

TOQUAHT NATION GOVERNMENT

Enacted under the Citizenship Act section 9.1

**CITIZENSHIP AND ENROLMENT
FORMS REGULATION**

TNR 1/2011



OFFICIAL CONSOLIDATION – CURRENT TO JANUARY 24, 2014

This is a certified true copy of the consolidated Citizenship and Enrolment Forms Regulation
TNR 1/2011, Current to January 24, 2014

Date: June 2nd, 2014

Kristen Johnson

Signed:

Law Clerk

TOQUAHT NATION GOVERNMENT
CITIZENSHIP AND ENROLMENT FORMS REGULATION TNR 1/2011
OFFICIAL CONSOLIDATION – CURRENT TO JANUARY 24, 2014

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PART 1 - INTRODUCTORY PROVISIONS

Short title

- 1.1 This regulation may be cited as the Citizenship and Enrolment Forms Regulation.

Application

- 1.2 This regulation prescribes
- (a) the form for applications under sections 5.1 and 5.2 of the Act, and
 - (b) the form for renunciations under sections 6.1(b) and 6.1(c) of the Act.

Definitions

- 1.3 In this regulation,
- “Act” means the Citizenship Act;
- “citizenship and enrolment form” means a form prescribed under this regulation and includes any attachments to the form.

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PART 2 - PRESCRIBED FORMS

Prescribed forms

- 2.1 (a) The Form numbered DCS-4 in Schedule 1 is prescribed for the purposes of sections 5.1 and 5.2 of the Act.
- (b) The Form numbered DCS-5 in Schedule 2 is prescribed for the purposes of sections 6.1(b) and 6.1(c) of the Act.
- (c) A citizenship and enrolment form that is
- (i) an application form must be in Form DCS-4, and
 - (ii) a notice of renunciation form must be in Form DCS-5.
- (d) Every citizenship and enrolment form must be executed and competed in compliance with
- (i) the Act,
 - (ii) this regulation, and
 - (iii) the instructions on Form DCS-4 or DCS-5, as applicable.

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PART 3 - COMPLETION OF FORMS

Completion of forms

- 3.1 (a) Every citizenship and enrolment form, including any attachments, must be on durable paper 27.9 cm x 21.5 cm in size.
- (b) Every citizenship and enrolment form must be completed
- (i) by printing or typing in legible characters of 10 or 12 pitch, but not smaller than 12 point, and
 - (ii) by printing or typing in black or dark ink that is compatible for electronic scanning, optical character recognition or micrographic technology of the kind used in the Toquaht administration office.
- (c) The name of an individual on a citizenship and enrolment form must be the individual's full legal name, being the individual's first name, middle name(s) and last name, without the use of initials or nicknames.
- (d) An abbreviation of any word on a citizenship and enrolment form must not be used unless
- (i) the abbreviation is permitted by the director of operations, and
 - (ii) the abbreviation does not obscure the meaning, intent or legal effect of the citizenship and enrolment form.
- (e) Every citizenship and enrolment form must be in the English language.
- (f) A citizenship and enrolment form must be executed by
- (i) the applicant or the individual whose Toquaht citizenship or enrolment under the Maa-nulth Treaty is being renounced, as applicable, or
 - (ii) the legal guardian(s) of an individual referred to in paragraph (i).
- (g) The execution of a notice of renunciation form must be witnessed by
- (i) a solicitor, notary public or other person authorized by the Evidence Act (British Columbia) to take affidavits for use in British Columbia, or
 - (ii) the citizenship and enrolment registrar.

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SCHEDULE 1 – CITIZENSHIP AND ENROLMENT APPLICATION FORM

TOQUAHT NATION Citizenship Act Department of Community Services Form DCS-4 CITIZENSHIP AND ENROLMENT APPLICATION FORM		Date received: <input type="checkbox"/> Approved <input type="checkbox"/> Denied Citizenship No. or Citizenship and Enrolment No. (as applicable): <i>(for Citizenship and Enrolment Registrar use only)</i>
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A. PERSONAL INFORMATION

Full Name of Applicant: _____

Date of Birth: _____ **City and Province/State of Birth:** _____

Full Name of Parents or Legal Guardian(s) if different from Parents: *(where the Applicant is a child or an adult for whom a committee has been appointed under the Patients Property Act (British Columbia))*

Parent/Legal Guardian 1: _____

Parent/Legal Guardian 2: _____

Address: _____

City: _____ **Province/State:** _____ **Code:** _____

Telephone Number: _____ **E-mail Address:** _____

B. APPLICATION TYPE

The Applicant is applying for: *(please check one)*

- ☐ Toquaht Citizenship
- ☐ Toquaht Citizenship and Enrolment under the Maa-nulth Treaty

C. ELIGIBILITY CRITERIA – TOQUAHT CITIZENSHIP

The Applicant is applying for Toquaht Citizenship under the following section of the Citizenship Act: *(please check one or more of the following)*

- ☐ **2.1(b)(i)** – the Applicant was on the Toquaht band list as of the day immediately preceding the Maa-nulth Treaty effective date
- ☐ **2.1(b)(ii)** – the Applicant has been adopted as a child by a Toquaht citizen under Canadian law, the Maa-nulth Treaty or in accordance with Nuu-chah-nulth custom
- ☐ **2.1(b)(iii)** – the Applicant is a descendant of a Toquaht citizen

