



Constitution of The Métis Nation - Saskatchewan



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Adopted December 3, 1993

Amended June 26, 1997

Amended December 13, 1997

Amended November 18, 2000

Amended June 22, 2002

Amended January 17, 2004

Amended April 21, 2007

Amended September 9, 2008

CONSTITUTION OF THE METIS NATION-SASKATCHEWAN

PREAMBLE:

The Métis Nation and People are a distinct SOCIETY within the Aboriginal Peoples of Canada. The Métis are distinct from the Indians and Inuit and are the descendants of the historic Métis who evolved in what is now Western Canada and part of the northern United States as a people with a common political will and consciousness.

Having experienced physical and political conflict and dispossession in the late 1800s we are still engaged in a continuing struggle to rebuild our social case and revive our cultural heritage and pride. As such, we are striving for the political, legal and constitutional recognition and guarantees of the rights of our People, including the right to a land and resource base, self-government and self-government institutions. In order to achieve these objectives we are hereby re-establishing a strong and revitalized organization within the province of Saskatchewan which must involve all sectors within our Society.

While pursuing these objectives within Saskatchewan, we are also committed to cooperating with the members of the Métis Nation in the rest of the Métis Homeland in order to develop a National Forum to represent our collective interests at the national and international levels.

Whereas, section 35 of the Constitution Act 1982 recognizes and affirms Métis as one of the three Aboriginal peoples of Canada and whereas the Métis Nation - Saskatchewan has adopted the national definition of Métis, we are further committed to promote National Registration of Métis Citizens of Canada. *[Amendment September 9, 2008]*.

We the citizens of the Métis Nation recognize:

The inherent dignity to equality and rights which can never be taken away from Métis people is the foundation of Freedom, Justice and Peace in the Métis Nation.

The ideal of all Métis enjoying civil and political freedom can only be achieved if conditions are created whereby every Métis may enjoy their civil, political rights, economic, social and cultural rights.

The promotion of Universal respect for and observance of all the collective and individual rights and freedoms of all Métis.

Realize that the Métis individual, having duties to other Métis individuals and to the Métis community to which they are a part of, is under the responsibility to strive for the promotion and observance of all Métis rights.

Therefore we the citizens of the Métis Nation agree to the following articles:

1. All Métis have the rights to self-determination. By virtue of that right we the citizens of the Métis Nation will freely determine our political status and freely pursue our economic, social and cultural development;
2. The Métis Nation undertakes to respect and ensure to all individuals within the nation and subject to its jurisdiction the rights without distinction of any kind such as race, colour, sex, language, religion, political or other opinions;
3. To ensure that any Métis person whose rights or freedoms as herein recognized are violated shall have an effective remedy;
4. To ensure that any person claiming such a remedy shall have their right thereto determined by a competent Judicial administrative or legislative authorities of the Métis Nation of Saskatchewan;
5. To ensure competent authorities as enacted by the Métis Nation of Saskatchewan shall enforce such remedies when granted;
6. The Métis Nation undertakes to ensure the equal right of men and women to enjoy all civil and political rights set forth in these articles;
7. Every Métis citizen shall have the right to liberty of movement to choose their residence;
8. No Métis citizen in the Métis Nation shall be deprived of the right to join a local in the community they reside;
9. All persons shall be equal before the Métis Nation Legislative Assembly in the termination of any issue which they are charged with. Every Métis Person shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by the Métis Legislative Assembly;
10. No Métis Person shall be subject to arbitrary or unlawful interference with their privacy, family, home or correspondence, nor to unlawful attacks on their honour or reputation;
11. Every Métis person shall have the right to freedom of thought, conscience and religion;
12. No Métis Person shall be subject to coercion that would impair their freedom to have or adopt a belief of their choice;
13. The Métis Nation of Saskatchewan shall have respect for the liberty of parents or guardians to ensure moral education of their children is in conformity with their own convictions;
14. Every Métis Person has the right to hold opinions without interference;

