

chapter A-33.1

ACT RESPECTING CREE, INUIT AND NASKAPI NATIVE PERSONS

1979, c. 25, s. 1.

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DIVISION I

INTERPRETATION

1. In this Act, unless the context indicates otherwise,

(a) “beneficiary”, “Cree beneficiary”, “Inuit beneficiary” or “Naskapi beneficiary”, as the case may be, means a person contemplated in Division III or Division V.1;

(b) “Québec Native Appeal Board” means the appeal board established by section 21;

(c) “Enrollment Commission” means the Commission established, by the application of paragraph 3.3.3 of the Agreement, by the Regulation respecting eligibility for the benefits of the Agreement concerning James Bay and Northern Québec adopted by order in council number 2932 of 1976, under subsection 6 of section 2 of the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67);

(c.1) “Naskapi Enrollment Commission” means the Commission established, by the application of subsection 3.3.3 of the Northeastern Québec Agreement, by the Regulation respecting eligibility for the benefits of the Northeastern Québec Agreement adopted under subsection 6 of section 2 of the Act approving the Northeastern Québec Agreement (chapter C-67.1), by order in council number 9 dated 5 January 1979;

(d) “Cree community” means a group consisting of all members of a Cree band, within the meaning of the Indian Act (Revised Statutes of Canada, 1985, chapter I-5), until the incorporation of such a band as provided for by Section 9 of the Agreement and, thereafter, all the members of that corporation, in the territory, as well as all other persons who are entitled to be enrolled as Cree beneficiaries under the terms of this Act and who are recognized by the said band as belonging to such group;

(e) “Inuit community” means one of the existing Inuit communities of Kangiqsualujuaq, Kuujuaq, Tasiujaq, Aupaluk, Kangirsuk, Quaqtaq, Kangiqsujuaq, Salluit, Ivujivik, Akulivik, Puvirmituq, Inukjuak, Umiujaq, Kuujjuaraapik, Chisasibi and Killiniq (Port Burwell), and any Inuit community formed after 1 May 2006 and recognized by the Government;

(e.1) “Naskapi community” means the group in the territory consisting of all the members of the band, within the meaning of the Indian Act, called the Naskapis de Schefferville, until its incorporation as provided for in section 7 of the Northeastern Québec Agreement and, thereafter, all the members of that corporation, as well as all other persons who are entitled to be enrolled as Naskapi beneficiaries under the terms of this Act and who are recognized by the said band as belonging to such group;

(f) “Agreement” or “Agreement concerning James Bay and Northern Québec” means the Agreement contemplated in section 1 of the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67), as well as Complementary Agreement No. 1 tabled in the National Assembly on 18 April 1978 as Sessional Papers, No. 114;

(f.1) “Northeastern Québec Agreement” means the Agreement contemplated in section 1 of the Act approving the Northeastern Québec Agreement (chapter C-67.1);

(g) “Secretary General” means the Secretary General contemplated in section 15;

(h) “territory” means the territory contemplated in section 2.

1978, c. 97, s. 1; 1979, c. 25, s. 2; 2006, c. 28, s. 1.

DIVISION II

TERRITORIAL APPLICATION

2. The territory to which this Act applies is formed by the territories defined by the Québec boundaries extension acts, as evidenced by chapter 6 of the statutes of 1897/1898 and chapter 7 of the statutes of 1912 (1st session).

1978, c. 97, s. 2.

3. The territory is divided into lands of various categories, namely, Categories I, I-N, IA, IA-N, IB, IB-N, II, II-N and III lands, including Special Category I lands and Special Category I-B lands. These lands are delimited in conformity with the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1) and shall be disposed in conformity with the said Act.

1978, c. 97, s. 3; 1979, c. 25, s. 3.

4. Notwithstanding section 3, the Government may, so long as the lands contemplated therein have not been delimited in conformity with the said section, delimit them provisionally by a special order made under this section, published in the *Gazette officielle du Québec*. The special order ceases to have effect, in whole or in part, on any date fixed by an order of the Government published in the *Gazette officielle du Québec*.

Any reference in an Act, order in council or other document to the Act respecting the land regime in the the James Bay and New Québec territories (chapter R-13.1) accompanied with the mention of one of the categories of lands contemplated in section 3 is deemed to be a reference to the said special order, so long as it is in force. The same rule applies to any mention of the said categories of lands, in any manner whatever, in any Act, order in council or document.

