



Resolution Duly Approved by the
Métis Nation-Saskatchewan
Provincial Métis Council on September 19, 2024
#240919-04

Voting Policy for Constitutional Amendments at the General Assembly

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 (PMC);

WHEREAS the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) designates that a General Assembly of Métis citizens shall be held every year;

WHEREAS the conduct of the General Assembly would benefit by having clear and established rules to ensure that all votes are managed in a consistent and credible manner; and

WHEREAS Constitutional amendments will be tabled at the Fall 2024 Métis Nation Legislative Assembly which require ratification at a General Assembly per Article 15, Section 2 of the *Constitution*;

THEREFORE BE IT RESOLVED that the Provincial Métis Council approves procedures to govern the voting at General Assemblies as found in Schedule A to this motion, the document titled *Métis Nation – Saskatchewan - Constitutional Amendments Voting Policy*.

Dated this 19th day of September, 2024

Moved by: Lisa McCallum, Secretary

Seconded by: Michelle LeClair, Vice President

SCHEDULE A to Resolution #240919-04
“Métis Nation - Saskatchewan- Constitutional Amendments Voting Policy”

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PURPOSE OF THIS POLICY

Purpose

1 The purpose of this Policy is to establish rules to govern voting on constitutional amendments at the General Assembly. The MNLA will direct the Chief Electoral Officer to oversee the voting process at the General Assembly.

INTERPRETATION

Definitions

2 In this Policy:

“**Constitution**” means the Constitution of the Métis Nation – Saskatchewan;

“**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
- (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;

“**Registry List**” means the list of persons registered as a Métis under the *Citizenship Act*;

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

“**Voting location**” means the location specified to host the General Assembly by the Provincial Métis Council and includes other satellite voting locations of the General Assembly.

GENERAL

Application

3 This Policy applies to the ratification vote of resolutions to amend the Constitution.

Amending formula

4 The ratification formula for constitutional amendments is defined in the Constitution, Article 15: Amending Formula.

VOTERS

One vote

- 5 (1) A voter may only vote once on each motion to ratify an amendment to the Constitution.
- (2) Multiple amendments to the Constitution may be considered at a General Assembly.

REGISTRATION OF VOTERS

Registration

- 6 Voters must register at a voting location of the General Assembly.

Identification

- 7 Voters must show sufficient identification to prove that they are the person named on the registry list and sign a declaration stating that they are eligible to vote.

Wristband and Voting Card

- 8 Registered voters will receive a wristband and voting card.

VOTER REGISTRY AND LIST

Voter registry

- 9 The MN-S Registrar shall provide 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 General Assembly, compile a list of voters who registered to vote at each voting location.

PROTECTION OF VOTER INFORMATION

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.

RATIFICATION OF MOTIONS TO AMEND THE CONSTITUTION

Opening voting

13 Voting on the ratification of each motion to amend the Constitution will be opened by the Speaker.

Length of ratification period

14 Voting for each motion will be opened by the Speaker and remain open for 15 minutes. After 15 minutes, the Speaker will consult with the various voting locations and then declare the voting period closed.

Extension of ratification

15 The time for voting on a motion may be extended by the Speaker where the circumstances require.

VOTING OPPORTUNITIES

Method of voting

16 (1) Voting to ratify a motion to amend the Constitution is by show of hands in accordance with subsection (2).

(2) Registered voters will raise their hand with the highly visible wrist band and display their voting card to indicate their vote on the motion.

RECORDING THE VOTE

Recording the vote

17 (1) The Chief Electoral Officer and designated voting officers will count and compile the votes cast by show of hands on each motion at each voting location.

(2) The Chief Electoral Officer's designated voting officers will record the vote at other voting locations and transmit the results to the Chief Electoral Officer.

(3) The Chief Electoral Officer shall provide aggregated results from all voting locations to the Speaker.

Reporting of results

18 (1) A record of votes cast on each motion will be included in the Minutes of the General Assembly.

(2) The record of votes on each motion will include both the amalgamated results and the results from each voting location.

Declaration of result

19 The Speaker shall announce the results of the vote to the General Assembly.

Chief Electoral Officer Report

20 The Chief Electoral Officer shall prepare a General Assembly report certifying the number of votes cast in favour of each motion and table this report with the Clerk and the MNLA.

MANAGEMENT OF VOTING MATERIAL

Preservation of voting material

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

Destruction

22 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 publication of the notice of the voting result. Other materials that are not required for these purposes may be destroyed.

Preservation of documents

23 The Chief Electoral Officer shall ensure that:

- (a) a register is kept of 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.

Public records

24 The following are public documents and may be inspected at the Office of the Clerk of the MNLA 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;
- (c) all decisions or rulings by the Chief Electoral Officer on points arising under this policy; and
- (d) all correspondence in relation to the vote.

CHIEF ELECTORAL OFFICER

Appointment of the Chief Electoral Officer

25 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

26 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 staff and voting officers; and
- (f) perform any other functions related to the purpose of this policy or otherwise provided in this policy.

Administrative Powers

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

- (a) prepare bulletins on the interpretation of 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, with leave, 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

28 The Chief Electoral Officer may delegate to designated voting officers, in writing, generally or specifically, any of the Chief Electoral Officer's powers or duties.

Powers to interpret this Policy

29 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

30 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 the direction or approval of the Chief Electoral Officer under this policy.

Staff

31 The Chief Electoral Officer may appoint any staff that are necessary for the proper conduct of voting in the General Assembly.

Contracting services

32 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**

33 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

34 (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

35 (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

36 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

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

Complaints process

38 (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

39 (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 38(3).

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