..... 10

    CONDITIONS OF APPOINTMENT..... 10

    POWERS..... 11

    DUTIES ..... 13

ENROLLMENT OFFICER AND OFFICE .....13

    POWERS OF THE ENROLLMENT OFFICER..... 13

    DUTIES OF THE ENROLLMENT OFFICER..... 14

    ENROLLED LIST..... 15

ADVISORY COMMITTEES AND FAMILY NAMES.....16

    LIST OF FAMILY NAMES..... 16

    CREATION OF ADVISORY COMMITTEES ..... 16

    DUTIES OF ADVISORY COMMITTEE MEMBERS ..... 16

CONFIDENTIALITY & ACCESS TO INFORMATION.....17

NO CONVEYANCE OF RIGHTS UNDER OTHER ACTS..... 18

AUTHORITY AND ENACTMENT.....18

AMENDMENTS..... 18

DEFINITIONS .....19

## **PREAMBLE**

Our identity as a Nation is grounded in our family roots and connections. When Mi'kmaq interact, the first things we ask are questions *like tami wetapeksin, wenik kujjewijik, and wenik kikmaq?* When we ask the question of who is a Mi'kmaw, and who is an heir of our Treaties and Aboriginal Rights, the answer must come from our culture, our history, and our heritage. A process to identify rights-holders must reflect our understandings, our definitions and our ways of identifying who is L'nu and what it means to be L'nu.

For Mi'kmaq, who we are is straight forward. "Wula na kinu" means exactly that, "This is who we are". And this is what this enrollment process is grounded in, our identity, our concepts, our culture. These questions are the way we connect to one another and identify Mi'kmaw people.

Importantly, we do not want to re-create the *Indian Act* or replicate its processes of recognition. A part of recognition as a Nation means defining who we are, and protecting our Rights and our homeland, Mi'kma'ki. We have become accustomed to government processes that are not within our control, but government processes are not our identity. Our identity is a reflection of the world around us. We are cyclical people – everything is interconnected.

This Enrollment Process is not a citizenship code or process. Rather, it is about identifying who are the beneficiaries or holders of Aboriginal and Treaty rights in the province of Nova Scotia. While non-Mi'kmaq people who participate in our events, live in our communities, or are in relationships with Mi'kmaq, may be generally considered or defined to be "community members", they are not Mi'kmaq for the purpose of accessing Aboriginal Rights. As self-governance progresses, the Mi'kmaq may develop a citizenship process which acknowledges or includes this broader community, but we are not at that stage yet. This Enrollment Process is not intended to interfere with non-Mi'kmaq participation or engagement in our community, but to define who is properly a Mi'kmaq rights-holder in Nova Scotia.

In the last year, Nova Scotia Mi'kmaq and the Assembly of Nova Scotia Mi'kmaw Chiefs have agreed that the criteria and procedural components for the Nova Scotia Mi'kmaq Enrollment Process reflects their thoughts and views. They have agreed that they would prefer to pilot the Nova Scotia Mi'kmaq Enrollment Process ("process") to determine how the process would work at a procedural and practical level. A pilot is critical for creating trust in the work. This pilot includes eligibility requirements for issuing of Harvester Identification Cards to individuals who are Non-Status or are registered Status Indians on the Atlantic General List (those who do not have a status card to one of the 13 Nova Scotia Mi'kmaq Bands) to harvest renewable resources under provincial jurisdiction (wildlife, freshwater fish, plants and trees). Based on this direction, the Assembly unanimously approved a resolution on April 25th, 2019 for the pilot to start in August 2019.

## **PURPOSE OF THE HARVESTER IDENTIFICATION CARD (“the Pilot”)**

The Nova Scotia Mi'kmaw Enrollment Process will be piloted for the administration of the harvester identification cards to access provincial resources.