15. Every Métis Person shall have the right to expression. This right shall include the freedom to seek, receive and import information and ideas of all kinds either in writing or print, in the form of art, or through any media of their choice;
16. The right of Métis People to assemble and organize at the community level shall be recognized;
17. Every Métis Person shall have the right of association;
 - a) No restrictions may be placed on the exercise of this right other than those prescribed by the Métis Legislative Assembly which are necessary to protect the interests of the Métis Nation;
18. The family is the natural and fundamental group of the Métis Nation and is entitled to protection by the Métis Nation;
19. Every Métis child born of a Métis man or woman is a citizen and shall be registered immediately;
20. Every Métis Person has the right to:
 - a) Take part in the conduct of public affairs, directly through freely chosen representatives.
 - b) To vote and to be elected to the Local, Assembly of Representatives or the Métis Legislative Assembly.
 - c) All votes shall be of equal and universal suffrage and shall be held by secret ballot which guarantees the free expression of the will of the electors.
 - d) All Métis shall have the right to access all public services offered through the Métis Nation affiliates
21. All Métis persons are equal and entitled to protection by the Métis Nation of Saskatchewan. (amended November 18, 2000)

ARTICLE I: NAME OF ORGANIZATION

1. The organization shall be known as the " Métis Nation-Saskatchewan". (amended November 18, 2000)

ARTICLE 2: MÉTIS NATION LEGISLATIVE ASSEMBLY

1. There shall be a Métis Nation Legislative Assembly which shall be the governing authority of the Métis Nation-Saskatchewan
2. The Métis Nation Legislative Assembly shall be comprised of the Local Presidents, The Provincial Métis Council, four representatives of the Métis Women of Saskatchewan and four representatives from the Provincial Métis Youth Council. (amended November 18, 2000)
 - a) Notwithstanding Section 2. The Vice President of a local shall serve as an alternate member of the Métis Nation Legislative Assembly in the event that a President is not able to attend. (amended November 18, 2000)
3. The Métis Nation Legislative shall have the authority to enact legislation, regulations, rules and resolutions governing the affairs and conduct of the Métis in Saskatchewan.

4. The President shall assign and recommend portfolios, subject to the approval of the Provincial Métis Council and ratification by the Métis Nation Legislative Assembly. The assignment of portfolios shall be restricted to members of the Métis Legislative Assembly. (amended June 16, 1997)
5. The Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council shall have the authority to appoint Commissions, Committees or other subsidiary bodies, where these are deemed necessary in order to effectively carry out the activities and functions of the organization. In so doing the Assembly shall ensure equity of representation from the Youth, Women and Elders.
6. The Métis Nation Legislative Assembly shall meet at least twice a year.
7. Seventy-five members of the Métis Nation Legislative Assembly shall constitute a quorum.
8. Notice of any session of the Métis Nation Legislative Assembly shall require 30 days' notice to the Local Presidents and Provincial Métis Council.
9. A person is disqualified from being a member of the Métis Nations Legislative Assembly when:
 - a) He/she dies or resigns.
 - b) He/she is under sixteen (16) years of age.
10. All budgets shall be determined by the Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council
11. The delegates to the Métis National Assembly of the Métis National Council shall be the Provincial Métis Council and the remainder shall be chosen from amongst the members of the Métis Nation Legislation Assembly, while the President shall form part of the Executive Council of the Métis National Council. This Constitution may be amended to take into account and reflect changes which may take place within the Métis National Council.

ARTICLE 3: PROVINCIAL MÉTIS COUNCIL

1. The Provincial Métis Council shall be composed of the elected Regional Representatives, the Executive, one representative from the Métis Women of Saskatchewan and one representative from the Provincial Métis Youth Council for a total of eighteen (18) Provincial Métis Council members. (amended November 18, 2000)
2. The Provincial Métis Council shall form the cabinet and be responsible for the portfolios to be assigned and recommended by the President.
3. The Provincial Métis Council shall be responsible for ensuring that the affiliates, departments, programs and services covered by their portfolios are running smoothly and have the necessary resources to enable them to operate effectively. In addition, they shall provide a report to each meeting of the Provincial Métis Council and each session of the Métis Nation Legislative Assembly or as requested by the President

4.
 - a) The Provincial Métis Council shall have the authority to appoint Commission, Committees or other subsidiary bodies where these are deemed necessary in order to effectively carry out the activities and functions of the Organization and Métis Legislative Assembly directives.
 - b) The Provincial Métis Council shall designate persons who may have signing authority for the purpose of conducting the affairs of the Organization, which shall include the Treasurer.
5. The Provincial Métis Council shall meet at least once every two months.
6. Eleven members of the Provincial Métis Council shall constitute a quorum. (amended November 18, 2000)
7. Notice of any meeting of the Provincial Métis Council shall be given at least seven days prior to such meeting.
8. The Provincial Métis Council shall provide written reports to the Métis Nation Legislative Assembly.
9. Elected Provincial Métis Council members and Presidents should not hold paid positions with the Métis Nation-Saskatchewan or any of the Affiliate Boards.
10. The Provincial Métis Council shall set the date and place for each Métis Nation Legislative Assembly sitting, provided no less than thirty (30) days written notice is given to the President of each Local.

