

**MUSCOWPETUNG SAULTEAUX NATION #80
CUSTOMARY ELECTION ACT**

**DRAFT FOR COMMUNITY CONSULTATION
VERSION 1.0 – AUGUST 19, 2021**

2021

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[Saulteaux Translation]		WHEREAS:	
A.	[Saulteaux Translation]	A.	The Muscowpetung First Nation adhered to Treaty No. 4, 1874 on September 8, 1875;
B.	[Saulteaux Translation]	B.	the Nation has and continues to exercise an inherent Aboriginal and Treaty right to govern its citizens and lands in accordance with the traditions and customs that they have inherited from their ancestors;
C.	[Saulteaux Translation]	C.	the Nation's inherent Aboriginal and Treaty right to govern is recognized and affirmed by, <i>inter alia</i> , Articles 4, 20, 24, 34 and 35 of <i>The United Nations Declaration on the Rights of Indigenous Peoples</i> and Section 35 of the <i>Constitution Act 1982 (UK), 1982, c 11</i> , and is protected by Treaty No. 4, 1874 ;
D.	[Saulteaux Translation]	D.	the Nation's leaders are responsible for securing and enhancing the Nation's collective rights and empowering the Nation's citizens in a disciplined, accountable and honest manner;
E.	[Saulteaux Translation]	E.	the Nation's elections prior to the date of this enactment were governed by the <i>Indian Act</i> ;
F.	[Saulteaux Translation]	F.	The Nation's leaders have worked in consultation with the community to develop this Act as a modern reflection of the old ways that served the Nation's ancestors well;
G.	[Saulteaux Translation]	G.	the Nation, with the consent, approval and participation of its Members, deems it to be in its best interests to replace the election rules of the <i>Indian Act</i> with the Act outlined herein;
H.	[Saulteaux Translation]	H.	the Nation wishes to adopt this Act without prejudice to, but rather in express affirmation of, its inherent right to self-government, and as a means to clearly and unequivocally articulate the Nation's practices with respect to the election of its leaders; and
I.	[Saulteaux Translation]	I.	on the ____day of _____, 20__, a majority of the Nation's members who were present and voted at a duly convened assembly approved this Act as outlined herein.

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1. CITATION

- 1.1 The rules, procedures, and regulations outlined herein shall be cited as the *Muscowpetung Saulteaux Nation Customary Election Act* (the "Act").

2. DEFINITIONS

- 2.1 The following definitions apply in this Act:

- (a) "Affiliated Entity" means a Nation Entity, the Assembly of First Nations, Federation of Sovereign Indigenous Nations, the File Hills Qu'Appelle Tribal Council or any of their respective corporate affiliates or associates;
- (b) "Appeal Arbitrator" means the Nation Adjudicator or, in the absence of a Nation Adjudicator, a person appointed by the Director of Operations, in each case who shall be responsible for conducting election appeal hearings in accordance with this Act;
- (c) "Appeal Bond" means an amount equal to \$1,000.00;
- (d) "Appeal Costs" means all costs required to conduct an appeal in accordance with this Act, including, but not limited to, fees and disbursements charged by the Appeal Arbitrator;
- (e) "Candidate" means an Elector who has been confirmed by the Electoral Officer as having been properly nominated;
- (f) "Chief" means the Candidate elected pursuant to this Act to hold the office established under subsection 4.1(a);
- (g) "Chief Electoral Officer" means a person appointed by Resolution who shall be responsible for conducting the nominations and elections;
- (h) "Community Lands" means Muscowpetung Saulteaux Nation Reserve No. 80 and any other lands that have or may be set aside as reserve land for the benefit of the Nation from time to time;
- (i) "Corrupt Election Practice" means:
 - (a) offering money or other valuable consideration to any person:
 - A. in exchange for an Elector's vote, or
 - B. for the purpose of falsifying or influencing an election result, or
 - (b) threatening adverse consequences, coercing or intimidating:
 - A. an Elector for the purpose of influencing their vote, or
 - B. the Chief Electoral Officer, Deputy Electoral Officer or any other person appointed under this Act to conduct an election, for the purposes of influencing an election result; or

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- (c) causing or participating in any election irregularity or fraud, undue influence or any other corrupt or dishonest election practice;
- (j) "Council" means those Candidates elected pursuant to this Act who hold the office of Chief, On Reserve Councillor or Off-Reserve Councillor and who are empowered to act as the governing body of the Nation, or those persons elected to hold the offices of Chief and Council under the *Indian Act* up until the first election conducted under this Act;
- (k) "Councillors" means, collectively, the On-Reserve Councillors and the Off-Reserve Councillors, and "Councillor" means any one of them;
- (l) "Deputy Electoral Officer" means a person appointed by the Chief Electoral Officer to assist with the facilitation of nominations and elections;
- (m) "Director of Operations" means the Director of Operations of the Nation, or such similar or replacement position as may exist from time to time;
- (n) "Discipline Arbitrator" means the Nation Adjudicator or, in the absence of a Nation Adjudicator, a person appointed by the Director of Operations who shall be responsible for conducting discipline hearings;
- (o) "Discipline Bond" means an amount equal to \$500.00;
- (p) "Elector" means a person whose name is entered on the Nation's Membership List and is the full age of eighteen (18) years old on or before the date of the applicable election, by-election or assembly of voters and is an Indian registered under the *Indian Act*;
- (q) "Immediate relative", in respect of a person, means the person's mother, father, sibling, spouse or child;
- (r) "Member" means a person whose name is entered on the Membership List;
- (s) "Membership Clerk" means the person appointed as the membership clerk of the Nation, or such other person appointed to oversee and maintain the list of the Nation's members from time to time;
- (t) "Membership List" means the list referred to in section 5.1;
- (u) "Nation Adjudicator" means the permanent community adjudicative body established, or to be established, by the Nation to mediate, adjudicate and resolve community-based disputes;
- (v) "Nation" means the Muscowpetung Saulteaux Nation;
- (w) "Nation Entity" means any corporation, partnership, trust or other entity that is wholly owned or controlled by the Nation;
- (x) "Off-Reserve Councillors" means the Candidates elected pursuant to this Act to hold the offices established under subsection 4.1(c) and "Off-Reserve Councillor" means any one of them;

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- (y) "On-Reserve Councillors" means the Candidates elected pursuant to this Act to hold the offices established under subsection 4.1(b) and "On-Reserve Councillor" means any one of them;
- (z) "Prescribed Offence" means an offence described in Schedule B of this Act.
- (aa) "Public Places" means any location deemed by the Director of Operations, in their sole discretion, to be a public place at the Community Lands from time to time, and shall include the Nation's administrative office, website and social media pages, if any;
- (bb) "Quorum" means a majority of Council;
- (cc) "Resolution" means a written resolution that has been approved by a majority of Council at a duly convened meeting of the Council at which a Quorum was present;
- (dd) "Sensitive Personal Information" means information about an identifiable individual that if disclosed may be reasonably expected to adversely impact the public reputation of an individual and includes, without limitation, the criminal record of an individual.