The Government, on the conditions it determines, may provisionally transfer to the Government of Canada the management and administration of the Category IA lands delimited under the first paragraph for the exclusive use and benefit of the Cree beneficiaries.

1978, c. 97, s. 4; 1999, c. 40, s. 35.

DIVISION III

CREE AND NASKAPI BENEFICIARIES

2006, c. 28, s. 2.

5. The persons who, in conformity with this division, are entitled to be enrolled or who are enrolled as Cree beneficiaries or Naskapi beneficiaries, have the right to invoke the rights, privileges and benefits which Cree beneficiaries or Naskapi beneficiaries have, as recognized by law.

1978, c. 97, s. 5; 1979, c. 25, s. 4; 2006, c. 28, s. 3.

6. A person is entitled to be enrolled as a Cree beneficiary if, on 15 November 1974, he was

(a) under the terms of the Indian Act (Revised Statutes of Canada I-6), a member or a person entitled to be a member of one of the eight Cree Indian bands of Québec designated on the said date under the names of Waswanipi, Mistassini, Old Factory, Fort George, Eastmain, Rupert House, Nemaska and Great Whale River;

(b) a person of Cree ancestry ordinarily resident in the territory;

(c) a person of Cree or Indian ancestry recognized by one of the Cree communities as having been a member thereof;

(d) the adopted child of a person mentioned in paragraph *a*, *b* or *c*.

1978, c. 97, s. 6.

7. On and after 16 November 1974, a person is also entitled to be enrolled as a Cree beneficiary, if he is

(a) a legitimate or illegitimate descendant in the male or female line of a person contemplated in section 6 or 8;

(b) the adopted child of a person contemplated in section 6 or in paragraph *a* of this section, provided that such child is a minor at the time of the adoption.

1978, c. 97, s. 7.

8. Every Cree community may, at its discretion, direct the Secretary General to enroll as a Cree beneficiary any person of Cree ancestry, provided that such person

(a) was born in the territory, or

(b) is ordinarily resident in the territory, and

(c) would have been entitled to be enrolled with his descendants under section 6 or 7 but, through inadvertence or otherwise, was omitted from the official lists of Cree beneficiaries prepared by the Enrollment Commission.

1978, c. 97, s. 8.

9. (*Repealed*).

1978, c. 97, s. 9; 2006, c. 28, s. 4.

10. (*Repealed*).

1978, c. 97, s. 10; 2006, c. 28, s. 4.

11. (*Repealed*).

1978, c. 97, s. 11; 2006, c. 28, s. 4.

11.1. A person is entitled to be enrolled as a Naskapi beneficiary if, on 30 June 1977, he was

(a) under the terms of the Indian Act (Revised Statutes of Canada, 1970, chapter I-6), a member or a person entitled to be a member of the band designated on the said date under the name of Naskapis de Schefferville;

(b) a person of Naskapi ancestry ordinarily resident in the territory;

(c) a person of Naskapi or Indian ancestry recognized by the Naskapi community as having been a member thereof;

(d) the adopted child of a person mentioned in paragraph *a*, *b* or *c*.

1979, c. 25, s. 5.

11.2. On and after 1 July 1977, a person is also entitled to be enrolled as a Naskapi beneficiary, if he is

(a) a legitimate or illegitimate descendant in the male or female line of a person contemplated in section 11.1 or 11.3;

(b) the adopted child of a person contemplated in section 11.1 or in paragraph *a*, provided that such child is a minor at the time of the adoption.

1979, c. 25, s. 5.

11.3. The Naskapi community may, from time to time at its discretion, direct the Secretary General to enroll as a Naskapi beneficiary any person of Naskapi ancestry, provided that such person

(a) was born in the territory, or

(b) is ordinarily resident in the territory, and

(c) would have been entitled to be enrolled with his descendants under section 11.1 or 11.2 but, through inadvertence or otherwise, was omitted from the official list of the Naskapi beneficiaries prepared by the Naskapi Enrollment Commission.

1979, c. 25, s. 5.

12. Any Cree or Naskapi beneficiary contemplated in sections 6 to 11.3 who is absent from the territory for ten consecutive years and is domiciled outside the territory is not entitled to exercise his rights, or to receive benefits granted to him by any law contemplated in section 5, as a Cree or Naskapi beneficiary.