ARTICLE 4: EXECUTIVE

1. There shall be Four (4) Executive members of the Métis Nation Legislative Assembly who are elected province-wide.
2. The Executive shall be composed of the President, Vice President, Secretary and Treasurer. (amended December 13, 1997)
3. The term of office for the Executive shall be four years. (amended January 2004)
4.
 - a) The President of the Métis Nation Legislative Assembly shall be the head of the Executive, and Chief political spokesperson for the Organization.
 - b) The President shall assign and recommend portfolios, subject to the approval of the Provincial Métis Council and ratification of the Métis Nation Legislative Assembly.
5. The Executive of the Métis Nation Legislative Assembly shall meet at least once per month and three members shall constitute quorum.
6. The Executive shall provide written reports to the Métis Nation Legislative Assembly
7. Where a vacancy is created for any reason, including death or resignation, the Métis Nation Legislative Assembly shall elect from the Provincial Métis Council members an interim Executive member, who shall serve until a by-election has been held and the vacancy filled.

ARTICLE 5: REGIONS

1. There shall be twelve (12) Regions set out in Schedule A of this Constitution.
2. The Regions shall be governed by a Regional Council composed of the Presidents of the Locals within the respective Regions along with a regionally elected representative who shall be the Chairperson of the Regional Council, as well as the Region's representative on the Provincial Métis Council of the Métis Nation Legislative Assembly.
3. The Regional Council shall have the responsibility of making all appointments to the Institutions and Affiliates at the Regional and Provincial levels. In the event that the Regional representative is not so appointed, he/she shall be an ex-officio member of all Regional Institutions and Affiliates. (amended June 26, 1997)
4. The Regional Council shall establish regional administrative offices.
5. The Regional Council shall be responsible for programs and services decentralized to that level.
6. The Regional Council shall enact a Constitution which is not inconsistent with this constitution and such Regional Constitutions shall be registered with the Head Office.
7. The Regional Council may incorporate with the appropriate government department.
8. The Regional Council may seek the necessary finances and resources to carry out its programs, services, objectives and duties, and where so requested the Provincial Métis Council shall assist in securing these necessary finances and resources.
9. The Regional Council shall assist their Local Communities in preparing to assume Métis self-government, which includes land, where this is an objective.
10. The Regional Council shall provide direction to their representatives on the Provincial Métis Council with respect to all matters, including the aims, objectives and aspirations of the Organization, and for their respective Regions. (amended June 26, 1997)
11. Where a vacancy is created for any reason, including death or resignation, the Regional Council shall elect from the members of the Council an interim Regional representative who shall serve until a by-election has been held and the vacancy filled.

ARTICLE 6: URBAN COUNCILS

1. The Métis Nation-Saskatchewan shall initiate, assist, support, assign, recommend and facilitate the development, implementation and establishment of Métis Urban Self-Government Councils in Saskatchewan.

ARTICLE 6.I: NORTHWEST SASKATCHEWAN MÉTIS COUNCIL

1. The Métis Nation-Saskatchewan shall assist, support, recommend and facilitate the Regions forming the North West Saskatchewan Métis Council to develop, establish and implement Métis governance for their Métis communities.

ARTICLE 7: LOCALS

1. The Locals shall be the basic unit of the Organization in each community.
2. The Locals shall be made up of a least nine members.
3. New Locals can be admitted by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are met.
4. Locals can be dissolved by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are no longer met.
5. The Métis Nation Legislative Assembly shall adopt rules pertaining to the admission and dissolution of Locals.
6. Each Local shall be governed by an elected leadership as determined through the Constitution of the Local, which may include terms of one to three years and elections may be by ballot box or conducted at a General Assembly of the Local membership.
 - a) Each Local shall submit the names of their elected leadership to the Métis Nation- Saskatchewan Head Office within thirty (30) days of their election. (amended January 2004)
7. Any Métis who is sixteen (16) years of age or over and is a member of the Local shall be entitled to vote or seek office.
8. Each Local shall be enact a Constitution which is not inconsistent with this Constitution, including the establishment of portfolios, committees or other bodies required to address community and other issues, and such Local Constitution shall be registered with the Regional and Head Office of the Organization.
9. The Locals shall provide yearly updates of their membership to the Regional and Head Office, separating those members who are under sixteen (16) years of age from those sixteen (16) and over.
10. The Locals shall be responsible to prepare the Communities for the assumption of Métis self-government, which includes land, where this is an objective.
11. The Locals may incorporate with the appropriate government department
12. The Locals may seek necessary finances and resources to carry out their programs, services and objectives and where so requested the Provincial Métis Council of the Métis Nation Legislative Assembly shall assist in securing these necessary finances and resources.