2.2 In this Law, unless the context requires otherwise:

- (a) words importing the singular number shall include the plural number and *vice versa*, and words importing any gender shall include all genders and the neuter; and
- (b) any reference to a statute shall include the statute and any regulations made pursuant thereto, all amendments to the statute or any such regulations in force from time to time and any statute or regulation which supplements or supersedes the statute or any such regulations.

3. SCHEDULES

3.1 The following schedules form part of this Act:

Schedule "A" — Oath of Office

Schedule "B" — Prescribed Offences

Schedule "C" — Membership List Maintenance

Schedule "D" — Election Timelines Summary

Schedule "E" — Appeal Timelines Summary

4. COMPOSITION, TERM OF OFFICE AND DUTIES OF THE COUNCIL

4.1 The Electors shall elect a Council consisting of

- (a) one (1) individual to hold the office of the chief;
- (b) ### (#) individuals to hold the offices of on-reserve councillor; and

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- (c) ### (#) individuals to hold the offices of off-reserve councillor;
- provided that in the event of a vacancy, the Council shall consist of the remaining members of Council.
- 4.2 Subject to articles 15 and 16, the term of office for the Chief and each Councillor shall be three (3) years.
- 4.3 Notwithstanding section 4.2, a person elected to Council in a by-election shall hold that office for the remainder of the term of office of the Chief or Councillor whose vacancy caused the by-election.
- 4.4 A person elected under this Act holds office from the time immediately following the declaration of the election, by-election or run-off election result, as applicable, to immediately before the declaration of the result of the next general election for that office, unless they die, resign, or are removed from that office in accordance with this Act.
- 4.5 For greater certainty, in the event of any appeal of an election result, the newly elected Chief or Councillor whose election is the subject of the appeal shall be entitled to remain in office until such time as the appeal has been determined and, thereafter, subject to the appeal decision.
- 4.6 A Candidate who
- (a) is running for the office of On-Reserve Councillor must ordinarily reside on Community Lands during the ninety (90) days prior to the date when the notice of the applicable election or by-election is posted in accordance with this Act;
 - (b) is elected as an On-Reserve Councillor must ordinarily reside on any of the Community Lands for the duration of their term of office;
 - (c) is running for the office of an Off-Reserve Councillor must ordinarily reside off of Muscowpetung Saulteaux Nation Reserve No. 80 on the date when the notice of the applicable election, by-election or run-off election is posted in accordance with this Act;
 - (d) is elected as an Off-Reserve Councillor must ordinarily reside at a location that is off of Muscowpetung Saulteaux Nation Reserve No. 80 for the duration of their term of office;
- 4.7 There are no residency restrictions in respect of the Candidates running for, or the Candidate who is elected to serve, the office of the Chief.
- 4.8 Council shall carry out the duties set forth in the Oath of Office attached as Schedule "A" to this Act and any other applicable law, rule, regulation, standard or policy in force from time to time, including without limitation any law, rule, regulation, standard or policy of the Nation, or prescribed by the common law or any deed, instrument, document or charter governing the conduct of Council members.

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4.9 Council shall hold a general membership meeting at least twice every calendar year at the Community Lands referred to as Muscowpetung Saulteaux Nation #80, one during the spring season and one during the fall season.

5. MEMBERSHIP LIST AND ELECTORAL ELIGIBILITY

5.1 The Membership Clerk shall develop and maintain a current Membership List in accordance with the written instructions, policies and procedures issued or established by Council from time to time and which, at a minimum, shall contain the information set out in section 5.2, and shall be in substantially the form of Schedule "C".

5.2 The Membership List shall be in alphabetical order and shall contain at a minimum the following information about the persons who are eligible to be Electors:

- (a) the surname and given name of the person;
- (b) the person's date of birth;
- (c) the person's status number; and
- (d) the person's mailing address (if available).

5.3 It is the responsibility of each Elector to inform the Membership Clerk of their name and address for the purposes of enabling the Membership Clerk to maintain the Membership List on an ongoing basis.

5.4 The Membership Clerk shall provide the Membership List to the Chief Electoral Officer as soon as practicable following the appointment of the Chief Electoral Officer and, thereafter, until the date of the general election or by-election, as applicable, the Chief Electoral Officer, in conjunction with the Membership Clerk, shall update the Membership List as required.

5.5 The Chief Electoral Officer, Deputy Electoral Officer(s) and the Membership Clerk shall only use the Membership List for the purpose of conducting a general election, by-election or run-off election, as applicable.

5.6 A person is not eligible to vote in a general election, by-election or run-off election if they are not an Elector based on the information in the Membership List.

6. APPOINTMENT OF THE CHIEF ELECTORAL OFFICER AND APPEAL ARBITRATOR

6.1 At least one hundred (100) days prior to the day of a general election or by-election:

- (a) Council shall commence a process for selecting a Chief Electoral Officer; and
- (b) the Director of Operations shall commence a process for selecting the Appeal Arbitrator if the Nation has not established the Nation Adjudicator.

6.2 At least seventy-five (75) days prior to the day of a general election or by-election:

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- (a) Council shall, by Resolution, appoint a Chief Electoral Officer; and
 - (b) the Director of Operations shall appoint the Appeal Arbitrator.
- 6.3 Neither the Chief Electoral Officer nor the Appeal Arbitrator, if the Nation has not established the Nation Arbitrator, shall be:
- (a) a Member;
 - (b) an Immediate relative of a Member;
 - (c) a contractor or full-time employee of the Nation or any corporation, partnership, trust or other entity that is wholly owned or controlled by the Nation (except in their capacity as Chief Electoral Officer or Appeal Arbitrator, as applicable).
- 6.4 If the Nation has not established the Nation Adjudicator, the Appeal Arbitrator shall be a person who is licensed to practice law in the Province of Saskatchewan.
- 6.5 The Chief Electoral Officer's term will commence on the date specified in the Resolution referred to in subsection 6.2(a).
- 6.6 Unless otherwise determined by Resolution, the Chief Electoral Officer will serve as the electoral officer for any run-off elections following a general election.
- 6.7 The amount and terms of the remuneration to be paid to a Chief Electoral Officer shall be fixed by the Council at the time of appointment and reported in the Nation's annual audit.
- 7. NOMINATIONS**
- 7.1 Forty (40) days prior to the day of a general election or by-election, as applicable, the Chief Electoral Officer shall post a notice of nomination in Public Places.
- 7.2 The notice of nomination shall include the following information:
- (a) contact information of the Chief Electoral Officer for the purpose of answering any questions about the election;
 - (b) the criteria to be met in order to qualify as a Candidate as per section 7.3;
 - (c) the date of the nomination meeting;
 - (d) the method for requesting a mail-in ballot determined by the Chief Electoral Officer pursuant to section 10.2;
 - (e) a list containing only the given name and surname of each Elector; and
 - (f) a copy of this Act.
- 7.3 An individual who:
- (a) is an Elector;

