



Indian and Northern
Affairs Canada

Affaires indiennes
et du Nord Canada

Final Report

Summative Evaluation of the Contributions Made to Indian Bands for the Registration Administration (A component of the Indian Registry System)

(Project Number: 1570-7/09054)

September 2010

Evaluation, Performance Measurement
and Review Branch
Audit and Evaluation Sector

Canada 

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List of Acronyms

CIS	Certificate of Indian Status
DRMAF	Departmental Results-based Management and Accountability Framework
EPMRC	Evaluation, Performance Measurement and Review Committee
FN	First Nation
HQ	Headquarters
INAC	Indian and Northern Affairs Canada
IRA	Indian Registration Administrator
IRS	Indian Registry System
IT	Information Technology
SCIS	Secure Certificate of Indian Status
TB	Treasury Board
TBS	Treasury Board Secretariat
TOR	Terms of Reference

Executive Summary

Introduction

The purpose of this summative evaluation is to determine the impact of the Contributions to Indian Bands for the Registration Administration Program (hereinafter “the Program”). The evaluation covers the period from April 2005 to March 31, 2009. It identifies the Program’s achievements to date and is meant to inform the renewal of the Program beyond fiscal year 2009–2010. The Terms of Reference for this evaluation were approved by the Evaluation, Performance Measurement and Review Committee on February 26, 2009. The evaluation addresses the following issues: relevance, design and delivery, accountability, success and impacts and cost-effectiveness, and complies with Treasury Board’s policies on Transfer Payments and Evaluation. This evaluation was conducted for Indian and Northern Affairs Canada (INAC) with the research assistance of PRA Inc.

Evaluation Methodology

The Program is a transfer payment program and over the last four fiscal years (April 1, 2005, to March 31, 2009), the amount paid to bands and tribal councils totalled \$21,500,000. The Program supports registration responsibilities of eligible recipients so they can:

- register eligible First Nations (FNs) individuals in the Indian Registry. Out of 150 Indian Registry Administrator (IRA) Accounts, 80 have full write access and 24 partial write access which means that approximately 70 percent have the ability to enter some information in the Indian Registry System (IRS);
- record life events in the Indian Registry;
- issue Certificates of Indian Status (CIS) cards; and
- renew or replace CIS.

The scope of this evaluation was very narrow; it did not examine other components of the IRS, including work undertaken by regional offices or Headquarters (HQ) of INAC, nor did it include an examination of the enhanced identification card. Lines of evidence used to assess evaluation issues included preliminary consultations, document and data review, 24 key informant interviews, and three case studies including 18 interviews. This report presents findings, which are based on the triangulation of all these lines of evidence.

Main Conclusions and Recommendation

The following are the main conclusions of this evaluation, and recommendations.

Relevance

Relevance focuses on whether or not program or policy instruments continue to address strategic priorities and/or actual needs. Evidence of continued relevance is demonstrated by the Program's alignment with the Department's needs and priorities, which are to:

- ▶ devolve responsibilities and control to FNs;
- ▶ increase their capacity to administer services themselves; and
- ▶ improve FNs' access to the benefits and services in which they are entitled.

The Program is also aligned with the needs of FNs by enabling the provision of registration services locally and in a timelier manner and, by supporting the transition toward FNs' self-government, as it increases their ownership and control over key processes.

Although it has its limitations, the IRS is still the only means of determining who is eligible for programs and services available specifically to Indians. The accuracy, timeliness, and completeness of the Registry are increasingly important, as the number and diversity of users and uses of IRS data are both increasing. More specifically, INAC is developing an enhanced security card (SCIS), which will be implemented soon to better respond to new security requirements, various user needs and federal government commitments.

Recommendation:

INAC should review the role that IRAs play in the administration of the Indian-status card as part of the registration process, given the new security context for the SCIS.

Design and Delivery

Design and delivery focuses on whether or not the program or policy instrument was developed and implemented as planned.

The implementation of the Program dates back to 1983 and aside from the re-engineering of the IRS in 2003, only minor changes in guidelines had occurred until recently, when the requirement for original birth certificates was introduced in August 2009. However, the 2005 contribution authority spells out the objectives of the 2005 Departmental Results-based Management Framework, which includes a logic model. Those interviewed indicated that this information was not used (see "Accountability") to guide the management of the Program.

The Program also faces some well-known challenges, which remain unaddressed:

- ▶ A large number of bands with small population sizes are distributed throughout the country.
- ▶ The limited capacity and willingness of some bands to administer registration locally, to have access to the IRS, and/or to maintain their own membership list.
- ▶ The high turnover of IRAs in many of the bands that administer registration.

- ▶ Approximately 5,000 unprocessed applications and 25,000 updates at HQ, INAC, which creates a bottleneck in the registration process due in large part to lack of response or communication from applicants.

Recommendation:

INAC should refocus the Program, ensuring that the design and delivery processes in place are appropriate to provide accurate, timely and complete Indian Registry Information and that the emerging objectives of the Program are clearly articulated and communicated.

INAC should take steps to address the backlog and give consideration to closing incomplete files where applicants have not contacted the IRA or INAC within a specified period of time.

INAC registration officers and HQ personnel, as well as IRAs, consider the IRS very user-friendly. Training and professional development activities in general are considered appropriate. However, there is no national training. More training or technical support is required in some areas. The costs associated with training and/or professional development can and does consume a relatively high proportion of the resources of a regional office. These costs are further affected by the rate of IRA turnover and the pace of devolution of the program to local administrators in a given region. It is also important that monitoring and compliance is well done to support devolution appropriately.

Recommendation:

Depending on any re-design of the Program, INAC should consider addressing recruitment and retention issues surrounding competent IRAs as this hampers effective band participation in registration administration.

INAC should provide guidelines and common tools to ensure consistency and rigour, as well as national training, and regular functional guidance for all IRAs.

Accountability

The Monitoring and Compliance Unit became operational in 2008-2009 and started to produce quarterly monitoring activities in September 2009. It also produces annual monitoring reports based on IRS data for program management purposes, including a few key indicators. Progress toward expected outputs and outcomes is not systematically measured, as there is no performance measurement strategy in place.

Recommendation:

INAC should develop a performance measurement strategy to guide monitoring and reporting activities and to support decision making and effective, efficient resource use.

Success and Impacts

Part of the evaluation of success focuses on the degree to which program or policy instruments are meeting stated objectives, stated key outcomes, and the overall program goal but, without unwarranted, undesirable outcomes. Main findings regarding success of expected outputs and most of the immediate outcomes of the Program have been achieved to the extent possible (see Table 1).

Over the last four years, FNs have increasingly participated in the identification and registration of eligible individuals and in the issuance of CIS cards and, 38 percent of the 615 bands in Canada have assumed control of their membership lists. As expected, the re-engineering of the IRS has yielded a system that is perceived as very user-friendly, thereby, contributing to the participation of FNs in the registration of eligible individuals. Informal networks of IRAs have emerged, and this may contribute to data quality and to overall registration program improvement. However, there is no systematic and comprehensive performance measurement of registration activities yet.

Key lessons emerged in terms of the role and responsibilities of IRAs. The rapidly expanding responsibilities of many IRAs call for the development of a common job description. Specific incentives and supports are required for IRAs to improve recruitment and retention of competent IRAs and, ultimately, ensure the success of locally administered registration. The regional networks of IRAs may also contribute to the development and retention of a core group of competent IRAs.

Recommendation:

INAC should develop a common job description for IRAs, clarifying their registration responsibilities.

Cost-effectiveness

Cost-effectiveness focuses on whether the most efficient means and a minimal use of resources are used to achieve objectives of the policy or program instrument. The Program's support of the local administration of registration and CIS card issuance, both in terms of human resources and financial resources, is considered efficient. However, insufficient data is available to conclude that it is cost-effective.

The approach of the Program—i.e., the local administration of registration and CIS card issuance via IRAs—is considered economical. However, IRAs feel they are underpaid for their level of responsibility and related duties, which is one of the reasons for the high turnover rate. The small size of many bands implies that their Contribution amount (based on number of events recorded and population) is very low.

The Contributions formula should be updated as it is no longer in step with actual costs and the calculations have not changed since 1983.

Recommendation:

INAC should look at the feasibility of encouraging bands to pool resources and funding to attract and retain competent, full-time dedicated IRAs.

INAC should review the per event portion of the formula to ensure that IRAs are compensated for the cost of their tasks.

Special Consideration

INAC needs to have a well-established validation/verification process in place to ensure the accuracy of the registration recorded in the IRS.

Management Response / Action Plan

Project Title: Summative Evaluation of the Contributions to Indian Bands for Registration Administration

Project Number: 1570-7/09054

Recommendations 2010 Report	Actions	Responsible Manager (Title/Sector)	Planned Implementation and Completion Date
<p>1. RELEVANCE</p> <p>INAC should review the role that Indian Registry Administrators (IRAs) play in the administration of the Indian status card as part of the registration process, given the new security context of the SCIS.</p>	<p>With the implementation of the new Secure Certificate of Indian Status card, the security context has increased for the CIS and SCIS issuance processes, as well as the registration process and the Indian Registry System.</p> <p>Therefore, in the short-medium term, we will focus our efforts towards improving accuracy of the data and protection of the personal information in the Indian Registry System (IRS). We will review all Users, including IRAs, of the IRS to assess the reason for access and the level of access.</p> <p>With the implementation of the proposed <i>Indian Act</i> amendments (McIvor decision – Bill C-3), it is proposed that the IRAs will assist applicants in filling out their forms and sending it to the Winnipeg Processing Unit established to deal with the projected 45 – 65K applications.</p> <p>Although the Secure Certificate of Indian Status (SCIS) national deployment model is not finalized, it is envisaged that some IRAs may have an active role. They may be requested to take ICAO standard photographs, photocopy or scan ID documents, help fill out applications and send documents, including original birth certificates, to the SCIS Intake centre.</p> <p>A communication plan will be developed to inform Regions and Chiefs and Councils of any changes that may result from the review of access and use of the IRS, and role in the registration and SCIS processes.</p>	<p>Registrar</p>	<p>October 2010</p> <p>December 2010</p> <p>September 2010</p> <p>October 2010</p>
<p>2. DESIGN AND DELIVERY</p> <p>a) INAC should refocus the Program, ensuring that the design and delivery processes in place are appropriate to provide accurate, timely and complete Indian Registry Information and that the objectives of the Program are clearly articulated and</p>	<p>As part of the RPMI, there will be an examination of current processes procedures at the national, regional, and IRA levels to develop simplified, standardized and more efficient processes and procedures. The RPMI will:</p> <ul style="list-style-type: none"> o Identify any quick fixes or improvements that can be implemented immediately. o Update the processes and procedures and standardize 	<p>Registrar</p>	<p>August 2010</p> <p>April 2010 and ongoing</p> <p>March 2011</p>

<p>communicated.</p> <p>b) INAC should take steps to address the backlog and give consideration to closing incomplete files where applicants have not contacted the IRA or INAC within a specified period of time.</p> <p>c) Depending on any re-design of the program, INAC should:</p> <p>i. address the recruitment and retention issues surrounding competent IRAs.</p>	<p>across the country.</p> <ul style="list-style-type: none"> o Implement national training; and update training modules to reflect changes. o Standardize HQ functional guidance in terms of training module content and delivery. o Develop common reference tools based on modernized registration processes developed in the Winnipeg and HQ Units. o Implement a Performance Measurement Strategy for the registration process. <p>A Quality Assurance program unit will be set up to review all inputs into the IRS and a Monitoring and Compliance program will verify accuracy of data and processes in collaboration with Audit and Evaluation Sector.</p> <p>In line with a three year vision to integrate registration and SCIS issuance into one seamless process. The RPMI is working closely with the SCIS project and Winnipeg Processing Unit to ensure a smooth integration of the three initiatives into one seamless process.</p> <p>A communication plan will be developed articulating the new vision and objectives.</p> <p>The current RPM initiative will examine and reorganize the way the workload is managed and establish a prioritization system.</p> <p>As we develop processes and procedures we will institute a file closure policy where files with no response or inactive files within 3-6 months will be closed depending on the document requirement.</p> <p>Working closely with the IT team, we will improve IRS coding to capture adequate data which provides statistics. This information is required to address backlog strategically.</p> <p>The new processes and procedures, national training program, and Quality Assurance program will help increase productivity and improve client service.</p> <p>A communication plan will be developed around these procedural changes, as well.</p> <p>(i) Recruitment and retention issue is primarily linked to compensation formula of the Program and other factors. For example, there has not been a salary (compensation) review since 1993.</p>	<p>Registrar</p> <p>Registrar</p>	<p>June 2011</p> <p>June 2011</p> <p>June 2011</p> <p>March 2011</p> <p>December 2010</p> <p>October 2010</p> <p>August 2010</p> <p>November 2010</p> <p>August 2010</p> <p>December 2010</p> <p>December 2010</p> <p>December 2010</p>
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<p>ii. provide guidelines and common tools to ensure consistency and rigour, as well as national training and regular functional monitoring for all IRAs.</p>	<p>In conjunction with the review of the role of the IRA with respect to registration and SCIS issuance, we will engage with Regions, Chiefs & Councils and IRAs to develop recommendations to address this issue.</p> <p>(ii) A noted above (2A), a new robust Monitoring & Compliance, Quality Assurance units and national training coordinator position.</p> <p>Manuals and common training tools will be provided towards implementing a modernized, standardized approach, including continuous functional guidance.</p>		<p>November 2010</p> <p>December 2010</p> <p>June 2011</p>
<p>3. ACCOUNTABILITY</p> <p>INAC should develop a performance measurement strategy to guide monitoring and reporting activities and to support decision-making and effective, efficient resource use.</p>	<p>To work with Audit and Evaluation Sector and as part of the RPMI, to develop Performance Measurement Strategy.</p> <ol style="list-style-type: none"> 1. Set up a Quality Assurance Unit through which will check accuracy of data of current Registration, Winnipeg and SCIS workloads based on risk analysis approach. Will provide a monthly report and suggest adjustments, if required. 2. The current Registration, Winnipeg, and SCIS units, will also submit similar dashboard to allow us to assess progress and resources utilization. 3. There will be regular monitoring and compliance reviews of HQ, Winnipeg and Registration units, regional staff, and IRAs. 	<p>Registrar</p>	<p>December 2010</p> <p>October 2010</p> <p>November 2010</p>
<p>4. SUCCESS AND IMPACTS</p> <p>INAC should develop a common job description for IRAs, clarifying their registration responsibilities.</p>	<p>A draft job description is being prepared and will be revised to reflect any change of roles and responsibilities of the IRA, including the decisions of IRA in SCIS issuance.</p>	<p>Registrar</p>	<p>March 2011</p>
<p>5. COST-EFFECTIVENESS</p> <p>INAC should look at the feasibility of encouraging bands to pool resources and funding to attract and retain competent, full-time dedicated IRAs.</p> <p>INAC should review the per event portion of the formula to ensure that IRAs are compensated for the actual cost of their tasks.</p>	<p>Under Program Authority Renewal, consideration will be given to including a new program incentive element to encourage retention of IRAs. We will also review the feasibility of Bands to pool Resources or increase role of Tribal Councils to provide the service.</p> <p>With a clear role and adequate salary, training, tools and equipment, IRA's may choose to stay longer in their positions.</p> <p>This will be dependent upon the results of the examination and modernization of the role of the IRA and creation of new job description. We are also examining the possibility of incentives.</p>	<p>Registrar</p> <p>Registrar</p>	<p>January 2011</p> <p>January 2011</p>
<p>6. SPECIAL CONSIDERATION</p> <p>INAC needs to have a well-established validation/verification process in place to ensure the accuracy of the registration recorded in the</p>	<p>See Reponses in Recommendation 3.</p>		<p>November 2010</p>