ARTICLE 8: ELECTIONS

1. Métis Nation Legislative Assembly shall enact electoral legislation.
2. Election for the Executive and Regional Representatives of the Provincial Métis Council of the Métis Nation Legislative Assembly shall be held within four years of the previous Provincial Métis Council election.
3. The Métis Nation Legislative Assembly Executive shall be elected by the total membership.
4. Provincial Métis Council Regional Representatives shall be elected within their respective Regions.
(amended September 9, 2008.)

ARTICLE 9: MÉTIS NATION -SASKATCHEWAN

1. Head office shall be in Saskatoon
2. The twelve (12) Regional offices of the Organization shall be accessible to our people and Leadership.

ARTICLE 10: CITIZENSHIP

1. **DEFINITION** (amended January 2004)
 - a) Métis means a person, who self identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation Ancestry and is accepted by the Métis Nation.
 - b) “Historic Métis Nation” means the Aboriginal people then known as Métis or Half-breeds who resided in the Historic Métis Nation Homeland.
 - c) “Historic Métis Nation Homeland” means the area of west central North America used and occupied as the traditional territory of the Métis or Half-breeds as they were known.
 - d) “Métis Nation” means the Aboriginal people descended from the Historic Métis Nation which is now comprised of all Métis Nation citizens and is one of the “aboriginal” peoples of Canada: within the meaning of s.35 of the Constitution Act 1982.
 - e) “Distinct from other Aboriginal peoples” means distinct for culture and nationhood purposes
1. Any Métis who is a member of a duly registered Local is a member of the Métis Nation Saskatchewan.
2.
 - a) A member shall only belong to one (1) Local.
 - b) A person shall reside in the Local area for at least six (6) months before he/she is eligible for membership in that Local. The Locals may make exceptions for educational and medical purposes.

- c) A member of a Local must be ordinarily resident in the community where the Local is situated in order to retain membership in the Local, otherwise, the member must transfer his/her membership within six (6) months to the Local in the community to which he/she has relocated. (amended January 2004)
 - d) In communities where no Locals exist, Métis persons shall apply to the Local nearest their residence. (amended January 2004)
- 3. Members shall be issued a membership card.
 - a) This card shall provide life-time membership in the Organization
 - b) There shall be no fee for membership cards
 - c) [Repealed September 9, 2008.]
 - d) Membership cards shall be issued by the President of Secretary of a duly registered Local upon completion of the designated form.
- 4. [Repealed September 9, 2008.]
- 5. The Métis Nation Legislative Assembly shall enact, on a priority basis, a Métis Citizenship Act. (Adopted November 14, 1997)

ARTICLE 11: GENERAL ASSEMBLY

- 1. A General Assembly, composed of members from the Locals shall be convened by the Métis Nation Legislative Assembly every year.
- 2. The General Assembly shall provide a forum whereby the members of the Organization will receive information, review documents and provide guidance to the Métis Nation Legislative Assembly, and discuss, clarify, amend, vote on and ratify amendments to the Constitution.

ARTICLE 12: SENATE, WOMEN, AND YOUTH

- 1. The Métis Nation Legislative Assembly shall make these items a priority, and shall involve Women and Youth in the determination of their role and responsibilities within the Organization. [Amended September 9, 2008.]
- 2. The Métis Women of Saskatchewan shall be designated one (1) seat in the Provincial Métis Council and four (4) seats in the Métis Nation Legislative Assembly. This provision shall cease to apply when women have achieved equitable representation in the Provincial Métis Council and Métis Legislative Assembly.
 - 2.1 That the Provincial Métis Youth Council shall be designated one (1) seat on the Provincial Métis Council and four (4) seats at the Métis Nation Legislative Assembly.

3. That appointments to vacancies in the Métis Senate be made at area meetings; further, that Senate appointments be for Lifetime or until such time as the Senator is unable to fulfil his/her duties.
4. [Repealed September 9, 2008.]
5. That the Senate be equally represented by male and female.