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- (b) has not been convicted of a Prescribed Offence in the five (5) years prior to the date of the election or by-election, as applicable, or does not stand charged with a Prescribed Offence as of the date of the nomination meeting; and
- (c) is not an employee of the Nation or an Affiliated Entity, unless they are on unpaid leave from their employment at the time of nomination;

is eligible to be nominated for the office of the Chief or a Councillor.

7.4 A person who is eligible to be nominated under section 7.3 can only be nominated for one of the following offices during each general election or by-election:

- (a) Chief;
- (b) On-Reserve Councillor; or
- (c) Off-Reserve Councillor.

7.5 Every nomination meeting shall be carried out in accordance with the following procedures:

- (a) the nomination meeting shall be held at the Community Lands not less than twenty-five (25) days and not more than thirty (30) days prior to the day of a general election between 10:00 am and 7:00 pm;
- (b) the Chief Electoral Officer shall preside as chairman at every nomination meeting;
- (c) every nomination shall be moved and seconded by two (2) Electors.
- (d) an Elector may nominate any number of nominees for the offices of Chief and Councillor.
- (e) subject to clause (f), all nominations for the office of Chief and/or Councillors shall be made during the nomination meeting and all nominations submitted following the close of the nomination meeting shall be rejected by the Chief Electoral Officer;
- (f) nominations may be made in writing and submitted to the Chief Electoral Officer in advance of the nomination meeting, and the Chief Electoral Officer shall read all such nominations aloud at the nomination meeting; and
- (g) every nominee shall attend at the nomination meeting, and at such meeting:
 - (a) shall acknowledge their acceptance of the nomination in writing in a form prescribed by the Chief Electoral Officer; and
 - (b) shall submit a nomination fee in accordance with section 7.6 herein.

7.6 Nominees must submit a nomination fee in cash payable to the Nation as follows:

- (a) for the office of Chief, one thousand (\$1,000) dollars per nominee; and

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- (b) for the office of a Councillor, five hundred (\$500) dollars per nominee.
- 7.7 The nomination fee referred to in section 7.6 is non-refundable and shall be deposited into the Nation’s general revenue account or equivalent account.
- 7.8 Upon the close of the nomination meeting, the Chief Electoral Officer shall promptly determine whether the nominees are eligible to be a Candidate and whether they have met all of the requirements under this Act.
- 7.9 The Chief Electoral Officer shall not retain any Sensitive Personal Information used to determine the eligibility of nominees, or permit any other person to retain such Sensitive Personal Information.
- 7.10 If the Chief Electoral Officer determines that a nominee is ineligible under this Act, or that a nominee has not satisfied a requirement under this Act, the nominee's nomination shall be rejected and the Chief Electoral Officer shall notify the nominee as soon as practicable.
- 7.11 Every Candidate may withdraw their name from nomination by giving notice in writing, signed by such Candidate, to the Chief Electoral Officer within twenty-four (24) hours following the close of the nomination meeting.

8. ELECTION BY ACCLAMATION

- 8.1 When, at the close of the nomination meeting, the number of Candidates nominated for any office is the same as the number to be elected, the Chief Electoral Officer shall declare the person nominated as the Chief and/or Councillor, as applicable, by acclamation.
- 8.2 Candidates acclaimed under section 8.1 shall assume office on the day after the election or by-election, as applicable.

9. ELECTIONS

- 9.1 Every general election shall be held on the first (1st) Friday of April.
- 9.2 At least twenty-one (21) days prior to the election day, the Chief Electoral Officer shall post a notice of election in Public Places.
- 9.3 The notice of election shall set out the following information:
 - (a) the date of the election day;
 - (b) the names of the Candidates and the offices for which the election is being held;
 - (c) the dates and locations of the public forums described in section 9.4;
 - (d) the location of each polling station and the hours during which each polling station will be open;
 - (e) that a list containing only the given name and surname of each Elector and a copy of this Act can be obtained from the Chief Electoral Officer; and

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- (f) the contact information of the Chief Electoral Officer.
- 9.4 The Chief Electoral Officer shall arrange, and the Nation shall sponsor, two public forums, one on the Community Lands referred to as Muscowpetung Saulteaux Nation No. 80 and one in Regina, Saskatchewan, each be held at least 10 days prior to the election day, at which forums:
- (a) each Candidate may address the members present at the forum for a period for ten (10) minutes or less; and
 - (b) any member present at the forum may direct questions to the Candidates that are relevant to the Candidate's ability to perform the duties of the office they are seeking.
- 9.5 The Chief Electoral Officer shall ensure that all necessary preparations are undertaken for the proper conduct of the election, including:
- (a) arranging for polling stations;
 - (b) construction of proper election facilities and voting compartments with sufficient security precautions to protect voter privacy;
 - (c) preparation of ballots and arranging for ballot boxes which are capable of being sealed;
 - (d) preparing mail-in ballots in accordance with article 10;
 - (e) preparing voting instructions in writing;
 - (f) appointing and ensuring that Deputy Electoral Officers and interpreters are available at each polling station;
 - (g) if the Chief Electoral Officer decides, in their sole discretion, to utilize any form of balloting other than mail-in ballots which facilitates off-reserve voting, either by way of electronic means or otherwise, administering such ballots in accordance with a procedure that is secure, accurate and transparent and is approved in advance by Council in writing; and
 - (h) any other administrative function prescribed by Council from time to time.
- 9.6 One polling station shall be located on the Community Lands referred to as Muscowpetung Saulteaux Nation No. 80, and one polling station shall be located in Regina, Saskatchewan, both of which polling stations shall be open from 10:00 am until 7:00 pm on the election day.
- 9.7 The Chief Electoral Officer shall arrange for advance polling stations at locations within the communities of **[list the locations for advance polling stations, if any]**, provided that voting at each advance polling station shall be carried out at least two (2) days prior to the election day and shall be open from 1:00 pm until 7:00 pm.