IRS.			
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The Management Response / Action Plan for the Summative Evaluation of the Contributions Made to Indian Bands for the Registration Administration were approved by the Evaluation, Performance Measurement and Review Committee on September 24, 2010.

1. Introduction

1.1 Structure of this report

PRA Inc. conducted this Summative Evaluation of the Contributions to Indian Bands for the Registration Administration Program (hereafter known as “the Program”) for Indian and Northern Affairs Canada (INAC). This report presents findings based on all lines of evidence used in the evaluation and includes conclusions and recommendations.

Following this introduction, the report is organized as follows: Section 2 presents the program profile; Section 3 describes the evaluation issues and methodology for the evaluation; Section 4 presents the findings according to each of the main evaluation issues; and Section 5 presents conclusions and recommendations.

1.2 Purpose, objectives and scope of the evaluation

This evaluation covers the Contributions made to the Program, a transfer payment program supporting registration responsibilities of eligible recipients so they can: register eligible First Nations (FNs) individuals in the Indian Registry; record life events in the Indian Registry; issue Certificates of Indian Status (CIS) cards; and renew or replace CIS.

This evaluation focuses on issues agreed to, as per the Terms of Reference (TOR) approved by the Evaluation, Performance Measurement and Review Committee (EPMRC) on February 26, 2009: the relevance, the design and delivery of the program, in addition to accountability, success and impacts, and cost-effectiveness. The summative evaluation of the Program complies with the Treasury Board (TB) Policies on Transfer Payments and Evaluation; the issues address Treasury Board Secretariat requirements. The evaluation identifies the Program’s achievements to date and is meant to inform the renewal of the Program beyond fiscal year 2009–2010.

A 2003 internal audit of the Program yielded several recommendations with the aim of improving the overall efficiency of the registration and membership list processes, backlog, devolution functions, performance measurement and reporting, as well as risk management and management controls.

The evaluation’s scope covered four fiscal years, from April 1, 2005, to March 31, 2009. The expenditure during this period was \$21,500,000 (contributions paid to bands and tribal councils, see Table 2).

The evaluation did not examine other components of the Indian Registry System (IRS), including work undertaken by INAC regional offices or Headquarters (HQ), nor did it include an examination of the enhanced identification card. However, it examined INAC (regional offices and HQ) roles and responsibilities as they relate to the program and the work of the Indian

Registration Administrators (IRA) in order to gain a comprehensive understanding of the program to address the accountability issue.

2. Program Profile

The Program is a transfer payment program supporting registration responsibilities of eligible recipients so they can:

- register eligible FN individuals in the Indian Registry (out of 150 IRA Accounts, 80 have full write access and 24 partial write access) to the registry;
- record life events in the Indian Registry;
- issue CIS cards; and
- renew or replace CIS cards.

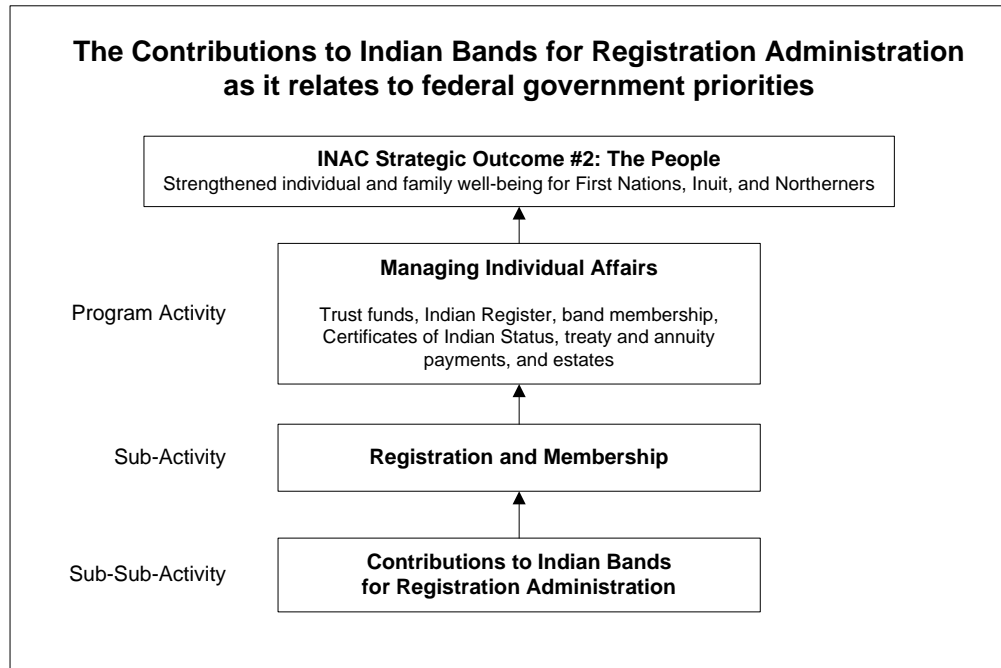
The following subsections summarize the evolution of the eligibility criteria for FN status in Canada; the registration, membership, and CIS card issuance processes; as well as the objectives, structure, roles and responsibilities, expected outputs and outcomes, and the financial resources of the Program itself. The information in this section is mainly a product of the review of key documents (cited throughout) and tabulations from the IRS; key informant interviews and case studies supplied additional information pertaining to roles, responsibilities, and processes.

2.1 Program structure

As illustrated in Figure 1 (below), the Program supports INAC's "The People" strategic outcome, which calls for "strengthened individual and family well-being for First Nations, Inuit, and Northerners" and "increased First Nations control over the policies, programs, and services that most directly affect individual and family well-being" (TB, 2005). More specifically, the Program comprises part of the Registration and Membership Sub-Activity, which aims to ensure that "eligible individuals can be identified and registered in a timely fashion, and that they receive the benefits to which they are entitled" (INAC – Program Activity Architecture, 2009¹). The inception of the Program emerged from INAC's devolution phase, which supported increased self-government among FNs.

¹ <http://www.ainc-inac.gc.ca/ai/arp/mrr2-eng.asp>.

Figure 1



As per the contribution authority, the Program's contribution amount is calculated according to a formula based on the number of compensable events processed during the calendar year (in hard copy or recorded directly in the IRS) by a band (i.e., birth, death, adoption, marriage, divorce, or a transfer between bands) and the total population of Status Indians of that band as at December 31 for the given year. Currently, the formula provides for:

- ▶ \$7.07 per capita for each band; and
- ▶ \$15.00 per compensable life event (Program's contribution authority, TB, 2005).

In order to be eligible to receive funding, bands must pass a comprehensive assessment of their financial management capacity and record of managing program funding. INAC's Funding Services Officers under the direction of regional directors general in the region are responsible for carrying out these assessments.

2.2 Objectives of the Program

In existence since 1983, the Program is a transfer payment to Indian bands or their tribal councils, supporting IRAs or other resources in order to:

- ▶ Increase band-level authority and participation in the IRS administration process;
- ▶ Help bands to maintain their membership lists; and
- ▶ Allow bands to issue the CIS card. (Program's contribution authority, TB, 2005).

2.3 Expected outputs and outcomes

The results of the Program are outlined in the Departmental Results-based Management and Accountability Framework (DRMAF) as there is no approved logic model for the Program. However, there was a logic model that was part of the 2005 DRMAF, (see appendix D).

In order to facilitate the assessment of the results achieved, Table 1, which follows has been developed. The table presents a list of expected outputs and outcomes of the Program, assembled from key documents available at the time of the evaluation. Interviews and case studies were used to assess to what extent these outputs and outcomes have been achieved.

Table 1: Expected outputs and outcomes			
Outputs	Immediate outcomes (1–2 years)	Intermediate outcomes (3–5 years)	Final/Ultimate outcome
<ul style="list-style-type: none"> ▶ Clear policies and guidance regarding status application and life event registration processes. ▶ Locally accessible, user-friendly registration (IRS) and Certificate of Indian Status issuance systems. ▶ Initial training, ongoing support, and professional development of local registration administrators (IRAs). ▶ Notification of changes to membership to First Nations (bands or tribal councils). 	<ul style="list-style-type: none"> ▶ Eligible individuals are identified and registered. ▶ Eligible individuals are registered in a timely fashion ▶ First Nations participate in the identification and registration of eligible individuals in the IRS. ▶ First Nations participate in the issuance of Certificate of Indian Status cards. ▶ First Nations participate in the administration of registration and CIS. ▶ First Nations maintain their own membership lists. ▶ Performance measurement and monitoring activities are incorporated into the registration and membership list processes. 	<ul style="list-style-type: none"> ▶ Federal, provincial, municipal, and First Nations governments rely on information from the IRS for planning purposes and service delivery. ▶ Registered individuals have access to the benefits and services to which they are entitled. 	<ul style="list-style-type: none"> ▶ Enhanced well-being of individual and increased community cohesion
Sources: INAC, 2008 ² ; INAC – Program Activity Architecture, 2009; Treasury Board of Canada, 2005.			

² <http://www.ainc-inac.gc.ca/ai/arp/es/0708/07-08dpr/peo-eng.asp#mia>.

2.4 Legal context

The IRS is a centralized record of all Status Indians in Canada. It is the Government's only means of determining who is eligible for programs and services available specifically to Indians. Registered Indians are entitled to a number of benefits that are not available to those without status. These may include education and exemption from federal, provincial, and territorial taxes in specific situations. Membership in a band also brings with it a variety of rights and privileges including: rights to live on reserve; participate in band elections and referendums; own property on reserve; and share in band assets, according to the 2005 contribution authority for this program. The processes relating to registration and band membership are complex, and have been characterized by a tumultuous and politically charged history.

A legal definition of "Indian" was first introduced in the *Indian Act* of 1876, under the provisions of an Act respecting Indians (Chapter 43). According to this Act, an Indian was defined as any male person of Indian blood reputed to belong to a particular band; any child of such a person; and any woman lawfully married to such a person.

In 1951, amendments to the *Indian Act* resulted in the creation of a central register of all Status Indians, held by the federal government. The amendments provided the criteria regarding who was and was not eligible to be registered as an Indian, and the legal definition of an Indian was revised to: "A person who is pursuant to this Act registered as an Indian or is entitled to be registered as an Indian." Registered Indians also automatically gained band membership, which allowed them to live on reserve, vote for band or tribal councils, and share in band moneys (Furi and Wherrett, 1996 (rev. 2003)).

In 1985, Bill C-31 was passed, with the goal of removing discriminatory provisions in the *Indian Act* in order to better align it with the *Charter of Rights and Freedoms*. It included requirements to:

- ▶ treat men and women equally;
- ▶ treat children equally, whether they are born in or out of wedlock and whether they are natural or adopted;
- ▶ prevent anyone from gaining or losing Indian status through marriage;
- ▶ restore Indian status for those who lost it through discrimination or enfranchisement;
- ▶ allow first-time registration of children (and, in some cases, descendants of subsequent generations) of those whose Indian status is restored; and
- ▶ allow for the registration of children born out of wedlock if either parent was a registered Indian, regardless of their date of birth (Department of Indian Affairs and Northern Development - Information Sheet, 1995).

Bill C-31 also increased Indian bands' authority to establish membership criteria, and gave them the option to claim control over their own band membership lists. As a result, it became possible for Indians to have status while not belonging to any band. Bands that opted to leave control of

their lists with the Government did so with the understanding that membership would automatically be granted upon registration.

While Bill C-31 removed discriminatory provisions in the *Indian Act*, the amendments did not apply retroactively. That is, distinctions in eligibility based on gender that were made prior to 1985 continued to apply.