Upon such person's re-establishing his domicile in the territory, his entitlement to exercise his rights and to receive benefits as a Cree or Naskapi beneficiary revives.

1978, c. 97, s. 12; 1979, c. 25, s. 6; 2006, c. 28, s. 5.

13. A Cree community or the Naskapi community recognizes a person as one of its members by a resolution approved by a majority of the members of the band council.

1978, c. 97, s. 13; 1979, c. 25, s. 7; 2006, c. 28, s. 6.

14. Adoption for purposes of this Act is that of a minor and is effected in conformity with the laws relating to adoption in force in Canada or in conformity with Cree or Naskapi customs.

1978, c. 97, s. 14; 1979, c. 25, s. 8; 2006, c. 28, s. 7.

DIVISION IV

REGISTRATION OF CREE AND NASKAPI BENEFICIARIES

2006, c. 28, s. 8.

15. A secretary general, appointed to the Ministère de la Santé et des Services sociaux, is entrusted with the registration of Cree and Naskapi beneficiaries.

1978, c. 97, s. 15; 1985, c. 23, s. 24; 2006, c. 28, s. 9.

16. The Secretary General must keep a Cree register and a Naskapi register in which are respectively recorded the names of the persons entitled to be enrolled as Cree beneficiaries or as Naskapi beneficiaries. In the case of the Crees, the register contains the community lists referred to in section 18.

The Cree and Naskapi registers kept by the Secretary General indicate the date on which each name is entered thereon or deleted therefrom.

1978, c. 97, s. 16; 1979, c. 25, s. 9; 2006, c. 28, s. 10.

17. The Secretary General may at any time add to or delete from the registers the name of any person who is entitled or not entitled to have his name included in the registers.

1978, c. 97, s. 17.

18. (1) Every Cree beneficiary is also enrolled on one of the lists established for each community.

(2) No Cree beneficiary may be enrolled in more than one Cree community at a time.

(3) Every Cree beneficiary who is a member of an Indian Cree band contemplated in paragraph *d* of section 1, is enrolled in the Cree community of which that band forms part.

(4) Every Cree beneficiary not contemplated in subsection 3 is enrolled in the Cree community of which he is recognized to form part, or failing this, in the Cree community in which one of his parents is enrolled. In the latter case, the choice of the Cree community is at the option of the person having the legal or *defacto* custody of that beneficiary, if a minor, or at his option if he has reached the age of eighteen.

(5) Every Cree beneficiary born of parents who are members of different Cree communities is enrolled in his father's Cree community. Upon his majority, that beneficiary has the right to be enrolled in either Cree community and notifies the Secretary General as to the Cree community in which he wishes to be enrolled, failing which, he remains a member of his father's Cree community.

(6) Every Cree beneficiary marrying a member of another Cree community may retain membership in his community of origin.

(7) Every Cree beneficiary enrolled in a Cree community may be admitted as a member of another Cree community with the consent of the latter. The decision to that effect is made by a majority of the members of the community present at a meeting of the community called for that purpose; the decision is recorded in a council resolution and forwarded to the local registry officer contemplated in subsection 8.

(8) The Government shall appoint, for each Cree community, as local registry officer, a qualified Cree beneficiary or the band council of the community.

That local registry officer keeps and maintains the Cree community list and immediately notifies the Secretary General of all changes in the list necessitating changes in the Cree register.

1978, c. 97, s. 18; 1984, c. 27, s. 44.

19. (*Repealed*).

1978, c. 97, s. 19; 1984, c. 27, s. 45; 2006, c. 28, s. 11.

19.1. The Government shall appoint, for the Naskapi community, as local registry officer, a qualified Naskapi beneficiary or the Naskapi band council of the village of Kawawachikamach.

That local registry officer keeps and maintains the Naskapi community list on which every Naskapi beneficiary is enrolled and immediately notifies the Secretary General of all changes in the list necessitating changes in the Naskapi register.

1979, c. 25, s. 10; 1984, c. 27, s. 46.

20. No person may be enrolled on more than one list.

A person entitled to be enrolled on more than one list of beneficiaries established under this Act must indicate to the Secretary General, who shall address to him a request to that effect, the list on which he wishes to be enrolled, and on his failing to do so, the Secretary General decides on which list that person shall be enrolled.