- Individuals with a status card to one of the thirteen Mi'kmaw bands (specifically: Acadia, Annapolis Valley, Bear River, Glooscap, Sipekne'katik, Millbrook, Pictou Landing, Paqtnkek, Potlotek, Eskasoni, Membertou, We'koqma'q, Wagmatcook) will **not** need to apply for a harvester identification card. These individuals will continue to use their status cards.
- Individuals who do not have a status card (Non-Status Nova Scotia Mi'kmaw) and Nova Scotia Mi'kmaw who are on the Atlantic General List must apply for a harvester identification card. These individuals will have to meet the eligibility criteria within the Nova Scotia Mi'kmaw Enrollment Process.
- Only band members of the thirteen Mi'kmaw bands and successful applicants through the Pilot may harvest renewable resources under provincial jurisdiction (wildlife, freshwater fish, plants and trees) as a Nova Scotia Mi'kmaw Rights-holder in the Province of Nova Scotia.

## **SCOPE**

The Pilot is limited in scope to harvesting renewable resources under provincial jurisdiction (wildlife, freshwater fish, plants and trees). This means that successful applicants can utilize their harvester identification card to access provincial resources. The Nova Scotia Mi'kmaw Enrollment Process will be utilized for this pilot.

## **ELIGIBILITY**

1. Mi'kmaw of Nova Scotia is an individual eligible to exercise Mi'kmaq Aboriginal and Treaty rights. **Please note that application of this process is limited in scope to the pilot of the Harvester Identification Card.**

### **TO BE ELIGIBLE:**

2. To be eligible to be enrolled as a Mi'kmaw of Nova Scotia, an applicant must meet **both** of the following criteria:
  - a. **FAMILIAL CONNECTION**, established by one of three methods:
    - i. the applicant has Nova Scotia Mi'kmaq Ancestry, meaning the applicant can demonstrate an ancestral link to a present-day Nova Scotia Mi'kmaq family; or
    - ii. the applicant was adopted before the age of 18, under laws recognized in Canada or in accordance with Mi'kmaq custom, by an individual who can establish Nova Scotia Mi'kmaq Ancestry under (i); or
    - iii. the applicant is the biological or adopted child of an enrolled Mi'kmaw of Nova Scotia individual; and
  - b. **ACCEPTANCE** by the Nova Scotia Mi'kmaq Nation.

### **FAMILIAL CONNECTION**

3. Nova Scotia Mi'kmaq Ancestry under s. 2(a)(i) and (ii) requires:
  - a. an ancestral connection on at least one side of the applicant's family line (maternal or paternal), demonstrated after 1871; and
  - b. a present-day connection to at least one Nova Scotia Mi'kmaq family; or
  - c. evidence, satisfactory to the Enrollment Committee, that the applicant has been disconnected from their present-day Nova Scotia Mi'kmaq family due to the impacts of colonialism, including residential schools, the "Sixties Scoop", the child welfare system; or other special circumstances.

4. An adoption under s. 2(a)(ii) or s. 2(a)(iii) must be in good faith, with the intention of raising the child within the Nova Scotia Mi'kmaq family, and the Mi'kmaq Nation and culture.

#### **ACCEPTANCE**

5. In assessing Acceptance by the Nova Scotia Mi'kmaq Nation under s. 2(b), the Enrollment Committee will consider:
  - a. the applicant's participation, contribution, and ties to the Nova Scotia Mi'kmaq Nation;
  - b. knowledge of the person by members of the Nova Scotia Mi'kmaq Nation;
  - c. the degree of knowledge of or familiarity with Mi'kmaq culture, customs, lifestyles, and history;
  - d. the degree of knowledge of the Mi'kmaq language;
  - e. where and how the applicant was raised, and how this factor may have impacted clauses (a)-(e); and
  - f. the impacts of colonialism, including residential schools, the Sixties Scoop, or the child welfare system; or other special circumstances; and how these factors may have impacted the applicant's acceptance by the Nova Scotia Mi'kmaq Nation.

#### **ASSESSMENT OF ELIGIBILITY CRITERIA:**

6. In assessing whether the applicant meets the Eligibility Criteria, the Enrollment Committee shall consider and weigh the available documentary and oral evidence, taking into account the quality and reliability of that evidence.