This was challenged by Sharon McIvor, as contrary to section 15 of the *Charter of Rights and Freedoms*, in 2007 case. The British Columbia Supreme Court agreed with Mrs. McIvor, and its decision harmonizes treatment of the descendants of male and female Indians going back to 1951 (INAC – *McIvor v. Canada*, 2009). However, this recent decision has not yet led to any modifications in the registration process as of December 2009 (summarized in the following section).

2.5 The registration process

2.5.1 Status

Eligible individuals must apply to be registered as a Status Indian, and must submit evidence of their ancestry. The registration process differs depending on whether the applicant was born before or after April 17, 1985 (when Bill C-31 was passed). Applicants born after that date must forward their application (requesting registration, and signed by both parents), birth certificate, and other applicable supporting documentation to the Office of the Indian Registrar or to a regional INAC office, or to their local IRA, who will verify it, in some cases record it directly into the IRS, and send it to the INAC regional office. Applicants born prior to 1985 must submit their applications directly to the Entitlement Unit of the Office of the Indian Registrar. In addition to the names of individuals, the Register also notes life events, such as marriages, divorces, births, deaths, and transfers between bands. It is estimated that approximately 80,000 such events are recorded in the IRS annually (Program's contribution authority, TB, 2005).

The following is a diagrammatic representation of the registration process and the process for recording life events (Figure 2).

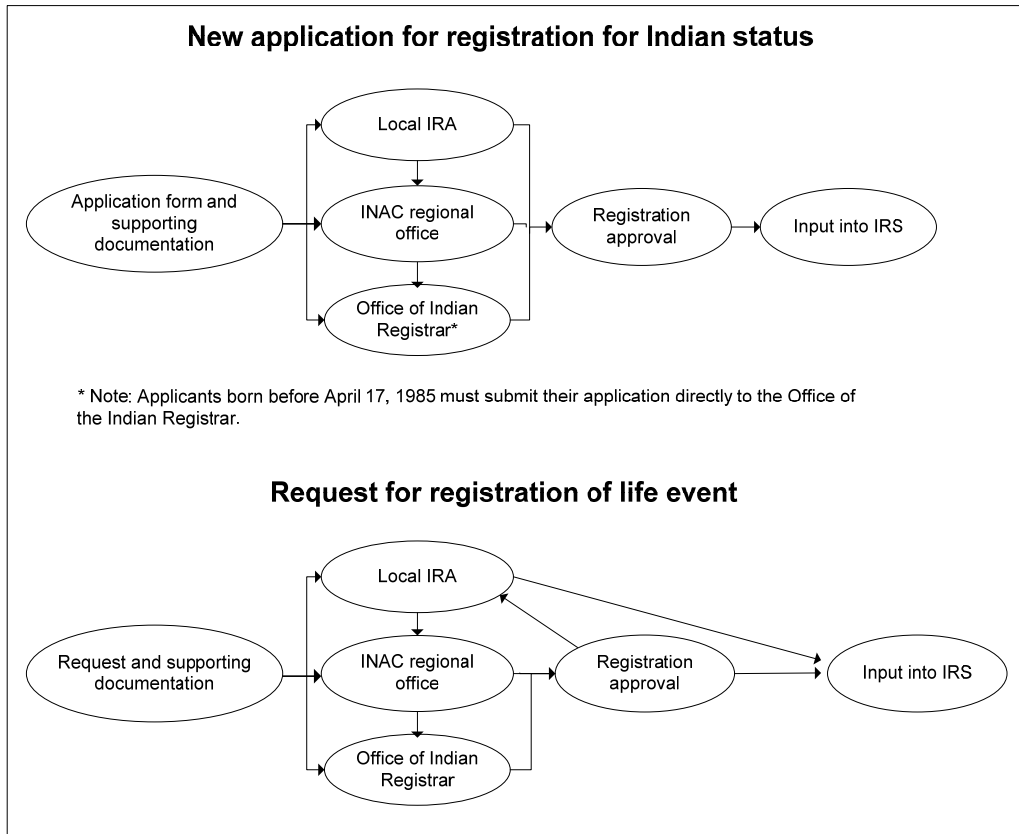


Figure 2

2.5.2 Membership

Bands that opted to leave control of their lists with the Government did so with the understanding that membership would automatically be granted upon registration (under Section 11 of the *Indian Act*—see Appendix C for full text).³ Bands that chose to take control of their membership list and now administer it themselves (based on established rules and codes under Section 10 of the Act—see Appendix C) are required to adhere to two conditions: the decision to take control of membership must be approved by a majority of the bands’ electors; and membership rules cannot take away any member’s previously existing rights to membership (Furi and Wherrett, 1996). Aside from these conditions, membership criteria and regulations are entirely at the bands’ discretion, and may vary extensively from those of other bands, or from federal regulations for registration.

³ A notification of registration and membership letter is sent to the individual from the regional or national INAC office that processed the registration. The band is also notified.

2.5.3 Certificate of Indian Status card issuance

Once an applicant's eligibility for registration is confirmed, a CIS card may be issued, either by an INAC office or a local IRA. At this time, the CIS card issuance essentially entails confirmation of an individual's registration as a Status Indian, checking the identification produced by the individual, typing up necessary information on a blank card, and laminating it.

There have been ongoing concerns regarding the security of the CIS card, as it has regularly been the target of forgery and fraudulent use. To address these concerns, INAC, in partnership with the Treaty 7 First Nations of Alberta, introduced a pilot project with the goal of increasing the security of the CIS card and its issuance process. Because the issuance of the card requires up-to-date information contained within the IRS, the project was also related to the broader goals of modernizing and improving the IRS. The pilot project had four phases:

- ▶ re-engineer the IRS (completed in 2003);
- ▶ deploy the re-engineered IRS (completed in 2004);
- ▶ enhance the CIS cards; and
- ▶ launch the Secure Certificate of Indian Status (SCIS) card nationally (INAC - Secure Certificate of Indian Status⁴, 2009).

The first three phases of the project have been completed (INAC – Departmental Performance Report, 2008). The process for the issuance of the SCIS is now under development. It must be noted, however, that the SCIS process is not within the scope of this evaluation.

2.6 Roles and responsibilities

There are essentially three levels involved in registration administration and related activities: the Individual Affairs Branch at INAC HQ—principally, the Office of the Indian Registrar; each INAC regional office's Individual Affairs Branch, which includes a unit in charge of registration and membership administration; and the local IRAs and/or other band administrators. Figure 3 below illustrates the national and regional reporting and decision-making structure within INAC, as well as key decision points within that structure, while individual roles and responsibilities are explained in more detail below.

HQ functions that link to IRA consist of the Indian Registrar, the Monitoring and Compliance Unit, and the Information Unit.

⁴ <http://www.ainc-inac.gc.ca/br/is/scs/index-eng.asp>.

The national and regional reporting and decision-making structure within INAC

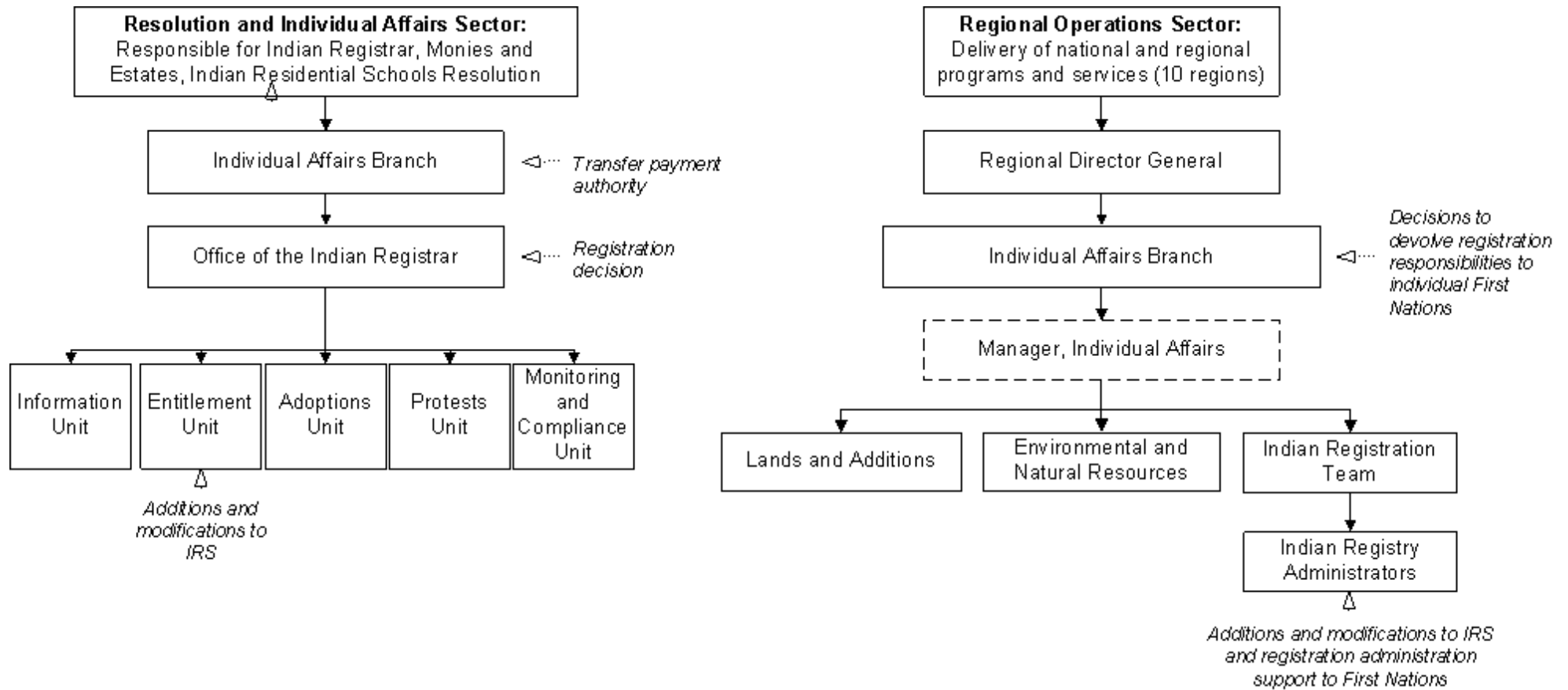


Figure 3

INAC Headquarters

The **Indian Registrar** is a quasi-judicial position that reports to the Director General, Individual Affairs Branch at INAC. The Registrar is responsible for directing INAC HQs' Indian registration and band membership programs, including strategic planning; policy development; and implementation of the national Indian registration, band lists, and membership programs. As a statutory decision maker, it is the Registrar's responsibility to make final decisions pertaining to applications for registration and entitlements by interpreting the provisions of the *Indian Act*. The Registrar's decisions are not subject to approval by the Department or any other government authority, and can only be overturned by the courts (INAC, 2005).

The **monitoring and compliance** at INAC HQ were done by the Registration Unit from 1997 to 2003. The Unit was performing basic monitoring. After the audit in 2003, the people were assigned to decrease the backlog and only emergency monitoring (fraud and inquiry) was performed.

In 2007-2008, three people (one clerk and two junior officers) were allocated to Compliance and Monitoring Unit. They were trained and the Unit became operational in 2008-2009. The first monitoring report was produced in September 2008.

The **Monitoring and Compliance Unit**, a team of three officers, at INAC, HQ reviews a sample of new registrations and life events emanating from each regional office and IRAs in each region (i.e., among those with write access to the IRS), and produces annual monitoring reports based on IRS data for program management purposes.

The Information Unit produces outputs based on IRS data to support decision making. It also responds to requests for verification, for corrections to the IRS, for access to the IRS, as well as for statistical output, emanating mainly from regional INAC offices, local IRAs, other FNs administrators, elected representatives or members, applicants, or potential applicants.

Regional offices

Each INAC regional office's Individual Affairs Branch includes a unit in charge of registration and membership administration that:

- ▶ reviews all registration applications and new life events for completeness and approval;
- ▶ enters the records into the IRS or verifies information entered by IRAs with write access;
- ▶ notifies newly registered individuals and their band for membership purposes;
- ▶ provides training and ongoing support to IRAs;
- ▶ issues CIS cards to individuals who request one at the regional office; and
- ▶ monitors the issuance of CIS cards by local IRAs.

Each unit includes a manager who supervises one or more registration program officers and/or clerks. Each program officer is responsible for a certain geographic area and group of bands, and

is the primary contact for the local IRA in each of these bands. The program officer reviews all supporting documentation, data entry, and logs submitted by their IRAs for quality control purposes. Although this practice differs across regions, as necessary and/or as budgets permit, on-site monitoring and compliance reviews are also performed by program officers. They also handle a number of telephone enquiries regarding eligibility for status; the application and registration process; the process to obtain a CIS card, to access ancestry information, etc., mostly from members of FNs. When requested, program officers may also produce statistical reports from the IRS.

Local IRAs

IRAs are employees of their band or tribal council administration. However, they are trained and supervised by the INAC regional offices in terms of their registration administration and CIS card issuance duties (see Section 4.2.3).

In “Section 10 bands” (i.e. bands that have control over their membership), IRAs also administer their band’s membership list, although in some cases, there is a separate membership clerk. IRAs assist band members and sometimes non-members, as well, with their application forms. Some also provide assistance to obtain the appropriate supporting documentation, such as a birth certificate from the provincial or territorial authority. IRAs also respond to enquiries regarding eligibility for status, the application and registration process, the process to obtain a CIS card, how to access ancestry information, etc., from members and non-members, and, as appropriate, refer them to the Department.

IRAs who have at least read access to the IRS can verify information pertaining to their band members (but not give out individual information). Those who have write access to the IRS may also produce statistical reports for band administrators. All IRAs can also issue CIS cards.