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- 9.8 Every Candidate may appoint one (1) scrutineer to attend at each polling station to scrutinize the voting procedure and counting of ballots cast at that polling station.
- 9.9 If a scrutineer is an employee or contractor for the Nation or a Nation Entity, they must take unpaid leave on the election day.
- 9.10 Subject to section 9.12, voting in all elections will be by secret ballot.
- 9.11 No Elector shall be required to disclose whether they have voted or for whom they have voted.
- 9.12 The Chief Electoral Officer or a Deputy Electoral Officer, at the request of an Elector who is incapable of completing a ballot on their own, may mark the vote of that Elector on the Elector's ballot in the manner directed by that Elector, and shall immediately deposit the ballot in the ballot box.
- 9.13 If any Elector requires an interpreter, the Chief Electoral Officer may allow or appoint an interpreter to translate any statements, questions, or documents necessary to allow the Elector to vote provided that before acting as an interpreter, the interpreter shall make a declaration that any information obtained while they act as an interpreter shall not be disclosed at any time.
- 9.14 At every general election, an Elector may vote for
- (a) one (1) Candidate for the office of Chief;
 - (b) ### (#) Candidates for the offices of On-Reserve Councillor; and
 - (c) ### (#) Candidates for the offices of Off-Reserve Councillor.
- 9.15 Upon entering the polling station, each Elector shall present photo identification and will receive a ballot. An Elector who has received a ballot from the Chief Electoral Officer or Deputy Electoral Officer may not take the ballot out of the polling station and anyone doing so forfeits their right to vote at that election.
- 9.16 Each ballot for the election of Chief shall contain the following instructions:

Each Elector shall vote for only one (1) Candidate for Chief.

Mark your ballot with an "X". DO NOT MAKE ANY OTHER MARKS ON THIS BALLOT. If you accidentally tear, damage or make other marks on this ballot please request a replacement from the Chief Electoral Officer or a Deputy Electoral Officer. TORN, DEFACTED, DAMAGED OR IMPROPERLY MARKED BALLOTS WILL NOT BE COUNTED.

- 9.17 Each ballot for the election of Councillors shall contain the following instructions:

Each Elector shall vote for no more than ### (#) Candidates for the positions of On-Reserve Councillors and no more than ### (#) Candidates for the positions of Off-Reserve Councillors.

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Mark your ballot with an "X". DO NOT MAKE ANY OTHER MARKS ON THIS BALLOT. If you accidentally tear, damage or make other marks on this ballot please request a replacement from the Chief Electoral Officer or a Deputy Electoral Officer. TORN, DEFACED, DAMAGED OR IMPROPERLY MARKED BALLOTS WILL NOT BE COUNTED.

- 9.18 Each Elector receiving a ballot shall have an "X" placed beside their name on the Membership List by the Chief Electoral Officer or Deputy Electoral Officer, as applicable.
- 9.19 After marking the ballot in the voting compartment, the Elector shall immediately fold the ballot so as to conceal the names of the Candidates and the marks on the face of the ballot and shall return the ballot to the Chief Electoral Officer or the Deputy Electoral Officer who shall, without unfolding a ballot or in any way disclosing the marks made by the Elector on the ballot, deposit the ballot at once in the ballot box.
- 9.20 An Elector who inadvertently has spoiled their ballot may return the ballot to the Chief Electoral Officer or the Deputy Electoral Officer and receive another ballot and in such case, the Chief Electoral Officer or Deputy Electoral Officer shall write the word "spoiled" on the ballot, initial the ballot, and place the same into the ballot box.
- 9.21 After the Elector's ballot is deposited into the ballot box, the Elector shall forthwith leave the polling station.
- 9.22 The Chief Electoral Officer or the Deputy Electoral Officer shall record the total number of ballots distributed to Electors at each polling station, the number of Electors who voted, and the number of spoiled or unused ballots.
- 9.23 If a person's name is not in the Membership List as of the election day that person is not an eligible Elector.
- 9.24 The Chief Electoral Officer or Deputy Electoral Officer shall maintain order in the polling station and may cause to be removed from the polling station any person who attempts to influence Electors or in any way interferes with or disrupts the orderly conduct of the election.
- 9.25 An Elector to whom a mail-in ballot is mailed or provided may obtain a ballot and vote at a polling station if:
- (a) the Elector returns the mail-in ballot to the Chief Electoral Officer or the Deputy Electoral Officer; or
 - (b) where the Elector is not in possession of the mail-in ballot, the Elector provides the Chief Electoral Officer or Deputy Electoral Officer with a written affirmation that it is the Elector's wish to vote at the polling station and not by mail-in ballot, such affirmation to be signed by the Elector in the presence of the Chief Electoral Officer or Deputy Electoral Officer.

10. MAIL-IN BALLOTS

- 10.1 The procedure set out in this article 10 shall apply to the use of mail-in ballots.

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10.2 The Chief Electoral Officer shall establish a process or processes through which an Elector may request a mail-in ballot, and each such process or processes shall:

- (a) be clear and easily communicable to Electors;
- (b) be easily accessible and to Electors;
- (c) be compatible with the requirements of this Act;

and at least one process through which an Elector may request a mail-in ballot shall permit such request to be made at the nomination meeting.

10.3 An Elector must submit a request to the Chief Electoral Officer to receive a mail-in ballot on or before the close of the nomination meeting.

10.4 At least twenty-one (21) days prior to an election day, the Chief Electoral Officer shall mail to every Elector who has requested a mail-in ballot a package consisting of:

- (a) a ballot, initialed on the back by the Chief Electoral Officer;
- (b) an outer, postage-paid return envelope, pre-addressed to the Chief Electoral Officer;
- (c) a second, inner envelope marked "Ballot" for insertion of the completed ballot;
- (d) a voter declaration form;
- (e) a letter of instruction regarding voting by mail-in ballot;
- (f) a statement
 - (a) identifying the location of all polling stations, and
 - (b) advising the Elector that they may vote in person at the polling station on the Election Day in accordance with section 9.25 in lieu of voting by mail-in ballot; and
- (g) a list of names of any of the Candidates that were acclaimed, if any.

10.5 The Chief Electoral Officer shall indicate on the Membership List that a ballot has been provided to each Elector to whom a mail-in ballot has been mailed or otherwise provided and keep a record of the date on which, and the address to which, each mail-in ballot was mailed.