## **APPLICATIONS PROCESS FOR ENROLLMENT**

7. Any individual over the age of eighteen years may apply to the Enrollment Committee for Enrollment as a Mi'kmaw of Nova Scotia.
8. Where an applicant is under a legal disability, the applicant's legal guardian or representative may submit an Application on the applicant's behalf.
9. Minors will be enrolled under their parent's registration until they reach the age of eighteen, at which time they must apply to the Enrollment Committee for independent enrollment as a Mi'kmaw of Nova Scotia. In cases where a minor has been adopted out and/or estranged from their Mi'kmaw parent(s), the guardian may make an application on their behalf.
10. An applicant shall apply for Enrollment by submitting a completed Application to the Enrollment Officer, in the form and in accordance with any requirements prescribed in *the Enrollment Committee Handbook* and any rules or procedures established by the Enrollment Committee from time to time.
11. The applicant shall be entitled to written notice:
  - a. that their Application is incomplete;
  - b. that their completed Application has been received;
  - c. of any request by the Enrollment Committee for additional information or documentation;
  - d. of any interview with the Enrollment Committee;
  - e. of a summary of information obtained by the Enrollment Committee through any interviews with third parties;
  - f. of the decision of the Enrollment Committee on their Application;
  - g. of the reasons for any Letter of Rejection;
  - h. of their right to request a reconsideration, to appeal any Letter of Rejection, or to re-apply.

## **OPTIONS IF AN APPLICATION FOR ENROLLMENT IS REJECTED**

### **REQUESTS FOR RECONSIDERATION**

12. Where the Enrollment Committee issues a Letter of Rejection, the applicant may request that the Enrollment Committee reconsider its decision.

### **APPEALS**

13. Where the Enrollment Committee issues a Letter of Rejection or confirms its Letter of Rejection following a request for reconsideration, the applicant may appeal the decision of the Enrollment Committee to the Appeals Committee in accordance with the *Enrollment Appeals Process*.

### **REAPPLICATION**

14. An applicant who has been refused Enrollment may reapply after two years have passed (from the last date on one of the below):
  - a. a Letter of Rejection;
  - b. a reconsideration decision; or
  - c. a decision in an appeal.
15. An applicant may reapply for Enrollment only once.



## **REMOVAL FROM ENROLLED LIST**

16. An individual whose name is removed from the Enrolled List will cease to be enrolled as a Mi'kmaw of Nova Scotia and will no longer be entitled to the rights and privileges under this process.
  
17. An individual will be removed from the Enrolled List where:
  - a. satisfactory evidence has been provided that an individual has died;
  - b. upon demonstration that the individual was enrolled as a Mi'kmaw of Nova Scotia as a result of an error or on the basis of false information; or
  - c. upon written request by an individual, in the prescribed form, to renounce being a Mi'kmaw of Nova Scotia under this process.
  
18. An individual shall receive notice of the removal of their name from the Enrolled List. Prior to the removal of an individual from the Enrolled List under s. 17(b), however, the individual shall receive notice:
  - a. that their enrollment is under review;
  - b. of the reasons the Enrollment Committee has for believing that person should be removed from the Enrolled List; and
  - c. of their right to make submissions to the Enrollment Committee in respect of their removal from the Enrolled List.
  
19. Minors who were enrolled under a parent's Application will remain on the Enrolled List until they reach the age of eighteen, unless their parent's removal is to correct an error or enrollment on the basis of false information, pursuant to s. 17(b).
  
20. An individual who is removed from the Enrolled List under s. 17(b) shall receive written reasons for the decision of the Enrollment Committee, and may appeal their removal to the Appeals Committee in accordance with the *Enrollment Appeals Process*.
  
21. An individual who has renounced their status as a Mi'kmaw of Nova Scotia under s. 17(c) may be reinstated to the Enrolled List if they submit a fresh Application under s. 10 which is approved in accordance with this Enrollment Process.

## **ENROLLMENT COMMITTEE**

22. An Enrollment Committee responsible for the Enrollment Process is hereby established.
23. The Enrollment Committee shall consist of five (5) members, who may each represent one of the following groups:
  - a. youth between the ages of 18 and 35;
  - b. urban (off-reserve) residents;
  - c. Elders;
  - d. single parents; and
  - e. the Grand Council.

## **APPOINTMENT**

24. The Assembly will appoint a lead member and an alternate member to the Enrollment Committee from each of the four representative groups under s. 23(a)-(d), taking into consideration factors like merit, demography and geography.
25. The Grand Council will recommend a lead member and an alternate member to the Enrollment Committee under s. 23(e) from within the Grand Council, and provide the recommended names to the Assembly for appointment.