IRAs interact with a program officer within the regional INAC office and, in some instances, directly with the Information Unit, the Entitlement Unit, or the Adoption Unit at HQ. In most of the cases where an IRA does not have a full-time workload, they are also tasked with a variety of other things by their band or tribal council administration.

2.7 Financial resources

Currently, Contributions funding to the Program is used to assist IRAs in recording life events such as births, deaths, marriages, divorces, adoptions, and transfers from one band to another. Data shows that Contributions provided to 490 bands or tribal councils totalled \$5,553,672 in 2008–2009, up from 486 bands and tribal councils totalled \$5,252,490 in 2005–2006 (or six percent). This reflects a proportionate increase in the registered Indian population from 695,628 to 738,355 over the same period (INAC - Compensable event and funding summary, 2009).

Contribution funding can be used for eligible expenses, which include, but are not limited to, the following: salaries, wages, travel, transportation, office rent and overhead, training, professional services, and evaluation and audit (Program contribution authority, TB, 2005).

The following table (Table 2) presents the annual expenditures associated with compensable events (amounts paid to bands and tribal councils) for the four years (2005-2006 to 2008-2009). The proportion of the program budget allocated to bands and tribal councils in each region has remained stable since 2005. However, the evaluation was not able to obtain the total expenditure figures for the Program.

Table 2: Program budget and expenditures, 2005–2006 to 2008–2009									
Fiscal year	Expenditures related to compensable events								
	Alberta	Atlantic	BC	Manitoba	Ontario	Quebec	Sask.	Yukon	Total
2005-2006	\$565,269	\$232,483	\$897,510	\$915,316	\$1,175,566	\$508,669	\$897,060	\$40,617	\$5,232,490
2006-2007	\$577,424	\$236,693	\$896,530	\$934,410	\$1,204,975	\$515,585	\$922,613	\$40,754	\$5,328,985
2007-2008	\$587,769	\$241,925	\$911,102	\$952,920	\$1,222,403	\$524,880	\$937,089	\$41,000	\$5,419,087
2008-2009	\$600,462	\$246,993	\$929,091	\$988,693	\$1,246,381	\$533,082	\$967,640	\$41,331	\$5,553,672
Total	\$2,330,924	\$958,094	\$3,634,233	\$3,791,339	\$4,849,325	\$2,082,216	\$3,724,402	\$163,702	\$21,534,234
Percentage of total budget	11.48%	3.85%	11.27%	17.42%	27.19%	9.70%	15.92%	3.17%	100%
Sources: INAC, custom tabulation as of July 2009;									

3. Evaluation Issues and Methodology

This section presents a detailed description of the data collection methods and analysis techniques used for this evaluation. Lines of evidence included preliminary consultations, a document and data review, key informant interviews, and case studies. This report presents findings based on the triangulation of all these lines of evidence. Evaluation issues are presented in the evaluation matrix in Appendix A.

3.1 Preliminary consultations

PRA Inc. consulted with the Program's managers and senior staff to better understand the purpose, structure, and reporting requirements associated with the Program. More specifically, the objectives of the preliminary consultation were to:

- ▶ gather relevant information on the Program and its administration;
- ▶ identify potential issues or challenges that need to be addressed;
- ▶ identify key program documentation and data sources to review;
- ▶ identify key informants to be interviewed; and
- ▶ discuss locations for case studies (site visits).

A preliminary set of evaluation issues were already provided in the Statement of Work (SOW) based on the TOR approved by the EPMRC on February 26, 2009, for this evaluation. The preliminary consultations enabled PRA Inc. to meet the objectives stated above, augment and refine the set of evaluation issues to be addressed, and refine the methodology presented in the following sections below. It did not result in the identification of any potential challenges associated with the evaluation.

3.2 Document and data review

The document and data review supported the implementation of the other lines of evidence, and contributed findings related to several evaluation issues in the areas of relevance, design and delivery, accountability, success and impacts. In consultation with INAC, PRA Inc. identified and reviewed a series of relevant documents. The list of documents can be found in Appendix B.

A series of tabulations from the IRS itself were also provided. They include the following:

- entitlement summaries, which provide the number of applicants eligible for registration by year and region;
- compensable events and funding summaries, which break down the number of events entered into the IRS directly by IRAs versus those entered by INAC personnel;

- workload summaries that show the number of registration applications at various stages of the administration process; and
- CIS issuance reports, which provide statistics relating to the issuance of CIS cards.

3.3 Key informant interviews

Key informant interviews contribute findings related to each evaluation issue in the areas of relevance, design and delivery, accountability, and success and impacts, as well as assist in the assessment of the cost-effectiveness of the Program.

As part of this summative evaluation, 35 people were contacted to be interviewed. Ultimately, 24 interviews were conducted with the following groups:

- ▶ three with the Program's management (HQ), and 12 with regional operational staff;
- ▶ five with staff within FNs communities who administer registration and/or manage the Program (IRAs and/or their managers); and
- ▶ four with users of the registration information, one at INAC, one in other federal departments, and two in provincial governments.

A preliminary list of key informants was included in the SOW. This list of key informants was provided by the Evaluation, Performance Measurement Branch (EPMRB), refined by PRA Inc. during the pre-consultation process, then finalized and validated in consultation with the Program's managers (HQ and regional) and an Evaluation Working Group (composed of directors, senior negotiators, managers, policy analysts, and supervisors at HQ and regional offices). PRA Inc. then selected specific FNs communities in each region (except the three selected for cases studies, see Section 3.4), based on the tabulations provided by HQ. This was done to ensure diversity in the size of the population, the volume of compensable events, and the proportion of events directly entered into the IRS by IRAs versus those entered by INAC personnel.

Before PRA Inc. contacted them, all key informants received a letter (by regular mail, electronic mail, or facsimile) from the INAC senior evaluation manager, describing the purpose and nature of the research and inviting them to participate. Interviewees were offered the opportunity to receive the interview guide in advance in order to give them time to prepare considered responses. Most interviews were conducted by telephone, although some interviews in the National Capital Region were conducted in person. Separate interview guides were developed for each category of key informants. Despite this process and diligent follow up by the evaluators, it proved particularly difficult to secure participation from IRAs and other representatives of FNs communities that are recipients of the Program.

The data collected through key informant interviews was analyzed using qualitative/interpretive content analysis. Summaries of the descriptive information that was collected were manually analyzed and interpreted for the emergence of common themes and outliers.

3.4 Case studies

The purpose of the case studies was to take an in-depth look at the registration process and other processes related to the administration of the Program. Case studies contribute findings related to several evaluation issues in the areas of relevance, design and delivery, accountability, success and impacts, as well as cost-effectiveness.

Based on information obtained during preliminary consultations, the document and data review process, and in consultation with INAC, PRA Inc. selected three regions: British Columbia, Ontario and Quebec. These were selected for the differences in size and distribution of the bands, the high level of devolution of registration administration responsibilities, and the experience of the local IRAs in specific bands within these regions.

The case study methodology included 18 in-person interviews (five in British Columbia, eight in Quebec and five in Ontario) with the regional manager responsible for the Program and one or more registration program officers in each regional office, as well as with the IRA and other representatives at each of the three selected FN communities. Two phone interviews were also conducted with regional manager/supervisors in Ontario, for a total of 20 interviews, in addition to observation of registration-related activities on site. Case studies also included the review of documents.

Circumstances and registration administration processes may vary slightly in other regions. Since it was not possible to undertake a case study in all regions, the evidence from case studies was supplemented by the evidence from telephone interviews with regional managers, registration program officers, and IRAs in other parts of the country.

The data collected through case studies was also analyzed using qualitative/interpretive content analysis. Case study data was analyzed independently, as well as combined with data from key informant interviews to validate emerging themes for specific evaluation issues.

3.5 Limitations and considerations

The following is a summary of the various limitations and considerations specific to the methodology that was used for this evaluation:

- ▶ There is limited information pertaining to the number of records or updated records in the IRS regarding verification for compliance and completeness by the Monitoring and Compliance Unit, (HQ), and also the ones that requires follow up/action. Although regional officers verify all registrations and life events, the resources of the Monitoring and Compliance Unit have fluctuated since 1997. Monitoring activities have not been operational prior to 2008-2009.

Data relative to the number of events or updates to records that are sampled for additional verification and that require attention or correction has only recently been compiled in a

systematic manner and only available for the last two quarters of 2009 (see Section 2.6). The evaluation hasn't assessed the quality of the monitoring and verification process.

- ▶ Despite the process described in Section 2.3 to conduct key informant interviews and the diligent follow up by the evaluators, it proved particularly difficult to secure participation from IRAs and other representatives of FNs communities that are recipients of the Program (24 interviews completed out of 35 individuals contacted). As such, views expressed do not represent a significant proportion of those involved in the delivery of the Program.
- ▶ Circumstances and registration administration processes vary across regions. However, it was not possible to undertake a case study in each region. Regional information was obtained via telephone interviews in those regions where there was no case study.
- ▶ Finally, while there is good information in the DRMAF logic model, the Program did not have in place a performance measurement strategy, as reported in the findings (see Section 4.3).

4. Evaluation Findings

This section provides the findings organized by evaluation issue and represents a synthesis of all data collected.

4.1 Relevance

In this section, we present findings relative to the Program's alignment with the priorities of INAC, other departments and agencies, and the Government of Canada as a whole. This includes whether it addresses FN's needs as well as the needs of main users of information on Status Indians, and the effect of amendments to the *Indian Act* on registration and membership list processes. Findings are based on evidence from key documents, key informant interviews, and case studies.

The relevance of the Program is fundamentally tied to a few key, pre-existing obligations:

- ▶ Status Indians are entitled to a number of benefits that are not available to those without status.
- ▶ Eligible individuals must apply to the Indian Registrar to be registered as Status Indians.
- ▶ INAC is responsible for maintaining the central registry of individuals who have been granted status.

The IRS is the only centralized record of all Status Indians, thus, the only means of determining who is eligible for programs and services reserved to them.

In addition, sections 5 and 9 of the *Indian Act* not only provide for the maintenance of an Indian Registry at INAC, but also for the maintenance of band lists until such time as a band assumes control of its own list. Although the Department does not manage membership and the Program only funds activities related to registration, it indirectly contributes to the maintenance of band lists, since:

- ▶ bands that opted to leave control of their lists with the Government did so with the understanding that membership would automatically be granted upon registration (Section 11 of the Act); and
- ▶ the Department notifies individuals where bands have elected to make their own membership decisions ("section 10 bands").

4.1.1 Program alignment

The Minister of Indian Affairs and Northern Development, in accordance with the *Indian Act*, has responsibilities with respect to maintaining the Indian Register, registration of Indians and the issuance of CIS cards, and membership" (INAC RPP 2006-2007).

The Program is aligned with INAC's priorities in terms of improving FNs' access to the benefits and services they are entitled to, of increasingly devolving responsibilities and control to FNs, and of increasing the capacity of FNs to administer services themselves.

As per key informant interviews, it is responding to their needs as it provides a locally accessible registration process and a more up-to-date registry. It also enables other federal departments and agencies to access more accurate information about their clients in a timelier manner, and in turn deliver their programs more efficiently. The most prominent example of this is the non-insured health services provided by or funded by Health Canada for Status Indians.

4.1.2 Needs of First Nations

The objectives of the Program also support the needs of FNs communities in terms of registration. More specifically, it enables the provision of registration services locally, via IRAs who are members of the community.

Some of the stakeholders interviewed also view the Program as supporting the transition toward self-government for FNs as it increases their ownership and control over the key registration for status process, and the related issuance of the CIS card.

4.1.3 Effect of amendments to the Indian Act and the recent McIvor Decision

The April 1985 amendment to the *Indian Act* (Bill C-31) and the more recent *McIvor* decision are two events that have significant consequences for registration administration, since they affect the eligibility criteria for Indian status. The Indian population grew significantly as a result of the 1985 amendment (Furi and Wherrett, 1996). This increase was largely attributable to the reinstatement of women and children who had previously lost their status. Bill C-31 led to a large and sustained increase in the volume of inquiries and applications for reinstatement or new registration, as well as on the number of appeals. This resulted in a significant backlog of unprocessed applications, as indicated by the audit of the Program in 2003. Unprocessed applications have far-reaching consequences for the administration of a range of services directed at FNs.

INAC (HQ) personnel are still dealing with cases related to Bill C-31 that have not been resolved for a variety of reasons, including lack of response or communications from applicants. According to key informants, there is frustration among members of FNs whose cases have not been fully processed or resolved.

Bill C-31 also introduced for bands the choice of either taking control of their own membership list for the first time and formulating their own criteria for membership or, leaving control of these functions with INAC, whereupon, band membership is granted automatically upon registration. At the time of this evaluation, there were 615 bands in Canada, and of those, 231 (38 percent) had assumed control of their membership, while there were 359 bands (58 percent) whose membership was departmentally controlled. The remaining 25 bands had entered self-governing agreements with Canada so the *Indian Act* was no longer a factor in

determining membership, (INAC - custom tabulation 2009). Some of the individuals interviewed indicated that there have been cases of bands taking control of their membership only to return control to INAC later.

The recent *McIvor* decision is expected to have a similar effect on registration administration as Bill C-31. The number of inquiries from members of FNs has already increased since the decision; however, no impact assessment of the *McIvor* decision has been completed yet.

4.1.4 Users of data from the Registry

The number and diversity of users and uses of IRS data are increasing. At INAC, various branches have access to information from the Registry for the purpose of planning programs and services or for verification purposes (e.g., Land Registrar). The Department also provides statistical reports based on the Registry to FNs, mainly population statistics by age group, to assist them in planning anything from infrastructure to social programs and health services.