If such a person is already enrolled on one of the lists established pursuant to this Act and fails to respond to the Secretary General's request, such person shall remain on the list on which he is already enrolled.

Upon his majority, a person entitled to be enrolled on both a Cree list and an Inuit list provided for in Division V.1 must indicate to the Secretary General the list on which he wishes to be enrolled, and on his failing to do so, the Secretary General decides on which list that person shall be enrolled.

1978, c. 97, s. 20; 1979, c. 25, s. 11; 2006, c. 28, s. 12.

DIVISION V

APPEAL FOR CREE AND NASKAPI BENEFICIARIES

2006, c. 28, s. 13.

21. A Québec Native Appeal Board is established to hear all appeals made in accordance with this division. This appeal board is composed of one judge of the Court of Québec designated by the Government for that purpose.

It may be designated in Cree under the name of: "TIPSINHEEGASHOUT TEBASCUNGESHOO" and in Naskapi under the name of: "COOBEC EEUYOUWHICH GOOGAATCHGEECHAMOON ABSTAGNOOCH".

1978, c. 97, s. 21; 1979, c. 25, s. 12; 1988, c. 21, s. 66; 2006, c. 28, s. 14.

22. Within six months after the notification by the Secretary General that the name of a person has been added to or deleted from the Cree or Naskapi register or within six months after the notification by the Secretary General of his refusal to include the name of a person on that register, an appeal from his decision lies to the Québec Native Appeal Board.

1978, c. 97, s. 22; 1979, c. 25, s. 13; 2006, c. 28, s. 15.

23. An appeal provided for in this division shall not be made more than once.

1978, c. 97, s. 23.

24. The following persons may appeal to the Québec Native Appeal Board:

- (a) every person whose name has been omitted, excluded or deleted from or included in the lists;
- (b) every person whose name has been added to or deleted from the Cree or Naskapi register;
- (c) every person whose application has been refused by the Secretary General;
- (d) a council of one of the Cree bands or the council of the Naskapi band or their successors.

The successor of the council of one of the Cree bands is, from its creation, the council of one of the corporations provided for in Section 9 of the Agreement concerning James Bay and Northern Québec and the successor of the council of the Naskapi band is, from its creation, the council of the Naskapi Village of Kawawachikamach, established pursuant to the Cree Villages and the Naskapi Village Act (chapter V-5.1).

1978, c. 97, s. 24; 1979, c. 25, s. 14; 1996, c. 2, s. 82; 2006, c. 28, s. 16.

25. The Minister of Indian Affairs and Northern Development shall be notified by the Secretary General of all appeals under this division and has the right to intervene on his own behalf, or, at the request of the appellant, on the appellant's behalf.

1978, c. 97, s. 25.

DIVISION V.1

ENTITLEMENT AND ENROLLMENT OF INUIT BENEFICIARIES

2006, c. 28, s. 17.

§ 1. — *Entitlement*

2006, c. 28, s. 17.

25.1. A person is entitled to be enrolled as an Inuit beneficiary and to invoke the rights and receive the benefits granted to Inuit beneficiaries if that person

- (a) is living;
- (b) is a Canadian citizen;
- (c) is an Inuk according to Inuit customs and traditions;
- (d) identifies himself as an Inuk; and
- (e) has family, residential, historical, cultural or social ties with an Inuit community.

For the purposes of subparagraph *d* of the first paragraph, a relative or tutor may identify as an Inuk a person unable to do so himself.

2006, c. 28, s. 17.

25.2. Despite section 25.1, a person entitled to be enrolled as an Inuit beneficiary may not be so enrolled if the person is already enrolled under another land claims agreement in Canada, unless it is an agreement affecting the Inuit of Nunavik, including an agreement relating to the Nunavik Marine Region bordering on Québec, to Labrador or to the Labrador offshore area, or the person demonstrates that he has abandoned the prior enrollment.

2006, c. 28, s. 17.

25.3. If the Secretary General makes a decision under section 20 on behalf of a person entitled to be enrolled, the Secretary General shall send it to that person and to the Enrollment Office established under section 25.13.

2006, c. 28, s. 17.