## **TERM OF APPOINTMENT**

26. Each member of the Enrollment Committee shall hold office for a term of one year. Members may be reappointed upon the expiry of their term, but no member shall serve on the Enrollment Committee for more three consecutive terms (three years).

## **CONDITIONS OF APPOINTMENT**

27. All members of the Enrollment Committee shall swear an Oath of Office before a Justice of the Peace, Notary Public, or a duly appointed Commissioner of Oaths.

28. Members of the Enrollment Committee:
  - a. shall not be a Chief or Councillor;
  - b. shall not be employed by or receive other remuneration of any kind from KMKNO or the Assembly, other than that to which they are entitled as a member of the Enrollment Committee.
  
29. In the case of death, incapacity, resignation, temporary absence, or real or apparent conflict of interest of any lead member of the Enrollment Committee, the alternate member shall replace the lead member on the Enrollment Committee.
  
30. Alternate members may attend Enrollment Committee meetings even when the lead member is present, but only as an observer in the absence of the lead member, the alternate has all the powers and authority of the lead member.

## **POWERS**

31. In assessing an Application, the Enrollment Committee may:
  - a. interview the applicant and, with the applicant's written consent, any other individual the Enrollment Committee considers may have information necessary to decide the Application;
  - b. request that the applicant provides additional information or documentation that the Enrollment Committee considers necessary to decide the Application.
  
32. The Enrollment Committee may:
  - a. enroll an applicant, if the Enrollment Committee is satisfied that the applicant meets the Eligibility Criteria;
  - b. refuse to enroll the applicant, if the Enrollment Committee is not satisfied that the applicant meets the Eligibility Criteria;
  - c. remove an individual from the Enrolled List, if the Enrollment Committee is satisfied that any of the circumstances in s. 17(b) exist;
  - d. approve the addition of a family name to the List of Family Names;

- e. establish Advisory Committees for verifying or confirming any aspect of an Application.
33. Subject to this *Enrollment Process* and the *Enrollment Committee Handbook*, the Enrollment Committee may determine its own rules and procedures.
34. Subject to this *Enrollment Process*, the Enrollment Committee may establish policies or guidelines for the purpose of managing and administering the Nova Scotia Mi'kmaq Enrollment Process, including in respect of:
- a. amendments to the *Enrollment Committee Handbook*;
  - b. terms of Reference of the Enrollment Committee;
  - c. procedures of the Enrollment Committee;
  - d. the sponsorship of non-Nova Scotia Mi'kmaq residing in Nova Scotia by enrolled Mi'kmaq of Nova Scotia or Nova Scotia Mi'kmaq families;
  - e. the establishment of Advisory Committees in verifying or confirming any aspect of an Application;
  - f. terms and procedures for the Advisory Committees;
  - g. identification, appointment, or removal for just cause of individuals on the Advisory Committees;
  - h. the maintenance of, and procedures for adding to, the List of Family Names;
  - i. maintenance of the Enrolled List;
  - j. the making and updating of any forms or templates to be used by the Enrollment Office;
  - k. the administration of any oath, solemn affirmation or declaration;
  - l. supporting documentation or other evidence required or admissible to demonstrate eligibility as a Mi'kmaw of Nova Scotia;
  - m. the roles, responsibilities, and coordination of other parties involved in verifying or confirming any aspect of an Application.

## **DUTIES**

35. The Enrollment Committee will:
- a. appoint and direct the Enrollment Officer;
  - b. consider and assess each Application or request for reconsideration based on the Eligibility Criteria;
  - c. issue Letters of Decision to each applicant setting out its decision in respect of their Application, and, if Enrollment is refused, include reasons for that decision;
  - d. upon request, provide an applicant's Application file to the Appeals Committee;
  - e. remove individuals from the Enrolled List in accordance with s. 17(b);
  - f. consider and assess requests for additions to the List of Family Names;
  - g. consider and assess complaints about Advisory Committee members;
  - h. keep confidential information provided by and about an applicant;
  - i. report annually on the Enrollment Process to the Assembly;
  - j. exercise its powers and perform its duties in accordance with the *Enrollment Process* and the *Enrollment Committee Handbook*.