INAC also, in some circumstances, provides a list of registered individuals for band election purposes, for bands who have elected to let INAC administer their membership under Section 11 of the *Indian Act*, and others on a case by case basis. While band administrators have access to regular and ad hoc statistical reports from INAC or their own IRA pertaining to the registered population, no one other than the IRA can access individual record information. INAC has confidentiality agreements in place with each IRA, which stipulates the circumstances under which individual information can be shared; for example, with the adoptive parents of a registered or eligible child.

Health Canada is considered by far the most important user of information from the IRS, after INAC itself. The First Nations and Inuit Health Branch has direct access to the IRS via monthly extracts in order to match both departments' records and verify eligibility for non-insured health services, and to calculate payments to provincial and territorial health departments and health care professionals. A strict agreement is in place enforcing privacy protection and limiting the use of the data.

Various provinces' health and finance departments have access to statistical reports from the Registry for planning purposes, while some have entered into agreements for detailed data extracts or direct access to the IRS for the purposes of verification of eligibility to programs and services or tax exemptions (e.g., for oil and gas purchases). In some cases, this involves directly matching (or probabilistic matching) of IRS and provincial administrative records. Again, a strict agreement enforcing privacy protection requirements is in place. An increasing number of provincial authorities are interested in entering into agreements with INAC for direct access to the IRS, and negotiations are under way with the Office of the Registrar.

Academics and other researchers have also been granted access by INAC to anonymous data extracts for various studies of Aboriginal populations. In a few cases, they have been granted access to detailed information about a subset of individuals for genealogical research on behalf of a band or a family.

4.2 Design and delivery

This section presents findings related to the design and delivery of the Program, and focuses on whether the Program was implemented as planned, whether the IRS is user-friendly, whether the training provided to IRAs is adequate, and whether the devolution process is appropriate and efficient. Findings are based on the combination of evidence from key documents, administrative data, key informant interviews, and case studies.

4.2.1 *Implementation of the Program*

Key informants interviewed as part of this evaluation were not able to indicate whether the Program was implemented as planned. These included both HQ and regional INAC personnel who indicated that they are not aware of the original plan for the Program when it began in 1983.

Over the last several years, aside from the re-engineering of the IRS in 2003 and minor changes in guidelines, there had been no significant changes to the Program until recently, when changes related to the pending SCIS card were introduced—e.g., the requirement for original birth certificates and other supporting documentation for registration purposes (August 2009). This relatively new requirement for three pieces of identification that must now include an original birth certificate and one piece of identification with a picture for the issuance of a CIS card increases accuracy and security yet cause hardship and delays for some FN members. The Program continues to face some key challenges that impact the way in which it is implemented:

- ▶ A large number of bands with small-sized populations distributed throughout the country do not want a dedicated IRA.
- ▶ The limited capacity and willingness of some bands to administer registration locally, to have access to the IRS, and/or to maintain their own membership list. The number fluctuates due to turnover of IRAs and other factors, but 80 out of 152 IRA accounts have full (write) access to the IRS.
- ▶ The high turnover of IRAs in many of the bands that do administer registration.
- ▶ A relatively large number of unprocessed registrations.

The first three challenges will be addressed throughout the analysis of the delivery of the Program in the following sections.

As for unprocessed registrations, delays can occur at several points during the registration process. However, it is mostly in the more complex cases such as those prior to April 1985 or where applicants are non-responsive that delays occur. The bulk of the complex cases/backlogs are dealt with at HQ. Some INAC and FNs interviewees said that it can take from four to ten years to complete the registration of those cases.

A December 2009 workload summary, for example, illustrates that among the 47,718 applications or updates that have been assigned for review to date, 27,843 remain

unprocessed due to a lack of response or communication from applicants by the end of 2009, 7,721 remain inactive due to inadequate supporting information or documentation, and 1,754 are returned due to inaccurate address information for the applicant. The remainder are due to secondary information requested or misplaced files.

Further delays may also occur at later stages of the application or update process. For example, data shows that another 5,718 files were awaiting peer review, or review by the Registrar. It is important to note that any file's status can change from active to inactive or the reverse on any given day, and between dozens of sub-statuses within these categories (reopened, further research required, court case, etc.). Examples include whether HQ is awaiting additional documentation from the applicant (inactive), or because an officer has to work on that person's file (active) even though it may have been "closed" (no further referral or decision is pending). In addition, 435 protested entitlements remained unprocessed by the end of 2009, (INAC custom tabulation, entitlement workload summary, 2009).

Table 3 indicates that the applications from August 2007 to December 2009 seemed to have progressed faster within the process as the average years in the system decreased from 4.11 to 2.49 years. However, as the backlog is being processed the average processing years have not improved. The table also demonstrates that there are a significant number of applications that are more than 10 years old and these require immediate attention.

Table 3: Application Summary statistics

	2007/08	2009/12	#		%		Average Days In System		Average Years In System	
			2007/08	2009/12	2007/08	2009/12	2007/08	2009/12	2007/08	2009/12
In Progress	3%	9%								
Awaiting Research			2614	9421	28%	35%	1961.73	628.93	5.37	1.72
In Research			6629	17387	72%	65%	1316.65	1057.85	3.61	2.90
Total			9243	26808	100%	100%	1499.09	907.12	4.11	2.49
<hr/>										
Dormant	12%	10%								
Total			31643	29633			4554.57	5394.19	12.48	14.78
<hr/>										
Completed	85%	81%								
Closed			49421	51471	21%	21%	4167.44	4412.03	11.42	12.09
Denied			48012	50637	21%	21%	3532.33	3778.79	9.68	10.35
Registered			135149	137905	58%	57%	4230.85	4455.09	11.59	12.21
Total			232582	240013	100%	100%	4073.18	4303.18	11.16	11.79

Source: INAC Application Summary statistics dated August 2007 and December 2009

4.2.2 *The Indian Registration System*

Since it was redesigned in 2003 to improve access for the IRAs, INAC registration officers and HQ personnel (as well as IRAs) consider the IRS user-friendly. The system is considered self-explanatory, with prompts and pop-up windows and its web-based interface easy to use for data entry or retrieval for individuals who are already comfortable with computers. This is not the case for some older, more experienced IRAs who are less familiar with computers.

Technical support for IRAs—for both the IRS and Virtual Private Network connection—is considered insufficient by some individuals who were interviewed as part of this evaluation. In some regions, requests to unlock, reset, or reactivate accounts due to lack of familiarity or prolonged inactivity are frequent and require Information Technology (IT) support, which is limited.

The relatively high turnover rate among IRAs also increases demands for IT resources for installation of the IRS, creation of user accounts and provision of technical support, as well as the time required from regional registration officers for training and monitoring of proper use of the IRS.

Various service models also exist across the regions. It seems that individuals can call HQ or a regional office for assistance, and that some regional registration officers try to assist IRAs before referring them to IT services for support.

According to key informants and documents reviewed as part of this evaluation, several other issues are indirectly related to the system:

- ▶ Connectivity issues for the more remote bands that rely on dial-up or satellite access.
- ▶ Limited bandwidth available between some regional offices and HQ.
- ▶ High turnover rate among IRAs implies that there are few experienced users, which has implications on data quality and the demand for training and support.
- ▶ Documents predating the re-engineering have not been scanned and attached to IRS records. As such, reference to hard copy records is still necessary in many cases, hampering the full realization of the efficiency gains associated with the system.

4.2.3 *Training, professional development, and networking*

Training and professional development activities are provided by regional offices. The INAC regional offices and FNs interviewees consider the training appropriate, but they are:

- ▶ limited by the financial and human resources situation of each regional office;
- ▶ affected by the rate of turnover of IRAs; and
- ▶ affected by the pace of devolution of registration administration in a given region.

There is no national training. The training varies in or across each region. Regional offices are responsible for providing initial training to new IRAs and additional training to existing IRAs as their responsibilities evolve or issues arise.

Initial training consists of up to five days at the regional office. The IRA Manual is the basis of the initial training and is subsequently a reference manual for the IRA.

Different approaches to the initial IRA training (registration and CIS issuance) were developed in the various regional offices. Some have developed a train-the-trainer manual so that each regional officer can provide training, some have one regional officer responsible for all training, and some have adapted the IRA Manual and created their own regional version.

Professional development activities may also be organized by the regional office. Some hold annual workshops for all IRAs, while others gather a subset of IRAs on a two or three-year rotational basis, as resources permit, or when significant changes in policies or procedures are implemented.

Due to the large number of bands and high level of turnover of IRAs in certain bands, in some parts of the country, initial training is either:

- a) offered frequently and consumes a relatively high proportion of the resources of a regional office; or
- b) only offered when there is a small group of IRAs that can be trained at the same time, which delays the start of the processing of registrations.

The costs associated with additional training or professional development also consumes a relatively high proportion of the resources of a regional office. However, these types of activities are designed to ensure the integrity of the Registry. Indeed, some bands have requested additional, specific training, but have not necessarily been given that training. For example, an IRA may require more training in order to fully grasp the registration administration processes if they did not have office skills or computer skills prior to taking the position. It may be necessary to send a registration officer to bands to train IRAs on the IRS. Some IRAs require refresher sessions over the years, as procedures evolved and changed.

On the issue of communications, there is ample evidence that ongoing communication takes place between regional officers and IRAs, while communication across regional offices and with the Registrar's Office at HQ is sporadic. Furthermore, the information, guidelines, written materials, and training are available in French, a few months after the English.

Regional officers and IRAs interviewed as part of this evaluation underline the good working relationship between them. Part of the ongoing communication is initiated by IRAs when they have questions or concerns. Regional officers also communicate with IRAs when issues arise during the course of verification of applications and monitoring of data entry. Regional managers of Registration also communicate with IRAs in writing (letter and/or email or facsimile) when new registration guidelines are issued by HQ, or when there are changes to the IRS or the CIS

issuance process. In certain regions, regional officers make annual monitoring visits to each IRA they oversee, while others arrange visits on an as needed basis, e.g., to provide training.

Several teleconferences a year also take place between the Registrar and regional managers of registration and band lists. The Registrar may provide information regarding recent or pending developments with regard to registration (e.g. new guidelines) whereas the regional managers can share issues raised on the “front line” by regional registration officers or IRAs, as appropriate.

National and regional workshops, although irregular, are also used for information and networking purposes. Subject to financial resources in any given year, the Registrar’s Office holds an annual workshop in Ottawa with a cross-section of approximately 200 regional registration officers and IRAs; for example, two workshops (one in 2006 and another in 2007) were held. HQ personnel and/or other agencies provide information at the workshops on recent or pending developments related to registration, training, as well as discussion sessions.

Regional officers and IRAs are invited to informally share issues that they have faced during the year. Informal regional networks of IRAs have also emerged. Some regional offices and HQ also provide funding for meetings of such networks when resources permit.

4.2.4 Devolving responsibilities

Decisions to devolve registration administration and CIS issuance to a band, to increase the level of responsibilities of an IRA, and especially to transition from read-only access to full, write access to the IRS is taken at the regional level, where:

- ▶ they are familiar with the bands, the IRAs, and their experience and performance; and
- ▶ they can monitor the rate of turnover of IRAs and manage the devolution of responsibilities accordingly.

Once an IRA is trained by an INAC Regional Office, they can begin processing registration in hard copy. The responsibility for CIS card issuance is paired with this initial training. Once the IRA and the band leadership have signed the necessary confidentiality agreement and the regional office is satisfied that the band has an adequate and secure computer network, read-only access to the IRS can be granted. After demonstrating that they understand registration processes and can consistently provide complete, accurate, and timely information in hard copy—which can take anywhere from six months to several years, depending on the region and the IRA—an IRA can be granted write access.

At the time of the evaluation, data from INAC (HQ), as of December 2009 indicates that out of approximately 150 IRA accounts, 80 have full write access and another 24 have partial write access, meaning that they can record life events but not add a new registration in the IRS such as in the event of a birth. The IRAs contributed to recording approximately 24 percent of registrations, life events, or updates in the IRS in 2009 (INAC, custom tabulation as of March 2010). However, these figures fluctuate due to turnover in IRAs.

Table 4 below presents the number of events processed (reported, updated, or recorded) by INAC (HQ), regional district offices, and IRAs in 2009. It indicates that IRAs are responsible for processing, in some fashion, 63 percent of events or updates.

Table 4: Events by event location, calendar year 2009				
Event location (where information was processed or entered)	Events			
	Reporting	Updating	Recording	Total
INAC Headquarters	1,101	0	1,099	2,200
INAC Region or District	12,135	2,954	32,322	47,411
IRA	30,847	43,356	10,662	84,865
Total	44,083	46,310	44,083	134,476
Percentage	70%	94%	24%	63%
Source: INAC, custom tabulation of events by event location as of March 2010.				

Table 5 below presents the total number of compensable events by region, over the five years covered by this evaluation.

Table 5: Compensable events by region, calendar year 2005 to 2009									
Year	Region								
	Alberta	Atlantic	BC	Manitoba	Ontario	Quebec	Sask.	Yukon	Total
2005	2,772	1,071	4,616	5,771	4,706	2,153	4,526	162	25,777
2006	2,775	1,069	4,148	5,832	5,395	2,226	4,751	160	26,356
2007	2,599	1,133	4,260	5,106	5,134	2,180	4,419	148	24,979
2008	2,653	1,158	4,428	5,703	5,280	2,243	5,158	145	26,768
2009	2,769	1,180	4,071	5,429	5,471	1,943	4,980	147	25,990
Source: INAC, custom tabulation of compensable events as of February 2010.									