25.4. The status of beneficiary of a person who, before 1 May 2006, was enrolled or entitled to be enrolled because of the person's status as the lawful spouse of an Inuit beneficiary may be reviewed by the appropriate community enrollment committee provided for in section 25.7, if there are reasonable grounds to believe that the person no longer has sufficient ties with the Inuit community following a divorce, a legal separation, *a de facto* separation or the death of the person's spouse having occurred on 1 May 2006 or after that date.

De facto separation is proven by a declaration under oath signed by the spouse or another interested beneficiary attesting that the spouses have been separated for at least one year.

2006, c. 28, s. 17.

25.5. An Inuit beneficiary who has maintained his principal residence outside the territory for 10 or more consecutive years is not entitled to exercise rights or receive benefits as an Inuit beneficiary, and his name is transferred to the list of Inuit beneficiaries who have resided outside the territory for 10 or more consecutive years provided for in section 25.14. If a beneficiary re-establishes his principal residence in the territory, his

entitlement to exercise rights and receive benefits as an Inuit beneficiary revives and his name is then transferred to the list of Inuit beneficiaries provided for in section 25.14.

However, the first paragraph does not apply to an Inuit beneficiary who has maintained his principal residence outside the territory for 10 or more consecutive years for health reasons, to pursue studies or to hold employment in an organization promoting Inuit well-being.

2006, c. 28, s. 17.

§ 2. — *Affiliated beneficiary*

2006, c. 28, s. 17.

25.6. For the purposes of this division, a beneficiary is affiliated with the Inuit community in which he is accepted for enrollment.

2006, c. 28, s. 17.

§ 3. — *Community enrollment committees*

2006, c. 28, s. 17.

25.7. A community enrollment committee is created for each Inuit community.

The committee consists of not less than 3 and not more than 13 beneficiaries, and committee decisions are made by a majority vote.

2006, c. 28, s. 17.

25.8. In the case of Inuit communities for which a landholding corporation has been established in accordance with the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1), the community enrollment committee consists of the members of the board of directors of the landholding corporation formed under section 11 of that Act and of a beneficiary affiliated with that community who is considered to be an elder according to Inuit customs and traditions, and who is designated by the landholding corporation for a renewable two-year term.

2006, c. 28, s. 17.

25.9. In the case of Inuit communities for which there is no landholding corporation, the members of the community enrollment committee are elected for a renewable two-year term by the Inuit beneficiaries affiliated with the community concerned.

The Enrollment Office created under section 25.13 is responsible for holding the election.

2006, c. 28, s. 17.

25.10. The community enrollment committee of an Inuit community has the following functions in respect of the community for which it was created:

(a) to receive and examine the application of a person who wishes to be enrolled as an Inuit beneficiary with that community in order to determine whether the person meets the enrollment criteria listed in section 25.1, and, if he is not prevented from enrolling by section 25.2, to affiliate the person with that community;

(b) to delete, even on its own initiative, the name of a beneficiary affiliated with that community who no longer meets the enrollment criteria set out in paragraphs *a* and *b* of section 25.1;

(c) to examine, even on its own initiative, the case of a person affiliated with that community in order to determine whether section 25.4 applies to that person and, if necessary, whether the person meets the other enrollment criteria listed in section 25.1;

(d) to decide, at the request of a beneficiary affiliated with another Inuit community, whether that beneficiary may become affiliated with that community;

(e) to decide, even on its own initiative, for the purposes of section 25.5, whether a beneficiary has maintained his principal residence outside the territory for 10 or more consecutive years for reasons other than those mentioned in the second paragraph of that section;

(f) to decide, on the application of a beneficiary affiliated with that community, whether that beneficiary has re-established his principal residence in the territory; and

(g) to inform the Enrollment Office of its decisions without delay so that the lists provided for in section 25.14 may be kept up to date.

2006, c. 28, s. 17.

25.11. A beneficiary may not be affiliated simultaneously with more than one Inuit community.

However, a beneficiary may apply to the community enrollment committee of an Inuit community other than that with which he is affiliated and obtain its consent to become affiliated with that other community.

2006, c. 28, s. 17.

25.12. A person may not submit an application contemplated in paragraph *a* or *d* of section 25.10 to more than one community enrollment committee simultaneously.

