



Resolution Duly Approved at the  
Métis Nation-Saskatchewan  
Provincial Métis Council September 19, 2024 In-Camera Meeting  
and brought into the official record on October 15, 2024  
**# IC-240919-02**

### **Voting Policy for Kishchi Mashinaayikun Ooshchi Michif Ratification**

**WHEREAS** the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Elders, Youth and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council;

**WHEREAS** MN-S has embarked on a path to self-government, reflecting both the historical nature of our Métis nation as well as the ambitions of our citizens for the future;

**WHEREAS** an important element of self-government involves the establishment of a nation-to-nation relationship between MN-S and the Government of Canada;

**WHEREAS** the MN-S and the Government of Canada have agreed that this nation-to-nation relationship will be formalized through a negotiated treaty titled Kishchi Mashinaayikun Ooshchi Michif, subject to approval by the citizens of MN-S; and

**WHEREAS** a fair and transparent approval process requires clear voting rules to ensure that both MN-S citizens and all others can be certain of the validity of the voting results;

**THEREFORE BE IT RESOLVED** that the Provincial Métis Council approves a policy to govern the voting of Métis citizens on the Kishchi Mashinaayikun Ooshchi Michif as found in Schedule A to this motion, the document titled *Métis Nation – Saskatchewan - Kishchi Mashinaayikun Ooshchi Michif Voting Policy*.

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**Dated this 19<sup>th</sup> day of September, 2024**

**Moved by:** Michelle LeClair, Vice President

**Seconded by:** Mervin “Tex” Bouvier, Northern Region 3

## SCHEDULE A to Resolution #IC-240919-02



**Provincial  
Métis Council**



### SCHEDULE A

#### MÉTIS NATION-SASKATCHEWAN - KISHCHI MASHINAAYIKUN OOSHCHI MICHIF VOTING POLICY

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## PURPOSE OF THIS POLICY

### Purpose

- 1 The purpose of this Policy is to establish rules governing the ratification vote for the Kishchi Mashinaayikun Ooshchi Michif Treaty document. The MNLA will direct the Chief Electoral Officer to oversee the voting process.

## INTERPRETATION

### Definitions

2 In this Policy,

**"Constitution"** means the *Constitution of the Métis Nation – Saskatchewan*;

**"Digital voting platform"** means the platform selected by the Chief Electoral Officer to facilitate the ratification vote;

**"General Assembly"** means the meeting of the General Assembly of MN-S Citizens as set out in the Constitution;

**"MNLA"** means the Métis Nation Legislative Assembly as described in Article 2 of the Constitution;

**"MN-S citizen"** means an individual:

- (a) who meets the criteria as set out in the Constitution and the *Métis Nation –Saskatchewan Citizenship Act, 1999*;
- (b) whose name is included on the Registry List;

**"Provincial Métis Council"** means the Provincial Métis Council as described in Article 3 of the Constitution;

**"Ratification"** means the ratification by MN-S Citizens of the Kishchi Mashinaayikun Ooshchi Michif Treaty document;

**"Ratification Period"** means the period of time during which MN-S citizens can vote for Treaty ratification;

**"Registry List"** means the list of persons registered as a Métis under the *Metis Nation -Saskatchewan Citizenship Act, 1999*;

**"Voter"** means an MN-S citizen who is at least 16 years of age.

## **GENERAL**

### **Application**

3 This Policy applies to the ratification vote of the Kishchi Mashinaayikun Ooshchi Michif Treaty document.

### **Ratification formula**

4 Pursuant to the resolution passed by the Metis Nation Legislative Assembly respecting this Policy, the resolution to adopt the Kishchi Mashinaayikun Ooshchi Michif Treaty document is ratified when it is supported by at least 75% of the votes cast in the Ratification vote within the voting period.

## **VOTERS**

### **Right to vote**

- 5 (1) A person has the right to vote in the Ratification if that person:
- a) is registered as a Métis citizen under the *Citizenship Act* and appears on the Registry List; and
  - b) is at least 16 years of age by the end of the Ratification Period.