Not all bands have IRAs. As the evaluation revealed, reasons for not devolving registration administration from the regional office to a band include:

- ▶ the regional office may have decided that a band is not sufficiently developed economically or socially or from an organizational and administrative standpoint, in order to carry out registration administration effectively;
- ▶ a band may not wish to take on this responsibility; and/or
- ▶ the amount of Registry work that it involves may not warrant devolving registration administration.

At each step of the devolution of registration administration process, training is provided by a regional registration officer. For access to the IRS, the IT department is responsible for the installation of equipment, software, and the required level of access. Each regional office is expected to cover the costs associated with increased devolution (i.e., training and equipment).

Individuals interviewed as part of this evaluation indicated that regional funds can be a factor in devolution decisions and, can slow down the pace of devolution. However, some regional registration officers and IRAs are of the opinion that it gives regional offices more time and

resources to engage in monitoring and compliance activities to ensure the integrity and accuracy of Registry information (see endnotes: Intersol Group, 2007).

Devolution efforts are partly negated by the relatively high turnover of IRAs in some parts of the country, since each new IRA must be trained and monitored through each phase.

4.3 Accountability

This section presents findings related to the accountability processes associated with the Program. It focuses on whether a formal performance measurement system is in place and how program managers measure and report on progress toward expected outputs and outcomes. Findings are based on a combination of evidence from key documents, administrative data, and key informant interviews.

The Program's Results-based Management and Accountability Framework is the overarching 2005 DRMAF, which indicates that—beyond activity and volume—quantitative and qualitative aspects of registration administration must be assessed. As the DRMAF was never approved, the evaluation used the 2005 Departmental Performance Report, which shows that registration and membership contribute to the Individual and Family Well-being, falling under “The People” Strategic Outcome. However, objectives, outputs, and outcomes are located in various documents. The Program did not use, consolidate them in a single document nor developed a performance measurement strategy. HQ and regional office managers indicate they do not have the resources to develop and implement performance measurement.

4.3.1 Monitoring

The accuracy of the information contained in the IRS is considered crucial for many purposes—not just INAC's. The evaluation did not assess the quality of the monitoring and verification.

In terms of ongoing monitoring, regional officers monitor their IRAs' performance for accuracy and completeness of 100 percent of the information submitted in hard copy. For IRAs who have IRS read and write access, regional offices monitor the quality of all data entered, and verify that all supporting documentation is supplied and has been scanned. Some key informants interviewed as part of this evaluation indicate that a number of layers of verification exist that could be streamlined.

At the national level, the Monitoring and Compliance Unit at INAC (HQ) conducts ongoing monitoring of a random selection of records from each region, determines what subset requires attention, and contacts a regional office to suggest corrective action, as is necessary.

For the last quarter of 2009 (see Table 6), the Monitoring and Compliance Unit indicates that there were 14,927 events or updates to records in the IRS, and of that, approximately 1,306—or 8.7 percent—were sampled for verification. After an initial assessment, it was determined that, of those, approximately 310 required special attention (approximately 24 percent). The rate per region varies from 0 percent to 61 percent for those requiring special attention. The breakdown

across regions of updates in the IRS and those sampled for verification is presented in Table 6 below. These events or updates were then assessed according to risk—low, medium, or high—categories, and assigned accordingly for review and resolution in a timely manner. There is no definition of what falls in each category, however, an example of a low-risk case would be a misspelt name, while a high-risk case would be an appearance of duplicate records. The breakdown of special cases by risk category is not available. (Statistics similar to Table 6 are not available for previous years either, only the third and the fourth quarters of 2009 are available.)

As the detailed information regarding risk level of anomalies is not available, the evaluation cannot determine if there are some specific areas that need attention. However, it seems the fact that the anomaly rate varies significantly from one region to another suggests that action is required.

Region	# of events/updates in the IRS	# of events/updates verified by M&C Unit	# of events/updates requiring follow-up	% of events/updates requiring follow-up
Alberta	1,598	227	97	43
British Columbia	2,848	99	3	3
Manitoba	3,087	80	49	61
Northwest Territories	306	38	0	0
Ontario	2,058	227	55	24
Quebec	1,154	107	25	23
Saskatchewan	1,891	247	61	25
Yukon	76	29	0	0
Atlantic	508	123	12	10
Headquarters	1,401	129	8	6
TOTAL	14,927	1,306	310	24

Source: INAC, Monitoring and Compliance Unit, custom report, March 2010.

The Unit also produces annual monitoring reports based on IRS data for program management purposes, including a few specific indicators that were identified in recent years as particularly useful. They include:

- ▶ the number of new registrations and life events recorded during the year and up to date versus registrations that are still pending;
- ▶ the number of IRAs with read-only versus write access to the IRS; and
- ▶ the proportion of events entered by IRAs versus regional offices.

4.3.2 Reporting

In terms of reporting, there are various transactional reporting processes in place between INAC and bands. Reporting requirements were streamlined over the last few years as part of the overall Department's effort to decrease FNs' reporting burden. The regional office (or HQ, if it processed the case) communicates the new registrations, changes to registration status, and

changes to membership in writing to the individual and to their band. While Section 10 band leadership can use this information to follow up with potential new members, Section 11 bands are required to post the names of new members in a conspicuous place on the reserve for a period of three years, in accordance with section 14 of the *Indian Act* (see Appendix D). IRAs are expected to provide their regional office with the following reports:

- ▶ Monthly reports on their activities, including the number of registrations and life events recorded throughout the month.
- ▶ CIS card number logs in order to account for all blank cards and receive a new supply. This is a monthly log in some regions. In other regions, it is provided along with the request of a new supply.

They must also update residency codes for their band members on an annual basis in most regions, or as time permits.

4.4 Success and impacts

This section presents findings related to the success and impacts of the Program, more specifically in terms of progress toward the achievement of the expected outputs and outcomes of the Program, lessons learned, and best practices identified over the last five years. Findings are based on the combination of evidence from key documents, administrative data, key informant interviews, and case studies.

4.4.1 Expected outputs and outcomes

Expected outputs (reference: Table 1, Outputs and Outcomes)

The Department communicates changes to registration to the bands and, where applicable, changes to membership. It also communicates policies and provides guidance to IRAs, although more guidance from the Registrar's Office is required in the implementation of certain guidelines, such as the more recent requirement for an original birth certificate and supporting documentation.

Evidence from this evaluation suggests that user-friendly IRS and CIS issuance systems are in place, and that many bands have access to them. According to key informants who participated in this evaluation, there continues to be progress in this area. Initial training, ongoing support, and professional development of IRAs are taking place, to the extent that regional office resources permit. To the extent possible, IRAs are producing the outputs expected of them.

Expected outcomes

There is limited capacity and/or willingness among some FNs to actively participate in the administration of registration (80 percent of 615 FNs) and to maintain their own membership lists (38 percent of 615 FNs). This may be partly due to the fact that funding is perceived by

some to be insufficient relative to the work involved in registration administration; to the fact that in some cases, resources are lacking at the regional level to provide the necessary equipment or training related to IRS access; and/or to the fact that the Program does not compensate bands for taking control and maintaining their own membership list.

The relatively high turnover rate of IRAs and difficulties in recruiting qualified IRAs in turn prevents increased devolution of responsibilities for registration administration and, to some extent, timelier access to registration services. This limitation is more common among bands with small populations.

Although the data available as well as the interviews confirm that delays occur at various stages of the registration process, mostly at INAC (HQ). With the exception of the late registration of many newborns, eligible individuals are systematically identified and registered and they are registered in a timely fashion by the IRAs.

The actual number of compensable events has remained relatively stable over the last five years (see Table 4), key informants cite evidence indicating that FNs have increasingly participated in the identification and registration of eligible individuals and in the issuance of CIS cards. This is largely due to the increasing presence and responsibilities of local IRAs who can, for example, follow up with new parents in their community to encourage them to register newborns (e.g., by creating and distributing brochures and posters), and directly access the IRS to promptly register individuals or verify information before issuing a CIS card on site (i.e., where the responsibility for data entry has been devolved from the regional office to the band).

The re-engineering of the IRS has yielded a system that is perceived as user-friendly, thereby contributing to some of the short-term expected outcomes of the Program by opening the door to increased FNs participation in the registration of eligible individuals. As indicated in Table 3, 63 percent of events or updates in 2009 were processed or recorded by IRAs.

Monitoring is ongoing at the regional level and, as of 2008/09, at the national level for applications submitted in hard copy, data entered in the IRS, and CIS cards issued. However, there is no systematic way in which performance of the whole registration process is measured.

In terms of the longer-term expected outcomes associated with the Program, it is not possible to ascertain whether there has been an improvement in service delivery resulting from the Program. While federal or provincial/territorial governments and FNs leadership can and do rely on information from the IRS for planning and service delivery, there are a number of limitations (e.g., IRAs and INAC are not notified of all life events such as deaths).

4.4.2 Lessons learned and best practices

In terms of the contribution of IRAs to the success of the Program and, more generally, the administration of registration for Indian status, two key lessons emerged:

- ▶ Clearly, IRAs have become focal points in FNs communities.

- ▶ Some FN communities retain competent IRA by adding some of their own source revenue to provide a competitive salary. The support provided by INAC regional offices to IRAs and the good relationships also contributes to encourage/facilitate local registration administration.

In terms of tools to facilitate the work of regional offices and/or IRAs, there are three best practices:

- ▶ Some informal networks of IRAs have emerged, which enables them to share information, exchange ideas, raise issues, and find solutions. As indicated previously, INAC fosters networking among IRAs through its annual workshops by encouraging the formation of regional IRA networks and by providing funding for meetings where such networks already exist.
- ▶ A Quebec regional version of the IRA training manual currently exists. It was an initiative of regional staff and is considered a particularly useful tool, mainly because it improves on the national manual by making some of the information simpler and more relevant for IRAs in that region. A two-page “IRS User Guide” was also developed by the British Columbia regional office; it serves as a checklist for the initial training of an IRA and as a useful reminder for those IRAs later on.
- ▶ Where numbers warrant and resources permit, IRAs have developed information sessions and/or material to inform their members about the registration process, CIS card issuance, the appropriate supporting documentation, and/or the role of the registration and membership office.

4.5 Cost-effectiveness

This section presents findings related to the economical aspect of the overall approach of the Program, the funding agreement mechanism, and the calculation for Contributions. Findings are based on the combination of evidence from key informant interviews and case studies. However, the evaluation did not have detailed costing information neither performance measures to perform cost-effectiveness analysis.

4.5.1 Overall approach

Overall, the approach of the Program is less costly than INAC administration of registration. IRAs may encourage registration due to visibility, familiarity, or greater accessibility and they can respond to many inquiries in lieu of INAC, provide assistance, ensure that registration applications are complete, and process registration in a timelier manner than the Department, thus reducing the cost and turnaround time associated with registration. They can also assist their community planning by providing some reports/information to help them to better identify future needs.

On the other hand, not all IRAs work full-time—at least not as IRAs. Their prominent role related to registration and CIS card issuance requires them to wear many hats and provide

information on other related programs (e.g., land entitlements or estates), even though they may not actually be responsible for these programs. Some FNs top up to the amount paid by INAC to provide higher salary to their IRAs.

Delivery of the registration administration function by the IRAs' seems to be more economical than INAC delivery (e.g. administrative services).

Table 7 indicates that IRAs have processed 63 percent of transaction with limited increase in their funding from 2006/2007 to 2008/2009.

The INAC overhead cost related to registration administration increased significantly from 33 percent of the total expenditures in 2007/2008 to 45 percent in 2009-2010.

The amount paid to bands and tribal councils remained about the same from 2006/2007 to 2008/2009 for registration administration. However, the total expenditure increased every year, an increased of 42.1 percent.

Table 7: Expenditures 2006/2007 to 2009/2010				
Actual	2006/2007	2007-2008	2008-2009	2009-2010
Administration and Support Services**	\$3,841,011	\$3,902,460	\$5,765,284	\$8,288,709
% of total expenditures	35%	33%	37%	45%
Bands and Tribal Councils*	\$5,328,985	\$5,419,087	\$5,553,672	
% of total expenditures	49%	46%	36%	
Registration and Membership** (total expenditures)	\$10,842,049	\$11,868,575	\$15,405,924	\$18,383,352
Total expenditures increased from previous year in %		9.47%	29.8%	19.3%

*: INAC, custom tabulation as of July 2009

** : FNITP (April 13, 2010), AP102 – Registration and Membership

Because of the relatively small size of many bands and the Contributions formula based on population and events, the Program provides very low amounts of funding to these bands. This can limit efforts to recruit, train, and retain competent IRAs. To a certain extent, this hampers the ability of the Department to deliver the Program in an economical manner.

4.5.2 Funding agreement

Regardless of the scope and length of the agreement, in all cases, it is ultimately at the band leadership's discretion whether the contribution amount received by INAC is passed on to the IRA, if it serves only to cover the costs of registration administration or whether it is partly redistributed to other priority areas. As indicated previously, key informants suggested a base salary for IRAs become part of the funding agreements, as well as a standard job description. This would ensure the funding is used for registration administration and to clarify expectations with regard to the role of an IRA for all parties.

4.5.3 Contributions formula

The calculation for the Contributions has not been adjusted since 1983 (see Contributions formula, 2.1). Key informants interviewed as part of this evaluation were unanimously in favour of revisions to the formula. The main reasons they indicated were that it has not kept in step with increases in actual costs. Some bands have allocated additional funds to compensate for the shortfall (e.g., IRA salary, equipment or supplies costs), while others are unable to.

5. Conclusions and recommendations

This section offers conclusions for each of the issues as per the evaluation matrix, as well as recommendations where applicable.