## **ENROLLMENT OFFICER AND OFFICE**

36. The Enrollment Committee shall appoint an Enrollment Officer.

## **POWERS OF THE ENROLLMENT OFFICER**

37. The Enrollment Officer may:
- a. with the approval of the Enrollment Committee, hire and employ staff to provide administrative support to the Enrollment Committee and the Enrollment Officer;

- b. with the approval of the Enrollment Committee, lease premises for the Enrollment Office;
- c. remove an individual from the Enrolled List upon:
  - i. request of the individual to renounce their status as a Mi'kmaw of Nova Scotia, or
  - ii. proof of their death;
- d. Keep records as required under this Process, in printed or electronic form or any combination thereof, as the Enrollment Officer considers appropriate, including records of:
  - i. all Application files;
  - ii. the disposition of all Applications;
  - iii. renunciations;
  - iv. decisions to remove individuals from the Enrolled List;
  - v. deaths;
  - vi. requests to add names to the List of Family Names, and the disposition thereof;
  - vii. complaints against Advisory Committee members, and the disposition thereof;
  - viii. the disposition of all Appeals;
  - ix. the appointment of Advisory Committee members; and
  - x. any other matter that, in the discretion of the Enrollment Officer, is relevant to the administration of Applications and the currency and accuracy of the Enrolled List and the Family List.

#### **DUTIES OF THE ENROLLMENT OFFICER**

38. The Enrollment Officer shall:
- a. direct staff of the Enrollment Office;
  - b. publish and maintain the List of Family Names;
  - c. establish and maintain the Enrolled List;



- d. ensure the accuracy of the Enrolled List, and the List of Family Names, including updating the Lists as necessary to:
  - i. implement decisions of the Enrollment Committee;
  - ii. implement decisions of the Appeals Committee;
  - iii. update personal information for Nova Scotia Mi'kmaq;
- e. screen Applications for completeness and compliance with technical requirements;
- f. convey completed Applications to the Enrollment Committee for review and decision;
- g. process and send any notices required to be issued by the Enrollment Committee;
- h. process and send correspondence of the Enrollment Committee;
- i. schedule the Enrollment Committee's interviews;
- j. oversee the logistics including administration, coordination and meetings of Advisory Committees, when required;
- k. update and publish forms as amended by the Enrollment Committee from time to time;
- l. publish the Enrollment Process, Eligibility Criteria, Enrollment Committee Handbook, and any rules or procedures established by the Enrollment Committee;
- m. process and issue Identification Cards;
- n. respond to inquiries from the public regarding the Enrollment Process;
- o. carry out other duties as directed by the Enrollment Committee or as may be required for the proper administration of the Enrollment Process and the Enrolled List.

## **ENROLLED LIST**

39. The Enrollment Officer shall establish an Enrolled List which shall record, in respect of each enrolled Nova Scotia Mi'kmaq, their name, date of birth, identification number, enrollment date, mailing address, and any other information the Enrollment Officer deems necessary or advisable.

## **ADVISORY COMMITTEES AND FAMILY NAMES**

### **LIST OF FAMILY NAMES**

40. The Assembly will establish a list of Nova Scotia Mi'kmaq Family Names. The Enrollment Officer shall publish, maintain and update the List of Family Names as required.
41. Any individual may make a request in writing to the Enrollment Committee to add their family name to the List of Family Names. The Enrollment Committee shall inquire into the request and issue a decision with written reasons.

### **CREATION OF ADVISORY COMMITTEES**

42. The Enrollment Committee will establish an Advisory Committee, when needed.
43. Advisory Committees will be ad-hoc and will only act in an advisory capacity when and if further verification is needed to validate an application.
44. Advisory Committees will be comprised of respected family members, Elders or other individuals with expertise on the family, families and/or area the applicant is claiming connection to.
45. The Enrollment Committee is responsible for the administration and coordination of the identification, appointment or removal for just cause of individuals on an Advisory Committee.
46. Advisory Committee members shall swear an Oath of Office before a Justice of the Peace, Notary Public, or a duly appointed Commissioner of Oaths.