Is the Applicant a citizen or member of another First Nation? *(please check one)*

- ☐ No ☐ Yes If Yes, please specify: _____

D. ELIGIBILITY CRITERIA – ENROLMENT UNDER THE MAA-NULTH TREATY *(skip this part if the Applicant is only applying for Toquaht Citizenship)*

The Applicant is applying for Enrolment under the Maa-nulth Treaty under the following section of the Maa-nulth Treaty: *(please check one or more of the following)*

- ☐ **26.1.1a** – the Applicant is of Toquaht Nation ancestry
- ☐ **26.1.1b** – the Applicant was adopted under laws recognized in Canada or in accordance with the custom of the Toquaht Nation by an individual who is eligible for enrolment under 26.1.1a, 26.1.1b or 26.1.1c
- ☐ **26.1.1c** – the Applicant is a descendant of an individual who is eligible for enrolment under 26.1.1a. or 26.1.1b
- ☐ **26.1.1d** – the Applicant is accepted by the Toquaht Nation as a member of the Toquaht Nation in accordance with the custom of the Toquaht Nation and has a demonstrated attachment to the Toquaht Nation community

Is the Applicant enrolled under another treaty or land claims agreement? *(please check one)*

- ☐ No ☐ Yes If Yes, please specify: _____

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E. SUPPORTING INFORMATION

In support of this Application, I have enclosed the following documents:

- ☐ Certified copy of a large form birth certificate
- ☐ Genealogy chart
- ☐ Certified copy of an adoption order
- ☐ Certified copy of a marriage certificate

ALL APPLICANTS MUST ENCLOSE A CERTIFIED COPY OF A LARGE FORM BIRTH CERTIFICATE. APPLICANTS WHO ARE APPLYING FOR CITIZENSHIP UNDER 2.1(b)(iii) OR ENROLMENT UNDER THE MAA-NULTH TREATY UNDER 26.1.1a or 26.1.1c MUST ENCLOSE A GENEALOGY CHART.

Is there any other information in support of this Application that the Citizenship and Enrolment Committee should be aware of? *(please enclose additional pages if necessary)*

Date: _____

Signature of Applicant or Parents/Legal Guardian(s): _____

FOR CITIZENSHIP AND ENROLMENT REGISTRAR USE ONLY:

This application was approved by the Citizenship and Enrolment Committee on _____.

Citizenship and Enrolment Registrar

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SCHEDULE 2 – CITIZENSHIP AND ENROLMENT NOTICE OF RENUNCIATION FORM

TOQUAHT NATION Citizenship Act Department of Community Services Form DCS-5 CITIZENSHIP AND ENROLMENT NOTICE OF RENUNCIATION FORM		Date received: <input type="checkbox"/> Approved <input type="checkbox"/> Denied Citizenship No. or Citizenship and Enrolment No. (as applicable): <i>(for Citizenship and Enrolment Registrar use only)</i>
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A. PERSONAL INFORMATION

Full Name of individual whose Toquaht Citizenship or Enrolment under the Maa-nulth Treaty is being renounced:

Full Name: _____

Citizenship Number: _____ Enrolment Number: _____

Full Name of Parents or Legal Guardian(s) if different from Parents: *(where the individual whose Toquaht Citizenship or Enrolment under the Maa-nulth Treaty is being renounced is a child or an adult for whom a committee has been appointed under the Patients Property Act (British Columbia))*

Parent/Legal Guardian 1: _____

Parent/Legal Guardian 2: _____

Address: _____

City: _____ Province/State: _____ Code: _____

Telephone Number: _____ E-mail Address: _____

B. RENUNCIATION

I HEREBY FREELY, WITHOUT THREAT, PROMISE OR COMPULSION, ABSOLUTELY AND UNCONDITIONALLY RENOUNCE MY: *(please check one)*

- ☐ Toquaht Citizenship
- ☐ Enrolment under the Maa-nulth Treaty
- ☐ Toquaht Citizenship and Enrolment under the Maa-nulth Treaty

C. EXECUTIONS

Prescribed Individual Signature(s)

EXECUTION DATE

Signature of individual whose Toquaht
Citizenship or Enrolment under the Maa-
nulth Treaty is being renounced or his or
her Parents/Legal Guardian(s)

Print Name, Address and
Occupation:

Y	M	D

Print Name:

Print Name:

PREScribed INDIVIDUAL CERTIFICATION:

Your signature constitutes a representation that you are a prescribed individual authorized to witness the execution of this Notice of Renunciation.

FOR CITIZENSHIP AND ENROLMENT REGISTRAR USE ONLY:

This notice was received and approved by the Citizenship and Enrolment Committee on _____.

Citizenship and Enrolment Registrar

LEGISLATIVE HISTORY

Citizenship and Enrolment Forms Regulation TNR 1/2011 enacted April 1, 2011

Amendments

Section	Amendment	In Force
3.1(g)	TNR 3/2014, s.2.1(a)	January 24, 2014
Schedule 1	TNR 3/2014, s.2.1(b)	January 24, 2014
Schedule 2	TNR 3/2014, s.2.1(c)	January 24, 2014

Amending Acts:

TNR 3/2014 Citizenship and Enrolment Forms Amendment Regulation enacted January 24, 2014