5.1 Relevance

1. *To what extent is this Contributions program aligned with the current priorities of INAC, other federal departments and agencies, and the Government of Canada as a whole?*

The Minister of Indian Affairs and Northern Development, in accordance with the *Indian Act*, has responsibilities with respect to maintaining the Indian Register, registration of Indians and the issuance of CIS, and membership. The Program is aligned with INAC's priorities in terms of improving FNs' access to the benefits and services they are entitled to, increasingly devolving responsibilities and control to FNs, and increasing FNs capacity to administer services themselves. A more comprehensive Registry also enables other federal departments and agencies to more efficiently deliver their programs geared towards FNs.

2. *To what extent do the Contributions address the needs of the growing FNs population in terms of registration (i.e., IRS, band lists, and CIS)?*

The Program is also aligned with the needs of FNs by enabling the provision of registration services locally. It is also viewed as supporting the transition toward self-government for FNs, as it increases their ownership and control over key processes. In order, to respond to the needs, the IRS has been upgraded in 2003 (web base), INAC is still managing 58 percent of band lists and is developing a SCIS card.

3. *Specifically, what is the effect of the amendment to the Indian Act of April 1985 on the Contributions (i.e., registration and membership list processes)?*

Bill C-31 and the *McIvor* decision have significant consequences for registration administration, since they affect the eligibility criteria for Indian status. Bill C-31 led to a large and sustained increase in the volume of inquiries, applications, and appeals, which resulted in a significant backlog of unprocessed applications and appeals. HQ personnel are still dealing with unresolved cases today. The recent *McIvor* decision is expected to have a similar effect. The number of inquiries has already increased since the decision.

4. *To what extent do the Contributions address the needs of the main users of information on Status Indians (i.e., federal, provincial, municipal governments, and First Nations)?*

Although it has its limitations, the IRS is still the only means of determining who is eligible for programs and services available specifically to Indians. The accuracy, timeliness, and completeness of the Registry are increasingly important, as the number and diversity of users and uses of IRS data are increasing. More specifically, INAC is developing an enhanced security card (SCIS), which will be implemented soon to better respond to new security requirements, various user needs and federal government commitment. That is why the number of unprocessed applications or updates as well as the number of events/updates requiring follow-up needs to be addressed on a priority basis.

Recommendation:

INAC should review the role that IRAs play in the administration of the Indian-status card as part of the registration process, given the new security context of the SCIS.

5.2 Design and delivery

5. *To what extent has the Program been implemented as planned?*

The implementation of the Program began in 1983. Over the last several years, aside from the re-engineering of the IRS in 2003, only minor changes in guidelines had occurred until recently, when the requirement for original birth certificates was introduced in August 2009.

The Program faces some well-known challenges, which remain unaddressed:

- ▶ A large number of bands with small-sized populations distributed throughout the country.
- ▶ The limited capacity and willingness of some bands to administer registration locally, to have access to the IRS, and/or to maintain their own membership list.
- ▶ The high turnover of IRAs in many of the bands that administer registration.
- ▶ Approximately 5,000 unprocessed applications and 25,000 updates by INAC (HQ), which creates a bottleneck in the registration process due to lack of response or communication from applicants.

Recommendation:

INAC should refocus the Program, ensuring that the design and delivery processes in place are appropriate to provide accurate, timely and complete Indian Registry Information and that the emerging objectives of the Program are clearly articulated and communicated.

INAC should take steps to address the backlog and give consideration to closing incomplete files where applicants have not contacted the IRA or INAC within specified period of time.

6. *Is the IRS user-friendly?*

Since it was redesigned in 2003, INAC registration officers and HQ personnel, as well as IRAs consider the IRS very user-friendly. However, more training or technical support is required in some areas for some users. Numerous requests for support related to a lack of familiarity with the system among newer IRAs, prolonged inactivity among IRAs of smaller bands, as well as the relatively high turnover rate among IRAs increases costs in terms of IT resources borne by regional offices and by the Program as a whole.

7. *Is the training for registration administrators adequate?*

While training and professional development activities are considered appropriate based on key interviews, the training is not consistent across the country as each regional office customizes the content, method, and frequency of training, professional development, and networking activities according to their resources and the needs in their region. The costs associated with training and/or professional development consume a relatively high proportion of the resources of a regional office. These costs are further affected by the rate of turnover of IRAs and the pace of devolution in a given region.

Recommendation:

Depending on any re-design of the program, INAC should consider addressing the recruitment and retention issues surrounding competent IRAs as this hampers effective band participation in registration administration.

INAC should provide guidelines and common tools to ensure consistency and rigour as well as national training and regular functional guidance for all.

8. *Is the process for devolving registration and CIS card issuance responsibilities to community registration administrators (IRAs) appropriate and efficient?*

Decisions are taken at the regional level, where they know the bands and the IRAs and monitor their performance. However, because each regional office must cover the costs associated with increased devolution (i.e., additional training and equipment) out of its own budget, this can affect devolution decisions and the overall pace of devolution in a region.

There is also the quality aspect of regional and HQ monitoring and verification/compliance. It is important that monitoring and compliance is well done to support devolution appropriately.

5.3 Accountability

9. *How do program managers measure progress toward a) the production of expected outputs; and b) the achievement of expected outcomes to support decision making?*

Objectives, outputs and outcomes are located in various documents but the Program's managers did not consolidate them into a single document and use them to monitor progress; neither did they use them to make decisions nor developed a performance measurement strategy. HQ and regional office managers indicate they do not have the resources to develop and implement performance measurement.

10. *Is there a performance measurement system in place? Is there a process for reporting on progress? If so, is the data collected reliable and suitable to support decision making?*

As noted above, there is no performance measurement strategy at this time. The Monitoring and Compliance Unit has systems in place for monitoring completeness and accuracy of IRS data. The evaluation has not assessed the quality of the monitoring and verification process; however, the information received by evaluators, which shows that the anomaly rate varies significantly from one region to another, indicates that action is required. The Unit produces annual reports for program management purposes, which include a few key indicators. This could be a starting point for program-wide performance measurement.

Recommendations:

INAC should develop a performance measurement strategy to guide monitoring and reporting activities and to support decision-making and effective, efficient use of resources.

5.4 Success and impacts

11. *Is the Program producing the expected outputs and achieving the expected outcomes? Are there factors that contribute to or limit progress toward the expected outcomes?*

To the extent possible outputs have been achieved. In terms of immediate outcomes, with the exception of the late registration of many newborns, eligible individuals are systematically identified and registered, and they are registered in a timely fashion. Over the last four years,

FNs have increasingly participated in the identification and registration of eligible individuals and in the issuance of CIS cards, which is largely due to the presence of IRAs.

Thirty-eight percent of the 615 bands in Canada have assumed control of their membership lists. However, there have been cases where bands have taken control and have not properly maintained their list and/or returned control to the Department.

While monitoring activities are incorporated into registration administration processes at the regional and national levels, there is no detailed information on the quality and no systematic performance measurement activities yet, since neither HQ nor regional offices have devised a strategy to that effect.

In terms of intermediate outcomes, it is not possible to ascertain whether there has been an improvement in service delivery resulting from the Program.

12. Specifically, are the initiatives undertaken by INAC to improve the registration process (following the 2003 audit) contributing to achieving expected outcomes (e.g., re-engineering the IRS)?

The re-engineering of the IRS has yielded a system that is perceived as very user-friendly, thereby contributing to the participation of FNAs in the registration of eligible individuals.

13. Are there unintended impacts (positive or negative) related to the Contributions?

Informal networks of IRAs have emerged—subsequently supported by the Department—enabling them to share information, exchange ideas, raise issues, and find solutions. This may contribute to overall registration program improvement.

IRAs also support the planning of programs and services in their communities, namely through their access to the IRS. IRS data is also increasingly used by other government agencies and other levels of government to plan programs and services.

14. What are the key lessons learned and best practices related to the Contributions that have been identified thus far?

Key lessons emerged in terms of the role and responsibilities of IRAs. The naturally and rapidly expanding responsibilities of many IRAs call for the development of a common job description. Specific incentives and supports for IRAs and for band leadership may improve recruitment and retention of competent IRAs, and ultimately ensure the success of locally administered registration. The regional networks of IRAs may also contribute to the development and retention of a core group of competent IRAs.

Recommendation:

INAC should develop a common job description for IRAs to clarify their registration administration responsibilities.

5.5 Cost-effectiveness

15. Is there a more efficient way to achieve the expected outcomes than the current Contributions? If so, how?

The Program's support of the local administration of registration and CIS card issuance, both in terms of human resources and financial resources, is considered efficient. The IRAs process 63 percent of events or updates. The amounts paid to bands and tribal councils for registration administration remained about the same during that period, 2006/07 to 2008/09 (see Table 2). However, during the same period, the overhead cost of INAC and its total expenditures increased significantly for its registration administration activities.

16. Is there a more cost-effective way to deliver the Contributions?

No cost-effective analysis was done although the approach of the Program—i.e., the local administration of registration and CIS card issuance via IRAs—is considered economical. However, IRAs feel they are underpaid for their level of responsibility and related duties, which is one of the reasons for the high turnover rate. This, in turn, relates to two main factors:

- ▶ Bands have the flexibility to allocate the Contribution as they see fit (not necessarily all to IRAs).
- ▶ The small size of many bands implies that their Contribution amount (based on number of events recorded and population) is very low.

INAC could encourage bands with a small volume to pool their resources and share IRAs.

Recommendations:

INAC should look at the feasibility of encouraging bands to pool resources and funding to attract and retain competent, full-time dedicated IRAs.

17. Should the current Contributions formula be modified? If so, how and why?

The Contributions formula should be updated as it is no longer in step with actual costs. It also does not compensate bands for both the increased responsibilities and shortfall.

Recommendations:

INAC should review the per event portion of the formula to ensure that IRAs are compensated for the actual cost of their tasks.

Special Consideration

INAC needs to have a well established validation/verification process in place to ensure the accuracy of the registration recorded in the IRS.

Appendix A – Evaluation Matrix

Evaluation Matrix		
Issues/Questions	Indicators	Data Sources
Relevance		
1. To what extent is this Contributions program aligned with the current priorities of INAC, other federal departments and agencies, and the Government of Canada as a whole?	<ul style="list-style-type: none"> • Description of respective priorities • Key informant and stakeholder opinion regarding alignment 	Document review Key informant interviews
2. To what extent do the Contributions address the needs of the growing First Nations population in terms of registration (i.e., IRS, band lists, and CIS)?	<ul style="list-style-type: none"> • Evidence of the evolution of the size of the First Nations population, specifically the eligible population • Documented needs of the First Nations population in terms of registration • Key informant and stakeholder opinion regarding if and how the Contributions are meeting some or all of these needs 	Document review Key informant interviews Case studies
3. Specifically, what is the effect of the amendment to the <i>Indian Act</i> of April 1985 on the Contributions (i.e., registration and membership list processes)?	<ul style="list-style-type: none"> • Expected effect and evidence of actual effect • Key informant and stakeholder opinion regarding the effect of the amendment 	Document review and administrative data Key informant interviews
4. To what extent do the Contributions address the needs of the main users of information on Status Indians (i.e., federal, provincial, municipal governments, and First Nations)?	<ul style="list-style-type: none"> • Description of information provision services contained in Memoranda of Understanding and other agreements • Users' opinion regarding the information provided 	Document review Key informant interviews
Design and Delivery		
5. To what extent has the Contributions program been implemented as planned?	<ul style="list-style-type: none"> • Extent to which activities occurred as planned, deviations and reasons for deviations • Challenges in implementation 	Document review Key informant interviews
6. Is the IRS user-friendly?	<ul style="list-style-type: none"> • Users' perspective on user-friendliness 	Key informant interviews Case studies
7. Is the training for registration administrators adequate?	<ul style="list-style-type: none"> • Regional and local registration administrators' perspective on adequacy of training 	Key informant interviews Case studies
8. Is the process for devolving registration and CIS card issuance responsibilities to community registration administrators (IRA) appropriate and efficient?	<ul style="list-style-type: none"> • Program management, regional management, and First Nations communities' opinion on appropriateness and efficiency 	Key informant interviews Case studies

Evaluation Matrix		
Issues/Questions	Indicators	Data Sources
Accountability		
9. How do program managers measure progress toward: a. the production of expected outputs; and b. the achievement of expected outcomes to support decision making?	<ul style="list-style-type: none"> • Description of measurement activities • Description of decision-making supports 	Document review and administrative data Key informant interviews
10. Is there a performance measurement system in place? Is there a process for reporting on progress? If so, is the data collected reliable and suitable to support decision making?	<ul style="list-style-type: none"> • Description of performance measurement processes and activities • Description of decision-making supports 	Document review and administrative data Key informant interviews
Success/Impacts		
11. Is the Contributions program producing the expected outputs and achieving the expected outcomes? Are there factors that contribute to or limit progress toward the expected outcomes?	<ul style="list-style-type: none"> • Key informant and stakeholder opinion regarding progress toward expected outcomes • Evidence of outputs • Evidence of progress toward expected outcomes 	Document review Administrative data Key informant interviews Case studies
12. Specifically, are the initiatives undertaken by INAC to improve the registration process (following the 2003 audit) contributing to achieving expected outcomes (e.g., re-engineering the IRS)?	<ul style="list-style-type: none"> • Description of individual initiatives • Challenges in realizing potential improvements 	Document review and administrative data Key informant interviews Case studies
13. Are there unintended impacts (positive or negative) related to the Contributions?	<ul style="list-style-type: none"> • Key informant and stakeholder opinion regarding unintended impacts 	Key informant interviews Case studies
14. What are the key lessons learned and best practices related to the Contributions that have been identified thus far?	<ul style="list-style-type: none"> • Key informant and stakeholder opinion regarding best practices and lessons learned • Lessons learned and best practices identified in key documents • Evidence of adoption of best practices 	Document review Key informant interviews Case studies
Cost-Effectiveness		
15. Is there a more efficient way to achieve the expected outcomes than the current Contributions? If so, how?	<ul style="list-style-type: none"> • Key informant and stakeholder opinion regarding more efficient alternatives 	Key informant interviews
16. Is there a more cost-effective way to deliver the Contributions?	<ul style="list-style-type: none"> • Key informant and stakeholder opinion regarding more efficient alternatives • Evidence of potential areas for decreased costs and/or increased effectiveness 	Key informant interviews Case studies
17. Should the current Contributions formula be modified? If so, how and why?	<ul style="list-style-type: none"> • Key informant and stakeholder opinion regarding more efficient alternatives 	Key informant interviews Case studies

Appendix B – List of documents

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Appendix C – Selected Sections from the Indian Act

Indian Act

I-5

An Act respecting Indians

SHORT TITLE

1. This Act may be cited as the *Indian Act*.

R.S., c. I-6, s. 1.