### **DUTIES OF ADVISORY COMMITTEE MEMBERS**

47. Advisory Committee members shall be responsible for assisting the Enrollment Committee in its work by determining and validating an applicant's Acceptance by a

Mi'kmaw family, including their present-day connection to a family and broader Acceptance by the Nova Scotia Mi'kmaq Nation.

48. An applicant who believes that an Advisory Committee member has denied a family connection in bad faith or for an improper purpose, or has otherwise violated their oath of office, may make a formal complaint in writing to the Enrollment Committee. The Enrollment Committee shall inquire into the complaint and, if the Enrollment Committee is satisfied that the complaint is substantiated, the Enrollment Committee may remove the Advisory Committee member from their duties, and if that member's actions has swayed the outcome of decision by an Advisory Committee, may require the convening of another Advisory Committee meeting.

### **CONFIDENTIALITY & ACCESS TO INFORMATION**

49. The Enrolled List will be maintained in a secure location within the Enrollment Office.
50. Access to the Enrolled List shall be limited to the Enrollment Committee and the Enrollment Officer. The Enrollment Officer may authorize staff of the Enrollment Office to access the Enrolled List if necessary, for the fulfillment of their duties as set out in this Enrollment Process.
50. The Enrollment Committee, Enrollment Officer, and Enrollment Office staff must protect the confidentiality of the information contained in the Enrolled List.
51. Nothing in s. 50-51 prevents:
- a. the Enrollment Committee or the Enrollment Officer disclosing personal information of an applicant for the purpose of carrying out the procedures of the Enrollment Process, in which case they shall not disclose more information than is required to fulfill the objective of the disclosure;
  - b. the Enrollment Officer from disclosing or certifying a Mi'kmaw of Nova Scotia's enrollment status to an official of a First Nation, provincial or federal government in connection with the recognition, protection, or advancement of the rights, privileges and benefits to which the beneficiary is or may be entitled by virtue of their enrollment; or
  - c. the Enrollment Officer from disclosing the personal information of a Mi'kmaw of Nova Scotia to a third party, with that individual's prior written consent.
53. Any applicant or enrolled Mi'kmaw of Nova Scotia may submit a request to the Enrollment Officer for access to for their own personal information contained in:

- a. their own Application file; or
- b. the Enrolled List.

54. Any enrolled Mi'kmaw of Nova Scotia may make a request in writing to the Enrollment Officer to have their personal information contained in the Enrolled List be corrected or updated.

### **NO CONVEYANCE OF RIGHTS UNDER OTHER ACTS**

55. Being enrolled as a Nova Scotia Mi'kmaq does **not**: confer or deny rights of entry into Canada, Canadian citizenship, the right to be registered as an Indian under the *Indian Act*, or any of the rights or benefits under the *Indian Act*.

### **AUTHORITY AND ENACTMENT**

56. The Assembly issued an Assembly resolution on April 25, 2019 approving piloting the Process to administer Harvester Identification Cards to individuals who are Non-Status or are registered Status Indians on the Atlantic General List for September 2019, with the support of Band Council Resolutions.

### **AMENDMENTS**

57. The Nova Scotia Mi'kmaq Enrollment Process may be amended by resolution of the Assembly, following formal written recommendation from the Enrollment Committee and/or Appeals Board.

## **DEFINITIONS**

**ABORIGINAL RIGHT** – Our Mi'kmaq Aboriginal rights are our collective rights, which come from our continual and continued use and occupation of our lands and waters. Aboriginal rights consist of the practices, traditions and customs, which were engaged in before contact with Europeans. As each First Nation, Métis and Inuit group is different, each having a unique culture, specific Aboriginal rights vary for each Aboriginal Nation.

**ACCEPTANCE** – One of the Eligibility Criteria upon which the Enrollment Committee assesses applications. Acceptance may be established by a combination of factors including: an applicant's ties to the Nova Scotia Mi'kmaq Nation or a Nova Scotia Mi'kmaq band or area; knowledge of the person by members of the Nova Scotia Mi'kmaq Nation; the degree of knowledge of or familiarity with Mi'kmaq culture, customs, lifestyles, history, or language.

**ADVISORY COMMITTEE MEMBER** – An individual appointed pursuant to the Enrollment Process for the purposes of certifying that an applicant is part of a family and/ or accepted by the Nation.