If a committee refuses an application, a new application may be submitted to the community enrollment committee of another community if

(a) 12 months have elapsed since the first community enrollment committee's decision to refuse the application;

(b) the person waives the right to apply to the Nunavik Enrollment Review Committee for a review under section 25.23 of the first community enrollment committee's decision; or

(c) the Nunavik Enrollment Review Committee has rendered a decision upholding the refusal of the first community enrollment committee under section 25.23.

2006, c. 28, s. 17.

§ 4. — *Nunavik Enrollment Office*

2006, c. 28, s. 17.

25.13. The Nunavik Enrollment Office is created within the Makivik Corporation constituted by the Act respecting the Makivik Corporation (chapter S-18.1).

2006, c. 28, s. 17.

25.14. The Enrollment Office maintains the register of Inuit beneficiaries.

This register contains the names of the Inuit beneficiaries entitled to be enrolled under this Act in accordance with the decisions of the community enrollment committee of each Inuit community under section 25.10 or the decisions of the Nunavik Enrollment Review Committee under section 25.23. It consists of two

lists, the list of Inuit beneficiaries and the list of Inuit beneficiaries who have resided outside the territory for 10 or more consecutive years.

The lists give the name, sex, date of birth, civil status and place of residence of each beneficiary and the name of the Inuit community with which the beneficiary is affiliated under section 25.10.

2006, c. 28, s. 17.

25.15. Every year and whenever so required, the Enrollment Office must send the lists of beneficiaries prepared under section 25.14, free of charge, to the departments and bodies of the governments of Québec and Canada, to the extent that the information on the lists is necessary for carrying out the responsibilities of those departments and bodies.

The Enrollment Office must send the lists on request and free of charge to any other person or body for which the information is necessary to exercise functions or implement a program under its management.

The Enrollment Office must also allow Inuit beneficiaries to consult free of charge the names of beneficiaries included in each list and the name of the community with which those beneficiaries are affiliated.

2006, c. 28, s. 17.

25.16. On a written request by an Inuit beneficiary for cancellation of enrollment, the Enrollment Office must delete the name of that beneficiary from the register of Inuit beneficiaries maintained under section 25.14.

2006, c. 28, s. 17.

25.17. The Enrollment Office receives applications for review made under section 25.23 and notifies the persons appointed under section 25.18 that they are to establish the Nunavik Enrollment Review Committee in accordance with section 25.22.

On receiving notice that the Review Committee has been duly established, the Enrollment Office sends it the file of any person who has made an application for review.

2006, c. 28, s. 17.

§ 5. — *Nunavik Enrollment Review Committee*

2006, c. 28, s. 17.

25.18. The Nunavik Enrollment Review Committee is created.

The committee is established in accordance with section 25.22 from a permanent list of six members appointed by the Makivik Corporation from among the Inuit beneficiaries enrolled on the list of Inuit beneficiaries. They must come, in equal numbers, from the Ungava region, the Hudson Strait region and the Hudson region.

2006, c. 28, s. 17.

25.19. A person designated or elected as a member of a community enrollment committee under section 25.8 or 25.9 may not be appointed under section 25.18.

2006, c. 28, s. 17.

25.20. The members are appointed under section 25.18 for a three-year term which may be renewed.

2006, c. 28, s. 17.

25.21. The mandate of a member appointed under section 25.18 may not be revoked by the Makivik Corporation without good reason.

2006, c. 28, s. 17.

25.22. Following notice given by the Nunavik Enrollment Office under section 25.17, the members appointed under section 25.18 designate three members from among themselves to form the Review Committee. Each of the three regions mentioned in section 25.18 must be represented on the Review Committee.

2006, c. 28, s. 17.

25.23. The Review Committee's function is to decide applications for review made by persons who are dissatisfied with a decision of a community enrollment committee under section 25.10.

The Review Committee must notify the Enrollment Office without delay of a decision under the first paragraph.

2006, c. 28, s. 17.

25.24. An application for review under section 25.23 must be sent to the Enrollment Office within 12 months after the date of the community enrollment committee's decision.

2006, c. 28, s. 17.

25.25. The Review Committee may agree to consider documents and information other than those contained in the file sent to it under the second paragraph of section 25.17.

2006, c. 28, s. 17.

25.26. The quorum of the Review Committee is three members and its decisions are made by a majority vote.

The decisions of the Review Committee are final and binding.

2006, c. 28, s. 17.

§ 6. — Provisions applicable to community enrollment committees and to the Nunavik Enrollment Review Committee

2006, c. 28, s. 17.