(...)

Band control of membership

10. (1) A band may assume control of its own membership if it establishes membership rules for itself in writing in accordance with this section and if, after the band has given appropriate notice of its intention to assume control of its own membership, a majority of the electors of the band gives its consent to the band's control of its own membership.

Membership rules

(2) A band may, pursuant to the consent of a majority of the electors of the band,

(a) after it has given appropriate notice of its intention to do so, establish membership rules for itself; and

(b) provide for a mechanism for reviewing decisions on membership.

Exception relating to consent

(3) Where the council of a band makes a by-law under paragraph 81(1)(p.4) bringing this subsection into effect in respect of the band, the consents required under subsections (1) and (2) shall be given by a majority of the members of the band who are of the full age of eighteen years.

Acquired rights

(4) Membership rules established by a band under this section may not deprive any person who had the right to have his name entered in the Band List for that band, immediately prior to the time the rules were established, of the right to have his name so entered by reason only of a situation that existed or an action that was taken before the rules came into force.

Idem

(5) For greater certainty, subsection (4) applies in respect of a person who was entitled to have his name entered in the Band List under paragraph 11(1)(c) immediately before the band assumed control of the Band List if that person does not subsequently cease to be entitled to have his name entered in the Band List.

Notice to the Minister

(6) Where the conditions set out in subsection (1) have been met with respect to a band, the council of the band shall forthwith give notice to the Minister in writing that the band is assuming control of its own membership and shall provide the Minister with a copy of the membership rules for the band.

Notice to band and copy of Band List

(7) On receipt of a notice from the council of a band under subsection (6), the Minister shall, if the conditions set out in subsection (1) have been complied with, forthwith

(a) give notice to the band that it has control of its own membership; and

(b) direct the Registrar to provide the band with a copy of the Band List maintained in the Department.

Effective date of band's membership rules

(8) Where a band assumes control of its membership under this section, the membership rules established by the band shall have effect from the day on which notice is given to the Minister under subsection (6), and any additions to or deletions from the Band List of the band by the Registrar on or after that day are of no effect unless they are in accordance with the membership rules established by the band.

Band to maintain Band List

(9) A band shall maintain its own Band List from the date on which a copy of the Band List is received by the band under paragraph (7)(b), and, subject to section 13.2, the Department shall have no further responsibility with respect to that Band List from that date.

Deletions and additions

(10) A band may at any time add to or delete from a Band List maintained by it the name of any person who, in accordance with the membership rules of the band, is entitled or not entitled, as the case may be, to have his name included in that list.

Date of change

(11) A Band List maintained by a band shall indicate the date on which each name was added thereto or deleted therefrom.

R.S., 1985, c. I-5, s. 10; R.S., 1985, c. 32 (1st Supp.), s. 4.

Membership rules for Departmental Band List

11. (1) Commencing on April 17, 1985, a person is entitled to have his name entered in a Band List maintained in the Department for a band if

(a) the name of that person was entered in the Band List for that band, or that person was entitled to have it entered in the Band List for that band, immediately prior to April 17, 1985;

(b) that person is entitled to be registered under paragraph 6(1)(b) as a member of that band;

(c) that person is entitled to be registered under paragraph 6(1)(c) and ceased to be a member of that band by reason of the circumstances set out in that paragraph; or

(d) that person was born on or after April 17, 1985 and is entitled to be registered under paragraph 6(1)(f) and both parents of that person are entitled to have their names entered in the Band List or, if no longer living, were at the time of death entitled to have their names entered in the Band List.

Additional membership rules for Departmental Band List

(2) Commencing on the day that is two years after the day that an Act entitled An Act to amend the Indian Act, introduced in the House of Commons on February 28, 1985, is assented to, or on such earlier day as may be agreed to under section 13.1, where a band does not have control of its Band List under this Act, a person is entitled to have his name entered in a Band List maintained in the Department for the band

(a) if that person is entitled to be registered under paragraph 6(1)(d) or (e) and ceased to be a member of that band by reason of the circumstances set out in that paragraph; or

(b) if that person is entitled to be registered under paragraph 6(1)(f) or subsection 6(2) and a parent referred to in that provision is entitled to have his name entered in the Band List or, if no longer living, was at the time of death entitled to have his name entered in the Band List.

Deeming provision

(3) For the purposes of paragraph (1)(d) and subsection (2),

(a) a person whose name was omitted or deleted from the Indian Register or a band list in the circumstances set out in paragraph 6(1)(c), (d) or (e) and who was no longer living on the first day on which the person would otherwise be entitled to have the person's name entered in the Band List of the band of which the person ceased to be a member shall be deemed to be entitled to have the person's name so entered; and

(b) a person described in paragraph (2)(b) shall be deemed to be entitled to have the person's name entered in the Band List in which the parent referred to in that paragraph is or was, or is deemed by this section to be, entitled to have the parent's name entered.

Where band amalgamates or is divided

(4) Where a band amalgamates with another band or is divided so as to constitute new bands, any person who would otherwise have been entitled to have his name entered in the Band List of that band under this section is entitled to have his name entered in the Band List of the amalgamated band or the new band to which that person has the closest family ties, as the case may be.

R.S., 1985, c. I-5, s. 11; R.S., 1985, c. 32 (1st Supp.), s. 4, c. 43 (4th Supp.), s. 2.

Entitlement with consent of band

12. Commencing on the day that is two years after the day that an Act entitled An Act to amend the Indian Act, introduced in the House of Commons on February 28, 1985, is assented to, or on such earlier day as may be agreed to under section 13.1, any person who

(a) is entitled to be registered under section 6, but is not entitled to have his name entered in the Band List maintained in the Department under section 11, or

(b) is a member of another band,

is entitled to have his name entered in the Band List maintained in the Department for a band if the council of the admitting band consents.

R.S., 1985, c. I-5, s. 12; R.S., 1985, c. 32 (1st Supp.), s. 4.

Limitation to one Band List

13. Notwithstanding sections 11 and 12, no person is entitled to have his name entered at the same time in more than one Band List maintained in the Department.

R.S., 1985, c. I-5, s. 13; R.S., 1985, c. 32 (1st Supp.), s. 4.

Decision to leave Band List control with Department

13.1 (1) A band may, at any time prior to the day that is two years after the day that an Act entitled An Act to amend the Indian Act, introduced in the House of Commons on February 28, 1985, is assented to, decide to leave the control of its Band List with the Department if a majority of the electors of the band gives its consent to that decision.

Notice to the Minister

(2) Where a band decides to leave the control of its Band List with the Department under subsection (1), the council of the band shall forthwith give notice to the Minister in writing to that effect.

Subsequent band control of membership

(3) Notwithstanding a decision under subsection (1), a band may, at any time after that decision is taken, assume control of its Band List under section 10.

R.S., 1985, c. 32 (1st Supp.), s. 4.

Return of control to Department

13.2 (1) A band may, at any time after assuming control of its Band List under section 10, decide to return control of the Band List to the Department if a majority of the electors of the band gives its consent to that decision.

Notice to the Minister and copy of membership rules

(2) Where a band decides to return control of its Band List to the Department under subsection (1), the council of the band shall forthwith give notice to the Minister in writing to that effect and shall provide the Minister with a copy of the Band List and a copy of all the membership rules that were established by the band under subsection 10(2) while the band maintained its own Band List.

Transfer of responsibility to Department

(3) Where a notice is given under subsection (2) in respect of a Band List, the maintenance of that Band List shall be the responsibility of the Department from the date on which the notice is received and from that time the Band List shall be maintained in accordance with the membership rules set out in section 11.

R.S., 1985, c. 32 (1st Supp.), s. 4.

Entitlement retained

13.3 A person is entitled to have his name entered in a Band List maintained in the Department pursuant to section 13.2 if that person was entitled to have his name entered, and his name was entered, in the Band List immediately before a copy of it was provided to the Minister under subsection 13.2(2), whether or not that person is also entitled to have his name entered in the Band List under section 11.

R.S., 1985, c. 32 (1st Supp.), s. 4.

Notice of Band Lists

Copy of Band List provided to band council

14. (1) Within one month after the day an Act entitled An Act to amend the Indian Act, introduced in the House of Commons on February 28, 1985, is assented to, the Registrar shall provide the council of each band with a copy of the Band List for the band as it stood immediately prior to that day.

List of additions and deletions

(2) Where a Band List is maintained by the Department, the Registrar shall, at least once every two months after a copy of the Band List is provided to the council of a band under subsection (1), provide the council of the band with a list of the additions to or deletions from the Band List not included in a list previously provided under this subsection.

Lists to be posted

(3) The council of each band shall, forthwith on receiving a copy of the Band List under subsection (1), or a list of additions to and deletions from its Band List under subsection (2), post the copy or the list, as the case may be, in a conspicuous place on the reserve of the band.

R.S., 1985, c. I-5, s. 14; R.S., 1985, c. 32 (1st Supp.), s. 4.

Inquiries

Inquiries relating to Indian Register or Band Lists

14.1 The Registrar shall, on inquiry from any person who believes that he or any person he represents is entitled to have his name included in the Indian Register or a Band List maintained in the Department, indicate to the person making the inquiry whether or not that name is included therein.

R.S., 1985, c. 32 (1st Supp.), s. 4.

Protests

14.2 (1) A protest may be made in respect of the inclusion or addition of the name of a person in, or the omission or deletion of the name of a person from, the Indian Register, or a Band List maintained in the Department, within three years after the inclusion or addition, or omission or deletion, as the case may be, by notice in writing to the Registrar, containing a brief statement of the grounds therefore.

Protest in respect of Band List

(2) A protest may be made under this section in respect of the Band List of a band by the council of the band, any member of the band or the person in respect of whose name the protest is made or that person's representative.

Protest in respect of Indian Register

(3) A protest may be made under this section in respect of the Indian Register by the person in respect of whose name the protest is made or that person's representative.

Onus of proof

(4) The onus of establishing the grounds of a protest under this section lies on the person making the protest.

Registrar to cause investigation

(5) Where a protest is made to the Registrar under this section, the Registrar shall cause an investigation to be made into the matter and render a decision.

Evidence

(6) For the purposes of this section, the Registrar may receive such evidence on oath, on affidavit or in any other manner, whether or not admissible in a court of law, as the Registrar, in his discretion, sees fit or deems just.

Decision final

(7) Subject to section 14.3, the decision of the Registrar under subsection (5) is final and conclusive.

R.S., 1985, c. 32 (1st Supp.), s. 4.

Appeal

14.3 (1) Within six months after the Registrar renders a decision on a protest under section 14.2,

(a) in the case of a protest in respect of the Band List of a band, the council of the band, the person by whom the protest was made, or the person in respect of whose name the protest was made or that person's representative, or

(b) in the case of a protest in respect of the Indian Register, the person in respect of whose name the protest was made or that person's representative,

may, by notice in writing, appeal the decision to a court referred to in subsection (5).

Copy of notice of appeal to the Registrar

(2) Where an appeal is taken under this section, the person who takes the appeal shall forthwith provide the Registrar with a copy of the notice of appeal.

Material to be filed with the court by Registrar

(3) On receipt of a copy of a notice of appeal under subsection (2), the Registrar shall forthwith file with the court a copy of the decision being appealed together with all documentary evidence considered in arriving at that decision and any recording or transcript of any oral proceedings related thereto that were held before the Registrar.

Decision

(4) The court may, after hearing an appeal under this section,

(a) affirm, vary or reverse the decision of the Registrar; or

(b) refer the subject-matter of the appeal back to the Registrar for reconsideration or further investigation.

Court

(5) An appeal may be heard under this section

(a) in the Province of Quebec, before the Superior Court for the district in which the band is situated or in which the person who made the protest resides, or for such other district as the Minister may designate;

(a.1) in the Province of Ontario, before the Superior Court of Justice;

(b) in the Province of New Brunswick, Manitoba, Saskatchewan or Alberta, before the Court of Queen's Bench;

(c) in the Province of Prince Edward Island or Newfoundland, before the Trial Division of the Supreme Court;

(c.1) [Repealed, 1992, c. 51, s. 54]

(d) in the Province of Nova Scotia or British Columbia, in Yukon or in the Northwest Territories, before the Supreme Court; or

(e) in Nunavut, before the Nunavut Court of Justice.

R.S., 1985, c. 32 (1st Supp.), s. 4, c. 27 (2nd Supp.), s. 10; 1990, c. 16, s. 14, c. 17, s. 25; 1992, c. 51, s. 54; 1998, c. 30, s. 14; 1999, c. 3, s. 69; 2002, c. 7, s. 183.

Appendix D – Logic Model