ARTICLE 13 MÉTIS INDEPENDENCE

1. Whereas the Métis are seeking self-government as a third order of government within Canada, the Organization shall be non-secretariat and non-partisan.
2. The loyalty of the members of the Métis Nation Legislative Assembly must be to the Métis People and Nation, and shall swear an Oath of Allegiance prior to taking office.
3. The leadership shall be responsible and accountable to the Communities, as reflected by the Métis Nation Legislative Assembly, which is the Supreme Body for the Métis within Saskatchewan.
4. Members of the Organization are not precluded from joining political parties of the two other orders of government being the federal and provincial levels of government.
5. Any Provincial Métis Council member of the Métis Nation Legislative Assembly who chooses to seek the nomination of any provincial or federal political party in any provincial or federal election shall take a leave of absence from his/her position.

ARTICLE 14 AFFILIATES

1.
 - a) The Métis Nation Legislative Assembly, on behalf of the Métis Nation- Saskatchewan, shall exercise all voting rights, powers and duties of ownership in relation to the affiliates, based upon the recommendations of the Provincial Métis Council.
 - b) Where not currently provided all affiliate Articles and By-laws shall be amended at the first reasonable opportunity to conform to this section.
2. The Provincial Métis Council members who are assigned a portfolio shall automatically sit as Chairperson of the Affiliate(s) which falls under his/her portfolio.
3. A member who is an employee/staff person/ management of an Affiliate shall not be permitted to sit on any Affiliate Board.
4. All Affiliates shall representation from the twelve (12) Regions of the Organization, unless otherwise decided by the Métis Nation Legislative Assembly based upon the recommendations of the Provincial Métis Council.

ARTICLE 14 (A) SECRETARIAT (INSERTED JUNE 26, 1997)

1. A Secretariat shall be retained under the “*Métis Act*” (amended January 2004) for the sole purpose of carrying out the administrative duties of the Métis Nation-Saskatchewan. (inserted June 26, 1997).
2. The Secretariat shall be known as the Métis Nation-Saskatchewan Secretariat Incorporated. (inserted June 26, 1997)
3. The Board of Directors of the Secretariat shall be the same members who are elected to the Provincial Métis Council. (inserted June 26, 1997)

ARTICLE 15: AMENDING FORMULA

1. The Constitution shall only be amended by the majority of three quarters of the members of the Métis Nation Legislative Assembly and ratified by three quarters of the members of the General Assembly.
2. All proposed amendments to the Constitution must be registered with the Métis Nation-Saskatchewan Head Office thirty days prior to the sitting of the Métis Nation Legislative Assembly is provided. Where the minimum 30 days notice is provided under Article 2. Section 8. all proposed amendments must be registered 14 days prior to the sitting of the Métis Nation Legislative Assembly. (inserted June 26 /97)

ARTICLE 16: IMPLEMENTATION

1. The Constitution shall take effect upon its adoption by the General Legislative Assembly subject to amendments validly passed by three quarters of the Assembly present, and the conclusion of General Assembly. Upon the happening of these two conditions all previous By-laws of the Organization are repealed and this Constitution shall constitute the sole Constitution of the Organization, until otherwise determined by the Organization.

ARTICLE 17: SPECIAL ELECTION FOR 2007

1. A new election for the Provincial Métis Council shall be held on a date in the summer of 2007 set by the Chief Electoral Officer.
2. The Saskatchewan Métis Elections Act 2007 attached as an appendix to the resolution adopting this amendment, is deemed to be in force for the election for the Provincial Métis Council in 2007.
3. The term of office of members of the Provincial Métis Council elected as a result of the election held in 2007 shall begin on the day of the public declaration of the elected candidate and shall continue, in accordance with the laws of the Métis Nation-Saskatchewan, until the next regularly scheduled election in May 2012.
4. The Provincial Métis Council elected as a result of the election held in 2007 shall, after appropriate consultation with members of the Métis Nation-Saskatchewan, prepare a package of reforms to improve the Constitution, Legislation and Organization of the Métis Nation-Saskatchewan and shall present them for discussion and ratification to a General Assembly before June 30, 2010.

5. This Article and the Saskatchewan Métis Act 2007 have immediate effect and are in force and legally effective notwithstanding any procedural defect in their enactment, adoption or ratification or any provision to the contrary in this Constitution or in any Act, law or regulation of the Métis Nation-Saskatchewan.
6. The Saskatchewan Métis Election Act 2007 may be amended by the Legislative Assembly after the election in 2007 in the same manner and to the same extent as any other Métis legislation, and in particular, may be amended to apply to elections held after the election in 2007. (adopted April 2007)