

# Indian Act – Amendments

- 1881: Amended to make officers of the Indian Department, including Indian Agents, legal justices of the peace, able to enforce regulations. The following year they were granted the same legal power as magistrates. Further amended to prohibit the sale of agricultural produce by Indians in Prairie Provinces without an appropriate permit from an Indian agent. This prohibition is, as of 2008, still included in the Indian Act though not enforced.
- 1884: Amended to prevent elected band leaders who have been deposed from office from being re-elected.
- 1885: Amended to prohibit religious ceremonies (such as potlatches) and dances (such as Tamanawas dances)
- 1894: Amended to remove band control of non-natives living on reserve. This power now rested exclusively in the hands of the Superintendent-General of Indian Affairs.
- 1895: Amended to outlaw all dances, ceremonies and festivals that involved the wounding of animals or humans, or the giving away of money or goods.
- 1905: Amended to allow aboriginal people to be removed from reserves near towns with more than 8,000 residents.
- 1906: Amended to allow 50 per cent of the sale price of reserve lands to be given to band members, following the surrender of that land.
- 1911: Amended to allow municipalities and companies expropriate portions of reserves, without surrender, for roads, railways, and other public works. Further amended to allow a judge to move an entire reserve away from a municipality if it was deemed "expedient." These amendments were also known as the Oliver Act.
- 1914: Amended to require western Indians to seek official permission before appearing in "aboriginal costume" in any "dance, show, exhibition, stampede or pageant."
- 1918: Amended to allow the Superintendent-General to lease out uncultivated reserve lands to non-aboriginals if the new lease-holder would use it for farming or pasture.
- 1920: Amended to allow the Department of Indian Affairs to ban hereditary rule of bands. Further amended to allow for the involuntary enfranchisement (and loss of treaty rights) of any status Indian considered fit by the Department of Indian Affairs without the possession of land previously required for those living off reserve. Repealed two years later, but reintroduced in a modified form in 1933.

- 1927: Amended to prevent anyone (aboriginal or otherwise) from soliciting funds for Indian legal claims without a special license from the Superintendent-General. This effectively prevented any First Nation from pursuing aboriginal land claims.
- 1930: Amended to prevent a pool hall owner from allowing entrance to an Indian who "by inordinate frequenting of a pool room either on or off an Indian reserve misspends or wastes his time or means to the detriment of himself, his family or household". The owner could face a fine or a one-month jail term.
- 1936: Amended to allow Indian agents to direct band council meetings, and to cast a deciding vote in the event of a tie.
- 1951: Amended to allow the sale and slaughter of livestock without an Indian Agent permit. Status women are allowed to vote in band elections. Attempts to pursue land claims, and the use of religious ceremonies (such as potlatches) are no longer prohibited by law. Further amended for the compulsory "enfranchisement" of First Nations women who married non-status men (including Metis, Inuit and non-status Indian, as well as non-aboriginal men) thus removing their status and that of any children from the marriage.
- 1961: Amended to end the compulsory "enfranchisement" of men or bands.
- 1985: Amended to allow First Nations women the right to keep or regain their status even after "marrying out", and to grant status to the children (but not grandchildren) of such a marriage. This amendment was debated in Parliament as Bill C-31. Under this amendment, full status Indians are referred to as 6-1. A child of a marriage between a status (6-1) person and a non-status person would qualify for 6-2 (half) status, but if his/her child in turn married another 6-2 or a non-status person, the child will be non-status. If a 6-2 marries a 6-1 or another 6-2, their children will revert to 6-1 status. Blood quantum is disregarded, or rather, replaced with a "two generation cut-off clause". According to Thomas King, around half of status Indians are currently marrying non-status people, meaning this legislation will accomplish complete legal assimilation in a matter of a few generations.
- 2000: Amended to allow band members living off reserve vote in band elections and referendums.