10.6 An Elector may vote by mail-in ballot by:

- (a) marking the ballot by placing an "X" that clearly indicates the Elector's choice but does not identify the Elector, opposite the name of the Candidate or Candidates for whom they desire to vote;
- (b) placing the ballot in the inner envelope and sealing the envelope;

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- (c) completing and signing the voter declaration form;
- (d) having the voter declaration form witnessed;
- (e) placing the inner envelope and the completed voter declaration form in the outer envelope; and
- (f) mailing the mail-in ballot to the Chief Electoral Officer or Deputy Electoral Officer;

provided that a mail-in ballot that is not received by the Chief Electoral Officer or Deputy Electoral Officer before the close of the polling stations on the election day is void.

- 10.7 For greater certainty, a mail-in ballot that is delivered by any means other than through the mail is void.
- 10.8 An Elector to whom a mail-in ballot was mailed or provided is not entitled to vote at a polling station other than in accordance with section 9.25.

11. COUNTING OF VOTES

- 11.1 As soon as practicable after the close of the polling stations, the Chief Electoral Officer shall, in the presence of any Candidates or their scrutineers, open each envelope containing a mail-in ballot that was received before the close of the polling stations and, without unfolding the ballot:

- (a) reject the ballot if:
 - (a) it was not accompanied by a voter declaration form signed by the Elector and a witness,
 - (b) the name of the Elector set out in the voter declaration form is not on the Membership List, or
 - (c) the Membership List shows that the Elector has already voted; and
- (b) in any other case, place a mark on the Membership List opposite the name of the Elector set out in the voter declaration form, and deposit the ballot in the ballot box.

- 11.2 If an Elector's mark on a ballot does not comply with the instructions set out in sections 9.16 and 9.17, or subsection 10.6, as applicable, the Chief Electoral Officer may count the ballot if they are reasonably satisfied that the mark on the ballot demonstrates the Elector's intent to vote for a Candidate, notwithstanding such non-compliance.

- 11.3 Immediately after the mail-in ballots have been deposited under section 11.1, the Chief Electoral Officer or Deputy Electoral Officer shall, in the presence of such of the Candidates or their scrutineers as may be present, open the ballot box(es) and

- (a) examine the ballots and reject any ballot:
 - (a) that has not been supplied by the Chief Electoral Officer;

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- (b) subject to subsection (b), by which votes have been given for more Candidates than are to be elected;
 - (c) upon which anything appears that identifies the Elector; or
 - (d) is otherwise spoiled.
- (b) declare a ballot paper containing the names of Candidates, on which votes are given for more Candidates for any office than are to be elected, to be void as regards all the Candidates for such office; but such ballot paper shall be good with regard to the votes for any other office in respect of which the Elector has not voted for more Candidates than are to be elected;
- (c) subject to review or recount on an election appeal, take a note of any objection made by any Candidate or their scrutineer to any ballot paper found in the ballot box and decide any question arising out of the objection;
- (d) number such objection and place a corresponding number on the back of the ballot paper with the word "ballot rejected" or "ballot not rejected" as the case may be, with their initials; and
- (e) count the votes given for each Candidate from the ballot papers not rejected and prepare a written statement of the number of votes given to each Candidate and the number of ballot papers rejected and not counted by him or her, which statement shall then be signed by him or her.
- 11.4 The Chief Electoral Officer or Deputy Electoral Officer shall, within seventy-two (72) hours following the close of the final polling station, complete, sign and submit to the Director of Operations an official election record which shall contain the following information:
- (a) name of the polling station;
 - (b) date of the election;
 - (c) number of ballots distributed to Electors;
 - (d) number of Electors who voted;
 - (e) number of ballots marked for each Candidate;
 - (f) number of rejected, spoiled, voided, and unused ballots; and
 - (g) number of ballots not accounted for.
- 11.5 Following the counting of the ballots by the Chief Electoral Officer or Deputy Electoral Officer, all ballots and the official election record shall be placed in a sealed ballot box.
- 11.6 The Chief Electoral Officer shall personally retain custody or arrange custody of the sealed ballot box for a period of sixty (60) days, whereupon they will be destroyed unless a notice of appeal has been delivered to the Chief Electoral Officer in accordance with this Act.

12. DECLARATION OF ELECTION RESULTS

- 12.1 As soon as practicable, and in any event no later than seventy-two (72) hours after the completion of the counting of ballots, the Chief Electoral Officer or Deputy Electoral Officer shall publicly declare by posting a notice in Public Places
- (a) the Candidate for Chief who has received the greatest number of votes to be elected, and
 - (b) the Candidates for On-Reserve Councillors and Off-Reserve Councillors who have received the greatest number of votes to be elected.

13. RUN-OFF ELECTION FOR TIE VOTES

- 13.1 Where the Chief Electoral Officer concludes that two (2) or more Candidates, one or more of whom would otherwise have been elected, have an equal number of votes, the Chief Electoral Officer shall set the date for, and hold, a run-off election not more than thirty (30) days after the expiry of the later of the appeal period and the decision of any Appeal Arbitrator which may change that result.
- 13.2 At least twenty-one (21) days prior to the date of the run-off election, the Chief Electoral Officer shall post a notice of run-off election in the same manner, form and places as the initial notice of election distributed in respect of the immediately preceding general election.
- 13.3 Subject to the following, the procedures for conducting the vote in a run-off election shall be the same as the procedures applied during the course of the election day for the immediately preceding general election or by-election:
- (a) the Membership List from the general election in which the tie occurred shall be used;
 - (b) only those Electors who requested a mail-in ballot in accordance with section 10.3 in the general election or by-election shall be entitled to receive a mail-in ballot for the run-off election; and
 - (c) the Electors shall be asked to vote for one or more of the two or more Candidates who had an equal number of votes in the general election, as may be required to settle the election.
- 13.4 In the event of a tie vote in the run-off election, another run-off election shall be held in the manner set out in this article.

14. ELECTION APPEALS

- 14.1 An Elector who voted in the general election or by-election may appeal the results of an acclamation, a general election, by-election or run-off election by submitting an appeal to arbitration in accordance with this article.
- 14.2 An appeal must be based on one or more of the following grounds:
- (a) an error was made in the interpretation or application of this Act by the Chief Electoral Officer or Deputy Electoral Officer that materially affected the conduct and outcome of the election;

