"dry," prohibiting the sale of alcohol and spirits within their bounds. This would be a similar provision, pursuant to which an Indian band could regulate the availability of alcohol on reserves.

An amendment to section 81 strengthens the means to enforce band by-laws. In brief, it takes the penalty of $100 as set in 1950 and, applying an indexation factor, brings it up to $1,000—a more realistic level in 1985.

Some amendments serve to provide better protection for bands. For example, after Royal Assent has been given to Bill C-31 a full two years will be available for bands to adopt their own membership rules, rather than two years from April 17, 1985, the effective date of the Charter. The original bill said that it would be two years from the date that the Charter came into effect. With the amendment, it will be two years from the date on which the bill receives Royal Assent.

Another amendment ensures that subsection 11(2) will not come into effect inadvertently—and subsection 11(2) is the subsection which would give band membership to first generation descendants of what are referred as section 12(1)(b) women—if a band does not adopt its own rules within two years.

The fear was that a band might develop and submit its rules in good faith and on time, but there could be some delay in approval, allowing subsection 11(2) to come into effect, notwithstanding the band's intentions. The amendment in subclause 10(7) states that membership rules will be effective from the date that notice is given to the minister by the band, rather than from the date of approval.

A third amendment requires the minister to report to Parliament in detail within two years on the implementation of this bill. This provision will keep the pressure on the government to live up to its commitment to make sure that bands will not become worse off as a result of the passage of Bill C-31. Further, section 64.1 is expanded to permit bands to restrict access to programs financed by the band's own money in the case of persons restored to band membership who received large pay-outs of band funds when they lost their membership. Although this provision will only affect, perhaps, a dozen bands, it will ensure that those who received large pay-outs cannot benefit a second time. If an individual has left the band and asked for and received his or her distributive share, if you like, that individual cannot now rejoin without repaying the moneys received. And on that, so that it is not reduced to trivial matters, the first $1,000 of such a pay-out would not have to be repaid, thereby removing trivial cases from the rolls.

Still other amendments will encourage fairness in various other ways. For example, appropriate notice is now required prior to band votes on proposed membership rules.

Another change related to a reduction in the age of majority in the Indian Act from age 21 to age 18, to conform with general federal practice. Also, the definition of "adopted child" has been broadened to include children adopted in accordance with Indian custom and not only those adopted according to provincial laws dealing with adoption.

The standing committee of the House of Commons also deleted clause 14.4 as it appeared in the original version of Bill C-31. This clause provided for the right to remove one's name from the Indian Register on a band list maintained in the department. Many witnesses criticized this provision as a holdover of the enfranchisement concept. They fear that people might once again be induced to give up their rights. After considerable debate, all parties in the Commons agreed to delete that clause.

There was a lengthy debate, as well, in the House of Commons dealing with the so-called high impact bands. The point was made that some bands might be affected disproportionately on the average number of people entitled to regain band membership. We heard evidence in our committee of bands as small as 38 members. If 50 people were returning to that band as a result of Bill C-31, that 50 would control, in essence, the band. There are rules providing for percentages only to be allowed back in—and that runs over a seven-year period—to ease the pressure on what are referred to as "high impact" bands.

One proposal before the standing committee of the other place called for a transitional list for those who would otherwise be entitled to regain band membership under Bill C-31. Such a proposal would leave to the band decisions on band membership for everyone in cases where band membership was projected to increase by 20 per cent or more. The committee rejected that proposal, since some of those normally entitled to regain membership under the bill might remain on the transitional list indefinitely. This would undermine the principle of restoration of rights which is central to this bill. For that reason, the 10 per cent rule was brought in to deal with that kind of problem.

The government is confident that the provisions already in Bill C-31, and particularly those related to band control of membership and bylaw power on residence, should provide ample protection if there are problems which have not been foreseen. Such problems could be dealt with when Parliament reviews the implementation of Bill C-31. As honourable senators will note, this review will take place in two years' time.

And, finally, in discussing the handling of Bill C-31 in the House of Commons, I should like to comment briefly on the issue of broadening access to Indian status and band membership to more people.

Various amendments to this effect were proposed by the opposition. The government in fact, as I have noted, did expand access to status to all of those enfranchised under subsection 109(1). The government is not prepared at this time to go further. The bands, of course, will be able to accept whomever they wish as band members. No doubt many descendants of those regaining membership under Bill C-31 will themselves become band members under band rules. But to impose on the bands membership for persons who were