### **Secret ballot**

6 A Voter has a right to vote in the Ratification by secret ballot.

### **One vote**

7 A Voter may only vote once in the Ratification.

## **REGISTRATION OF VOTERS**

### **Digital Registration**

8 Voters must register with the digital voting platform to vote in the Ratification.

## **VOTER REGISTRY AND LIST**

### **Voter registry**

- 9 (1) The MN-S Registrar shall provide to the Chief Electoral Officer with
- (a) a list of Voters by November 1, 2024; and
  - (b) an updated list with any additional voters added to the Registry list between November 1, 2024, and November 22, 2024, by November 23, 2024.

**Voters list**

10 The Chief Electoral Officer shall, as soon as possible after the end of the ratification period, prepare a list of Voters by compiling a list of persons who voted in the Ratification.

**Secure handling of voter information**

11 The Chief Electoral Officer shall ensure that personal information of Voters is handled according to MN-S policies on privacy and data protection and are kept securely.

**Protection of Voter information**

12 The Chief Electoral Officer may issue directions that the address of voters or other information about voters on a voters list be removed or obscured to protect their privacy or security.

**KISHCHI MASHINAAYIKUN OOSHCHI MICHIF RATIFICATION PERIOD****Ratification period**

13 Pursuant to the resolution passed by the Métis Nation Legislative Assembly, the Ratification Period is two weeks beginning at the adjournment of the Métis Nation-Saskatchewan General Assembly on November 23<sup>rd</sup>, 2024, at 5:00 pm and ending on December 7<sup>th</sup>, 2024, at 5:00 pm.

**VOTING INSTRUCTIONS****Public notice of voting instructions**

14 The Chief Electoral Officer shall give public notice addressing the details of the Ratification at least 30 days before the Ratification period begins.

**Contents of notice**

15 The public notice must include the following:

- (a) the address of the Ratification website;
- (b) The address of the electronic voting link;
- (c) the dates and hours of voting; and
- (d) the credentials required for voting.

**VOTING OPPORTUNITIES****Method of voting**

16 (a) The Ratification vote will be conducted using an online voting system. Voters must register to obtain access to the online voting system.



## **BALLOT**

### **Form of ballot**

17 The Ratification vote will be online. The ballot for ratification will be contained on the digital voting platform.

### **Contents of ballot**

18 Each ballot shall include:

- (a) the resolution approved by the MNLA for ratification; and
- (b) either a response of "Yes" to vote in favour of Ratification or "No" to vote against Ratification.

## **RECORDING THE VOTE**

### **Counting the ballots**

19 After the close of voting at the end of the Ratification Period, the counting of the votes shall take place electronically.

### **Reporting of results**

20 The Chief Electoral Officer shall post the results of the Ratification vote before midnight on December 7, 2024, on the Chief Electoral Officer's Website.

### **Declaration of result of the vote**

21 The Chief Electoral Officer shall publicly declare the result of the Ratification vote.

### **Preservation of voting material**

22 The Chief Electoral Officer shall ensure that all voting materials are securely stored for a period of 12 months after the publication of the result of the Ratification in accordance with accepted archival standards.

### **Preservation of documents**

23 The Chief Electoral Officer shall keep a register including:

- (a) all approved forms and any instructions, guidelines or directions the Chief Electoral Officer issues respecting any matter; and
- (b) the declaration of vote, all voting reports, certificates and declarations.

### **Destruction of election material**

24. Voting material that is not required for future use, an archival purpose or an application or proceeding under these rules may be destroyed 12 months after the date of the public declaration of the result of the vote. Other materials that are not required for these purposes may be destroyed.

**Public records**

25 The following are public documents and may be inspected at the Office of the Chief Electoral Officer by any person on request during business hours:

- (a) all reports or statements respecting the vote;
- (b) all instructions, guidelines and directions issued by the Chief Electoral Officer under this Policy; and
- (c) all decisions or rulings by the Chief Electoral Officer on points arising under this Policy;

**CHIEF ELECTORAL OFFICER****Appointment of the Chief Electoral Officer**

26 The Chief Electoral Officer is appointed to hold office by resolution of the Métis Nation Legislative Assembly and is an independent officer of the Métis Nation – Saskatchewan.