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- (b) a Candidate was ineligible for nomination; or
 - (c) an Elector or Candidate conducted, engaged in or contributed to, directly or indirectly, a Corrupt Election Practice.
- 14.3 Within fourteen (14) days after the election day, or the date on which a Candidate is acclaimed pursuant to article 8, the following items shall be submitted to the Chief Electoral Officer:
- (a) a notice of appeal in writing; and
 - (b) the Appeal Bond [i.e. \$1,000].
- 14.4 The notice of appeal shall specify
- (a) the name, address and telephone number of the appellant, and their address, email address or fax number to which any notice relating to the appeal may be delivered;
 - (b) the grounds upon which the appeal is being made including references to the relevant section of this Act;
 - (c) the material evidence upon which the appellant relies; and
 - (d) a description of the relief requested by the appellant.
- 14.5 The Director of Operations shall reject and return any notice of appeal that does not comply with any of sections 14.2, 14.3 or 14.4 and provide reasons for doing so.
- 14.6 The notice of appeal shall be forwarded by the Director of Operations to all Candidates and posted in Public Places.
- 14.7 A notice of appeal that is not rejected by the Director of Operations shall, within seven (7) days of receiving the notice of appeal, be referred to the Appeal Arbitrator.
- 14.8 Within fifteen (15) days following the referral of the notice of appeal to the Appeal Arbitrator, the Appeal Arbitrator shall review the notice of appeal and, on the basis that the facts alleged in the notice of appeal are true,
- (a) dismiss the notice of appeal if it is plain and obvious that the facts alleged do not support any of the grounds for appeal set forth in the notice of appeal; or
 - (b) if the facts alleged in the notice of appeal support the grounds for appeal set forth in the notice of appeal, allow the appeal to proceed to a hearing.
- 14.9 If, pursuant to subsection 14.8(b), the Appeal Arbitrator decides that the appeal shall proceed to a hearing, the Appeal Arbitrator shall
- (a) immediately fix a time and place for the hearing of the appeal, which hearing shall commence within fifteen (15) days following the referral of the notice of appeal to the Appeal Arbitrator;

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- (b) post a notice of the time and place of the hearing in Public Places; and
 - (c) deliver a notice of the time and place of the hearing to the appellant, to all Candidates whose candidacy or election may be affected by the appeal, and to the remaining members of Council.
- 14.10 The Appeal Arbitrator shall treat the parties equally and fairly and each party shall be given an opportunity to present a case and respond to the other parties' cases.
- 14.11 Subject to the procedures expressly contemplated herein, the Appeal Arbitrator may establish any procedures to be followed in the arbitration, provided such procedures are not inconsistent or in conflict with this Act or any other law of the Nation.
- 14.12 The Appeal Arbitrator is not bound by the rules of evidence and has power to determine the admissibility, relevance and weight of evidence. The Appeal Arbitrator may also determine the manner in which evidence is to be admitted.
- 14.13 The Appeal Arbitrator has the sole authority to dispose of the appeal, and shall so dispose of it in reference to applicable law, rule, regulation, standard or policy and the evidence before them.
- 14.14 The decision of the Appeal Arbitrator shall be rendered in writing as promptly as possible and, if reasonably possible, within fourteen (14) days following the conclusion of the arbitration hearing. The decision of the Appeal Arbitrator shall be final and binding upon the parties to the arbitration.
- 14.15 Unless otherwise agreed by the parties to the arbitration, the Appeal Arbitrator may, at the request of a party, grant any remedy and make any order which they deem appropriate in the circumstances, including, without limitation
- (a) ordering a new election in respect of the position affected by the election appeal; or
 - (b) dismissing the appeal.
- 14.16 In the event that the Appeal Arbitrator decides in favour of the appellant, the Appeal Bond shall be returned to the appellant and the Appeal Costs shall be borne by the Nation.
- 14.17 In the event that the Appeal Arbitrator decides in favour of the respondent, or if the Appeal Arbitrator dismisses the notice of appeal under subsection 14.8(a), the Appeal Costs shall be paid using the Appeal Bond and the balance of the Appeal Costs owing shall be borne by the Nation.

15. RESIGNATION OF A CHIEF OR COUNCILLOR

- 15.1 A Chief or Councillor may resign from office by submitting a written notice of resignation at a duly convened meeting of Council, provided that Council accepts the notice of resignation by way of Resolution.
- 15.2 The notice of resignation shall state the effective date of the resignation, but in any event, the effective date of resignation shall be no more than thirty (30) days from the date on which the notice of resignation is accepted by Council in accordance with section 15.1.

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16. REMOVAL FROM OFFICE

- 16.1 An Elector may submit a complaint against the Chief or Councillor in accordance with this article.
- 16.2 A complaint against the Chief or a Councillor must be based on one or more of the following grounds:
- (a) they engaged in disorderly or irresponsible conduct that is alcohol or drug related at Council meetings, community meetings, or in other public forums or functions which interferes with the conduct of business or governance or which brings the reputation of the Nation or the Council into disrepute;
 - (b) they have been convicted of a Prescribed Offence;
 - (c) they have conducted, engaged in or contributed to, directly or indirectly, a Corrupt Election Practice, the evidence of which was discovered after the appeal period;
 - (d) they have failed to comply with the residency requirement of the applicable office contrary to section 4.6;
 - (e) they have been absent from office for longer than ninety (90) days without approval from the remaining Council members;
 - (f) they violate or fail to comply with any applicable law, rule, regulation, standard or policy governing the conduct of Council members contrary to section 4.8;
 - (g) they miss three (3) consecutive duly convened Council meetings without Council approval or without providing a valid reason for such absence.
- 16.3 Any Elector may submit a complaint by delivering the following items to the Director of Operations:
- (a) a notice of complaint in writing;
 - (b) the Discipline Bond [i.e. \$500.00]; and
 - (c) a petition signed by thirty (35) individuals whose names are entered on the Nation's Membership List and are the full age of eighteen (18) years old on or before the date of the petition.
- 16.4 The notice of complaint shall specify:
- (a) the name, address and telephone number of the complainant, and their address, email address or fax number to which any notice relating to the complaint may be delivered;
 - (b) the grounds upon which the complaint is being made including references to the relevant section of this Act;
 - (c) the material evidence upon which the complainant relies; and

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- (d) a description of the relief requested by the complainant.
- 16.5 The Director of Operations shall reject and return any notice of complaint that does not comply with any of sections 16.2, 16.3 or 16.4 and provide reasons for doing so.
- 16.6 The notice of complaint shall be forwarded by the Director of Operations to all respondents and posted in Public Places.
- 16.7 Upon receipt of a notice of complaint referred to in section 16.3(a), and not rejected under section 16.5, the Director of Operations shall, within thirty (30) days of receiving the notice of complaint, appoint a Discipline Arbitrator. If the Nation has not established the Nation Adjudicator, the Discipline Arbitrator shall have the following qualifications and characteristics:
- (a) they shall be:
 - (a) neutral and not have any current or past substantial business or financial relationship with the Nation or any party to the appeal or complaint, as applicable; and
 - (b) a person who is licensed to practice law in the Province of Saskatchewan ; and
 - (b) they shall not be:
 - (a) a Member;
 - (b) an Immediate relative of a Member; or
 - (c) a full-time employee or contractor of the Nation or any corporation, partnership, trust or other entity that is wholly owned or controlled by the Nation (except in their capacity as Discipline Arbitrator).
- 16.8 The Chief or Councillor noted in the complaint shall continue to serve in their office until the Discipline Arbitrator renders a decision under section 16.14.
- 16.9 The Discipline Arbitrator shall
- (a) immediately fix a time and place for the hearing of the complaint, which hearing shall commence within fifteen (15) days following the appointment of the Discipline Arbitrator;
 - (b) post a notice of the time and place of the hearing in Public Places; and
 - (c) deliver a notice of the time and place of the hearing to the complainant, to all members of Council who may be affected by the complaint, and to the remaining members of Council.
- 16.10 The Discipline Arbitrator shall treat the parties equally and fairly and each party shall be given an opportunity to present a case and respond to the other parties' cases.