25.27. Community enrollment committees and the Nunavik Enrollment Review Committee set the rules for the conduct of their proceedings.

Before making a decision, however, community enrollment committees and the Review Committee must give an applicant and, if applicable, a person whose enrollment is being examined the opportunity to submit observations.

They must conduct their proceedings in Inuttitut and, on request by a committee member or a person mentioned in the second paragraph, in French or English.

2006, c. 28, s. 17.

25.28. Community enrollment committees and the Review Committee must send a substantiated decision in writing and within a reasonable time to an applicant and, if applicable, to a person whose enrollment has been examined.

2006, c. 28, s. 17.

25.29. No proceedings may be brought against a member of a community enrollment committee or the Review Committee for an act performed in good faith in the exercise of the functions of office.

2006, c. 28, s. 17.

DIVISION V.2

TRANSITIONAL PROVISIONS FOR 1978 AND 1979

2006, c. 28, s. 17.

26. Until otherwise provided, the office of Secretary General established by this Act shall continue to be filled by the person responsible for the “Registre de la population” at the Ministère de la Santé et des Services sociaux, in accordance with

(1) paragraph *j* of section 1 of the Regulation respecting eligibility for the benefits of the Agreement concerning James Bay and Northern Québec adopted by application of subsection 3.3.3 of the Agreement concerning James Bay and Northern Québec under subsection 6 of section 2 of the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) by order in council number 2932 of 1976, and

(2) paragraph *l* of section 1 of the Regulation respecting eligibility for the benefits of the Northeastern Québec Agreement adopted by application of subsection 3.3.3 of the Northeastern Québec Agreement under subsection 6 of section 2 of the Act approving the Northeastern Québec Agreement (chapter C-67.1) by order in council No. 9 of 1979.

1978, c. 97, s. 26; 1979, c. 25, s. 15; 1985, c. 23, s. 24.

27. The judge of the Court of Québec appointed under section 23 of the regulation referred to in paragraph 1 of section 26 shall continue to exercise his functions under section 21.

1978, c. 97, s. 27; 1979, c. 25, s. 16; 1988, c. 21, s. 66.

28. Every other appointment made under the regulations referred to in section 26 is valid for the corresponding function established by this Act.

1978, c. 97, s. 28; 1979, c. 25, s. 17.

29. Every person enrolled as a beneficiary under sections 9, 10 and 11 of the regulation contemplated in paragraph 1 of section 26 is deemed to be a Cree beneficiary within the meaning of this Act, and every person so enrolled under sections 12, 13 and 14 is deemed to be an Inuit beneficiary within the meaning of this Act. Every person enrolled as a beneficiary under sections 9, 10 and 11 of the regulation contemplated in paragraph 2 of section 26 is deemed to be a Naskapi beneficiary within the meaning of this Act.

1978, c. 97, s. 29; 1979, c. 25, s. 18.

30. Any appeal lodged before the Québec Native Appeal Board under the regulations contemplated in section 26 must be continued before the Appeal Board provided for in section 21 and must be heard under Division V.

1978, c. 97, s. 30; 1979, c. 25, s. 19.

31. *(Omitted).*

1978, c. 97, s. 31.

DIVISION V.3

TRANSITIONAL PROVISIONS FOR 2006

2006, c. 28, s. 18.

31.1. The register of Inuit beneficiaries kept by the Secretary General in accordance with section 16 is transferred on 1 May 2006 to the Nunavik Enrollment Office created under section 25.13.

That register then becomes the register of Inuit beneficiaries provided for in section 25.14, and the names and other information relating to the persons enrolled on the register of Inuit beneficiaries or on the list of Inuit beneficiaries not entitled to exercise the rights or receive the benefits granted to them as Inuit are transferred to one or the other of the lists mentioned in section 25.14.

The Minister of Health and Social Services may, subject to the conditions and in the manner determined in an agreement with the Makivik Corporation, provide storage services for the information contained in the register of Inuit beneficiaries.

2006, c. 28, s. 18.

DIVISION VI



This Division ceased to have effect on 17 April 1987.

32. *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

REPEAL SCHEDULE

In accordance with section 17 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), chapter 97 of the statutes of 1978, in force on 1 June 1979, is repealed effective from the coming into force of chapter A-33.1 of the Revised Statutes.