**Duties of the Chief Electoral Officer**

28 In order to fulfil the purposes of this Policy, the Chief Electoral Officer shall:

- (a) formulate plans and policies regarding voting for Ratification;
- (b) generally direct and supervise the administrative conduct of voting and enforce fairness and impartiality;
- (c) prepare any forms that may be required under this Policy;
- (d) provide direction to and manage the staff and designated voting officers of the Office of the Chief Electoral Officer;
- (e) issue instructions or directions to voting officers; and
- (f) perform any other functions related to the purpose of this Policy or otherwise provided in this Policy

**Administrative Powers**

29 In order to carry out the duties set out in this Policy, the Chief Electoral Officer may:

- (a) prepare bulletins interpreting this Policy;
- (b) issue any form required by this Policy and establish any forms that may be necessary to properly administer this Policy;
- (c) modify any forms relating to this Policy;
- (d) intervene in any proceedings before a court in which a provision of this Policy is in dispute;
- (e) implement, either alone, or in co-operation with other bodies, public education and information programs intended to make the voting process better known to citizens;
- (f) make agreements as necessary to perform the duties of the Chief Electoral Officer under this Policy; and
- (g) exercise all other powers assigned to the Chief Electoral Officer by this Policy.

**Delegation**

30 The Chief Electoral Officer may delegate to designated voting officers, in writing, generally or specifically, any of his or her powers or duties.

**Powers to interpret this Policy**

31 The Chief Electoral Officer may adapt any provision of this Policy to achieve the purposes of this Policy where it appears to the Chief Electoral Officer during the ratification period that, because of any mistake, emergency, disaster or unusual or unforeseen circumstance, the Policy did not meet the urgent needs of the situation.

**Directions**

32 The Chief Electoral Officer may issue directions:

- (a) prescribing forms;
- (b) respecting fees, allowances, expenses and remuneration payable under this Policy; and
- (c) on any matter that is subject to directions or approval by the Chief Electoral Officer under this Policy.

**Staff**

33 The Chief Electoral Officer may appoint any staff that are necessary for the proper conduct of Ratification voting.

**Contracting services**

34 The Chief Electoral Officer may hire and determine the remuneration of additional staff on a temporary basis to assist the Chief Electoral Officer under this Policy and, for specific work, may contract for the services of counsel and experts.

**FINALITY OF DECISIONS****Decisions final**

35 Every order or decision of the Chief Electoral Officer related to this Policy is final and cannot be appealed to the Provincial Métis Council or the MNLA.

**COMPLAINTS AND ADJUDICATION****Complaints Officer**

36 (1) The MNLA shall appoint a Complaints Officer as an independent officer of the Métis Nation – Saskatchewan to enforce compliance with this policy.



(2) The Complaints Officer holds office for the term specified in that appointment.

**Adjudicator**

37 (1) The MNLA shall appoint an Adjudicator as an independent officer of the Métis Nation – Saskatchewan to hear any complaint referred by the Complaints Officer.

(2) The Adjudicator holds office for the term specified in that appointment.

**Making a complaint**

38 Any MN-S citizen who believes that a breach under this policy has been, is being or may be committed may make a complaint in writing to the Complaints Officer.

**Limitation period**

39 No complaint may be made more than 30 days after the declaration of the result of the vote.

**Complaints process**

40 (1) The Complaints Officer shall review a complaint made under this policy, and shall investigate the complaint, or any possible offence that otherwise comes to the attention of the Complaints Officer, to the extent that the Complaints Officer considers warranted in the circumstances.

(2) For the purposes of an investigation, the Complaints Officer may engage the services of legal counsel, investigators, experts or other persons.

(3) If after investigation the Complaints Officer considers that the complaint is justified, the Complaints Officer shall refer the complaint to the Adjudicator for a hearing and, pending the hearing, may make an order requiring an MN-S citizen:

(a) to cease an activity, where it appears to the Complaints Officer that the activity is in contravention of this policy; or

(b) to take action, where it appears to the Complaints Officer that such action is required by this policy.

**Adjudication process**

41 (1) The Adjudicator shall hear all complaints referred by the Complaints Officer and in doing so shall act fairly, independently and impartially.

(2) The Adjudicator may:

- (a) make rules respecting procedure and the conduct of the hearing of complaints;
- (b) conduct hearings into any complaint under this policy referred to the Adjudicator;
- (c) determine whether a person has contravened this policy;
- (d) determine any other matter related to a complaint; and
- (e) confirm, vary or reverse any order made by the Complaints Officer under subsection 40(3).

(3) A decision of the Adjudicator is final and cannot be appealed to the Provincial Métis Council or the MNLA.