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- 16.11 Subject to the procedures expressly contemplated herein, the Discipline Arbitrator may establish any procedures to be followed in the arbitration, provided such procedures are not inconsistent or in conflict with this Act or any other law of the Nation.
- 16.12 The Discipline Arbitrator is not bound by the rules of evidence and has power to determine the admissibility, relevance and weight of evidence. The Discipline Arbitrator may also determine the manner in which evidence is to be admitted.
- 16.13 The Discipline Arbitrator has the sole authority to dispose of the complaint, and shall so dispose of it in reference to applicable law, rule, regulation, standard or policy and the evidence before them.
- 16.14 The decision of the Discipline Arbitrator shall be rendered in writing as promptly as possible and, if reasonably possible, within fourteen (14) days following the conclusion of the arbitration hearing. The decision of the Discipline Arbitrator shall be final and binding upon the parties to the arbitration.
- 16.15 Unless otherwise agreed by the parties to the arbitration, the Discipline Arbitrator may, at the request of a party, grant any remedy and make any order which they deem appropriate in the circumstances, including, without limitation
- (a) dismissing a Chief and/or Councillor;
 - (b) allowing a Chief and/or Councillor to continue in office with or without conditions attached to that decision; or
 - (c) dismissing the complaint.

17. SUSPENSION OF CHIEFS AND COUNCILLORS AND LEAVES OF ABSENCE

- 17.1 Council may, by way of Resolution, suspend a member of Council with pay if they have been charged with committing a Prescribed Offence for a period not exceeding six (6) months, provided that the suspension shall cease to be effective when the applicable authority discontinues the investigation.
- 17.2 A member of Council may take an unpaid leave of absence for a period not exceeding three (3) months if the member decides to run for political office.

18. DISCONTINUATION OF AUTHORITY

- 18.1 Effective as of the date of the nomination meeting, each member of Council shall relinquish their signing authority and decision making authority and the Director of Operations shall assume the roles and responsibilities of Council until the term of the newly elected Council commences.
- 18.2 Notwithstanding section 18.1, each member of Council shall receive their usual remuneration until the term of the newly elected Council commences.
- 18.3 No member of Council may use, employ or appropriate, or purport to use, employ or appropriate, any financial resources, personnel, property or services of the Nation, Nation

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Entities or Affiliated Entities for the benefit of any Candidate’s campaign, including telephones, cellular phones, photocopying or employees of the Nation, Nation Entities or Affiliated Entities.

- 18.4 A Candidate shall not campaign in a manner that interferes in any way with the ordinary course of business of the Nation, Nation Entities or Affiliated Entities including, without limitation, campaigning in Public Places during business hours without the approval of the Director of Operations.

19. BY-ELECTIONS

- 19.1 Subject to section 19.3, in the event that a member of Council dies, resigns from office pursuant to article 15, or is removed from office pursuant to article 16 herein, the vacancy created by the death, resignation or removal shall be filled either

- (a) at the next general election; or
- (b) if Council directs, by conducting a by-election.

- 19.2 In the event that the Chief dies, resigns from office pursuant to article 15 or is removed from office pursuant to article 16, the remaining members of Council shall, by way of Resolution, appoint one individual from among their number to serve as the Chief for the balance of the term.

- 19.3 In the event that three or more members of Council die, resign from office pursuant to article 15, or are removed from office pursuant to article 16 herein, the remaining members of Council are authorized to, and shall, within ten (10) days of the death of the third Council member, or within ten (10) days of the effective date of the resignation or removal of the third Council member, as applicable, set the date for the by-election to fill the vacant office.

- 19.4 A person who has been removed from office pursuant to article 16 is not eligible to be a Candidate in the general election or by-election immediately following their removal.

- 19.5 The procedures for conducting the vote in a by-election shall be the same as the procedures for a general election set out herein.

20. AMENDMENTS TO THE CUSTOMARY ELECTION REGULATIONS AND TEMPORARY EXTENSIONS

- 20.1 This Act may only be amended in accordance with this article.

- 20.2 Amendments to the Act may only be made at a duly convened assembly of voters.

- 20.3 The process for amendment shall involve the following stages:

- (a) Chief and Council shall prepare the proposed amendments and place the same before Members at a duly convened assembly of voters;
- (b) a quorum at an assembly of voters shall consist of at least twenty percent (20%) of the Members who are Electors on the date of the assembly;

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- (c) the proposed amendments will not be effective unless Chief and Council adopts the amendments by way of Resolution; and
 - (d) Chief and Council may only adopt the amendments pursuant to subsection (c) above if a majority of Electors that are present at the assembly of voters vote in favour of ratifying the amendments.
- 20.4 For the purposes of section 20.3, Chief and Council
- (a) shall provide, at a minimum, fourteen (14) days' notice of an assembly of voters to the Electors by posting a notice of assembly of voters in Public Places;
 - (b) may conduct an assembly of voters in different locations and on different dates, provided that a Nation member is not entitled to vote more than once at an assembly of voters; and
 - (c) may adopt rules and procedures for conducting the assembly of voters that it deems appropriate, in its own discretion.
- 20.5 Notwithstanding any other provision in this Act, if the extension is necessary to prevent, mitigate or control the spread of diseases, Council may, within ninety (90) days before the day on which a tenure of office of the current Council ends, extend that tenure.
- 20.6 If Council extends their tenure, they must at the same time either:
- (a) cancel the election in accordance with section 20.7; or
 - (b) postpone the election in accordance with section 20.8.
- 20.7 If an election is cancelled under section 20.6(a):
- (a) on the day on which it decides to extend the tenure of Council, Council must call a new election for a day that is no more than thirty (30) days before the day on which the extended tenure ends;
 - (b) the Chief Electoral Officer must, in the presence of two witnesses who must make a declaration that they witnessed the destruction:
 - (i) destroy all election documents that contain personal information; and
 - (ii) destroy without opening all envelopes they have received that contain a mail-in ballot;
 - (c) the Chief Electoral Officer and Deputy Electoral Officer(s) must be removed from office; and
 - (d) any action required under this Act to have been performed before the election is deemed not to have been performed.
- 20.8 If an election is postponed under section 20.6(b):

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- (a) on the day on which it decides to extend the tenure of Council, Council must fix a new day for the election that is no more than thirty (30) days before the day on which the extended tenure of office ends; and
- (b) the Chief Electoral Officer must, until the day on which the new election is held, retain under seal all envelopes that contain a mail-in ballot they have received.