**ADOPTION** – An adoption of a child under 18 years of age, pursuant to laws recognized in Canada or in accordance with Mi'kmaq custom, in good faith with the intention of raising the child within a Nova Scotia Mi'kmaq family, and the Mi'kmaq Nation and culture.

**APPEALS COMMITTEE** – An independent committee of representatives appointed by the Assembly and Grand Council, responsible for administering the Appeals Process. Appeal Panels responsible for deciding appeals are appointed from among the members of the Appeals Committee.

**APPEAL PANEL** – A three-member panel appointed from among the members of the Appeals Committee to decide an appeal. The Chair of the Appeal Panel is a Legal Appointee.

**APPEALS PROCESS** – The process to have a case reviewed by an Appeal Panel after an applicant has been rejected by the Enrollment Committee in the Nova Scotia Mi'kmaq Enrollment Process, or their name has been removed from the Enrolled List.

**APPLICANT** – An individual making an Application under the Nova Scotia Mi'kmaq Enrollment Process, or an individual on whose behalf an application is made.

**APPLICATION** – An application to the Enrollment Committee for enrollment as a Mi'kmaw of Nova Scotia under the Nova Scotia Mi'kmaq Enrollment Process.

**ASSEMBLY OF NOVA SCOTIA MI'KMAW CHIEFS** – The highest level of decision-making in the negotiation process.

**CUSTOM MI'KMAQ ADOPTION** – The practice of transferring the primary on-going responsibility for a Mi'kmaw or Aboriginal child from a current parent or caregiver to a new caregiver according to the traditions, practices and customs of the band.

**ELIGIBILITY CRITERIA** – The criteria an individual must meet in order to be an enrolled as a Mi'kmaw of Nova Scotia. The Eligibility Criteria are: Familial Connection and Acceptance.

**ENROLLMENT COMMITTEE** – An independent committee of representatives appointed by the Assembly and Grand Council, responsible for administering the enrollment process and deciding Applications according to the Eligibility Criteria.

**ENROLLED LIST** – The list of all enrolled Nova Scotia Mi'kmaq.

**ENROLLMENT OFFICER** – Permanent staff person appointed and directed by the Enrollment Committee to assist in the administration of the Enrollment Process, including to manage the Enrolled List and Family List.

**FAMILIAL CONNECTION** – One of the Eligibility Criteria for enrollment.

**HEIR** – Referenced in the Peace and Friendship Treaties, a Mi'kmaw descendent of these Treaties, also referred to in this document as a Mi'kmaw of Nova Scotia.

**MI'KMA'KI** – The traditional land of the Mi'kmaq, including, but not limited to present day Nova Scotia.

**MI'KMAQ GRAND COUNCIL (GRAND COUNCIL)** – Also known as the Santé Mawiómi, is the traditional government for the Mi'kmaq. The Grand Council is made up of representatives from the seven districts in Mi'kma'ki, the Kji-Saqmaq (Grand Chief), the Kji-Keptin (Grand Captain), and the Putus.

**MI'KMAW OF NOVA SCOTIA** – An individual enrolled under the Nova Scotia Mi'kmaq Enrollment Process, who is eligible to exercise Mi'kmaq Aboriginal and Treaty rights.



**MI'KMAQ NATION** – Means all of Mi'kma'ki; the entire collective of Mi'kmaq, including present day Nova Scotia.

**NOVA SCOTIA MI'KMAQ ENROLLMENT PROCESS** – The process created by the Mi'kmaq for the Mi'kmaq to determine who is Nova Scotia Mi'kmaq, meaning the process identifying the individuals who are eligible to exercise Mi'kmaq Aboriginal and Treaty rights.

**NOVA SCOTIA MI'KMAQ ANCESTRY** – An applicant can demonstrate their ancestry to a Nova Scotia Mi'kmaq family, on at least one side of their family line, after 1871, as well as a present-day connection to a Nova Scotia Mi'kmaq Family.

**NOVA SCOTIA MI'KMAQ FAMILY** – A family recognized by the Assembly or the Enrollment Committee for the purposes of establishing eligibility for enrollment under the Nova Scotia Mi'kmaq Enrollment Process.

**NOVA SCOTIA MI'KMAQ NATION** – The collective of Mi'kmaq of Nova Scotia.