20.9 A tenure of office or term of Council must not be extended by more than six (6) months. The tenure or term must not be extended more than twice.

21. EFFECTIVE DATE

21.1 The effective date of this Act shall be the _____ day of _____, 20__.

DRAFT

Chief

Councillor

Councillor

Councillor

Councillor

Councillor

Councillor

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**SCHEDULE "A"
OATH OF OFFICE**

I, **[name of Chief or Councillor]**, do solemnly swear and affirm that I will support and defend the laws, values and policies of the Muscowpetung Saulteaux Nation, that I will bear true faith and allegiance to same, and that:

1. I will faithfully, honestly and consistently perform the duties of my office to the best of my judgment and ability;
2. I will promote and uphold the integrity and dignity of the Muscowpetung Saulteaux Nation and its policies, structures, institutions and programs;
3. I will promptly disclose any "conflict of interest" I have in a matter, and I will exclude myself from all discussions and decision-making processes in relation to such matter;
4. I will honor, respect, and support other members of Council, as well as every member, employee, officer and contractor of the Muscowpetung Saulteaux Nation;
5. In discharging my duties as a **[Chief or Councillor]**, I am accountable at all times to the Creator and the members of the Muscowpetung Saulteaux Nation;
6. I will demonstrate and practice honesty, fairness, respect, justice, and objectivity in my involvement in the governance affairs of the Muscowpetung Saulteaux Nation;
7. I am qualified to hold the position of **[Chief or Councillor]** in accordance with the provisions for candidate eligibility under the *Muscowpetung Saulteaux Nation Customary Election Act*.
8. I will keep confidential all information of the Muscowpetung Saulteaux Nation and will use information obtained during the course of the execution of my duties for the intended purpose only;
9. I will refrain from pursuing any conduct or course of action which may bring discredit or dishonor to my position or to the Muscowpetung Saulteaux Nation, including, but not limited to, alcohol abuse, substance abuse, sexual misconduct or committing a Prescribed Offence; and
10. I understand that by virtue of holding the office of **[Chief or Councillor]** that I am expected to serve as a role model by performing at a higher standard in my work, family and social life.

I do further affirm that I take this Oath of Office freely, without any mental reservation or purpose of evasion. By the Grace of our Creator I do swear.

**SCHEDULE "B"
PRESCRIBED OFFENCES**

For purposes of the *Muscowpetung Saulteaux Nation Customary Election Act*, a Prescribed Offence is an offence that is:

- (a) an indictable offence under the *Criminal Code*, RSC 1985, C-46, as amended or replaced from time to time;
- (b) an indictable offence under the *Cannabis Act*, SC 2018, C-16, as amended or replaced from time to time;
- (c) an offence under the *Muscowpetung First Nation Cannabis Act*, as amended or replaced from time to time;

but in no case includes any offence that relates to the exercise of an Aboriginal or Treaty right which is or becomes a matter of *bona fide* legal dispute.

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**SCHEDULE "D"
ELECTION TIMELINES SUMMARY**

Responsible Party	Action	Date for Taking Action	Section Reference
Council	Begins process for selecting Chief Electoral Officer	At least 100 days prior to the date of the election day	6.1(a)
Director of Operations	Begins process for selecting Appeal Arbitrator (if needed)	At least 100 days prior to the date of the election day	6.1(b)
Council	Appoints Chief Electoral Officer	At least 75 days prior to the date of the election day	6.2(a)
Director of Operations	Appoints Appeal Arbitrator (if needed)	At least 75 days prior to the date of the election day	6.2(b)
Chief Electoral Officer	Posts notice of nomination in Public Places	40 days prior to the date of the election day	7.1
Chief Electoral Officer	Holds nomination meeting, and after stops accepting requests for mail-in ballots	At least 25 and at most 30 days prior to the date of the election day	7.5(a) and 10.2
Candidate	Withdraws name from nomination (if desired)	Within 24 hours after nomination meeting	7.11
Chief Electoral Officer	Posts notice of election	At least 21 days prior to the date of the election day	9.2
Chief Electoral Officer	Mails mail-in ballot packages (as requested)	At least 21 days prior to the date of the election day	10.4
Chief Electoral Officer	Holds public forums	At least 10 days prior to the date of the election day	9.4
Chief Electoral Officer	Conducts advance polling (if any)	At least 2 days prior to the date of the election day	9.7
Chief Electoral Officer	Election	First Friday of April	9.1
Chief Electoral Officer	Declare result of election	As soon as possible, but within 72 hours after the completion of the counting of ballots	12.1
Chief Electoral Officer or Deputy Electoral Officer	Submit report on election to Director of Operations	Within 72 hours following the close of the final polling station	11.4
Chief Electoral Officer	Hold run-off election (if needed)	No more than 30 days after the expiry of the appeal period or an appeal decision, whichever is later	13.1
Chief Electoral Officer	Post notice of the run-off election (if needed)	At least 21 days prior to the date of the run-off election day	13.2
Chief Electoral Officer	Destroys sealed ballot box, provided no notice of appeal has been given	60 days after the date of the election day	11.6

SCHEDULE "E"
APPEAL TIMELINES SUMMARY

Responsible Party	Action	Date for Taking Action	Section Reference
Electors	Gives notice of appeal to Chief Electoral Officer (if any)	Within 14 days after the date of the election day or acclamation	14.3
Director of Operations	Refers notice of appeal to Appeal Arbitrator (if any)	Within 7 days after receiving notice of appeal	14.7
Appeal Arbitrator	Decides to dismiss notice of appeal or to proceed with hearing the appeal (if required)	Within 15 days after receiving the notice of appeal	14.8
Appeal Arbitrator	Fixes date for appeal hearing (if any), which date must be within 15 days after the Appeal Arbitrator received the notice of appeal pursuant to section 14.7.	Immediately on deciding to proceed with hearing the appeal	14.9(a)
Appeal Arbitrator	Resolves the appeal (if any)	As soon as possible, and within 14 days following the hearing of the appeal if reasonable	14.14