

CONSTITUTION
OF THE
MÉTIS NATION - SASKATCHEWAN

Adopted December 3, 1993

Amended June 26, 1997
Amended December 13, 1997 and
Amended November 18, 2000

CONSTITUTION OF THE METIS NATION OF 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 1800's, 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 reestablishing 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.

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, color, 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 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 and freedom 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 person shall be equal before the Métis 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 honor 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 the 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 of the Métis Nation and shall be registered immediately;
20. Every Métis Person has the right to:
 - a) Take part in the conduct of public affairs, directly or 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 1: 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 of 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 Assembly 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 16/97)
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 thirty days notice to the Local Presidents and Provincial Métis Council.
9. A person is disqualified from being a member of the Métis Nation Legislative Assembly when:
 1. he/she dies or resigns
 2. 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 Legislative 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)
3. The Provincial Métis Council shall form the cabinet and be responsible for the portfolios to be assigned and recommended by the President.
4. 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.
5.
 - 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.
6. The Provincial Métis Council shall meet at least once every two months.
7. Eleven members of the Provincial Métis Council shall constitute a quorum. (amended November 18, 2000)
8. Notice of any meeting of the Provincial Métis Council shall be given at least seven days prior to such meeting.
9. The Provincial Métis Council shall provide written reports to the Métis Nation Legislative Assembly.

10. Elected Provincial Métis Council members and Presidents should not hold paid positions with the Métis Nation of Saskatchewan or any of the Affiliate Boards.
11. 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 13/97)
3. The term of office for the Executive shall be three years.
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 a quorum.
6. The Executive shall provide written reports to the Métis 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 as 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 26/97)
4. The Regional Council shall establish regional administrative offices.
5. The Regional Councils shall be responsible for programs and services decentralized to that level.
6. The Regional Councils 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 Councils may incorporate with the appropriate government department.
8. The Regional Councils 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 Councils shall assist their Local Communities in preparing to assume Métis self-government, which includes land, where this is an objective.
10. The Regional Councils 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 26/97)
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 of Saskatchewan shall initiate, assist, support, assign, recommend, and facilitate the development, implementation, and establishment of Métis Urban Self-Government Councils in Saskatchewan.

ARTICLE 6.1: NORTHWEST SASKATCHEWAN MÉTIS COUNCIL

1. The Métis Nation of 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.
(Amended Dec.13/97)

ARTICLE 7: **LOCALS**

1. The Locals shall be the basic unit of the Organization in each community.
2. The Local shall be made up of at 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.
7. Any Métis who is sixteen 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 Constitutions shall be registered with the Regional and Head Office of the Organization.
9. The Locals shall provide yearly up-dates of their membership to the Regional and Head Office, separating those members who are under sixteen years of age, from those sixteen 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. Any member who is sixteen years of age or older may vote or seek elected office within the Métis Nation of Saskatchewan.
2. Elections for the Provincial Métis Council of the Métis Nation Legislative Assembly shall be held on the date set by the Métis Nation Legislative Assembly, based upon the recommendation of the Provincial Métis Council.
3. Elections for the Provincial Métis Council of the Métis Nation Legislative Assembly shall be held at least every three years.
4. The Executive of the Métis Nation Legislative Assembly shall be elected by the total membership at the Local polls by secret ballot.
5. Regional Representatives of the Provincial Métis Council shall be elected within their respective Regions through the establishing of a poll in each Local.
6. The Métis Nation Legislative Assembly shall enact, on a priority basis, an Elections Act, along with the necessary regulations and guidelines.
7.
 - a) A Métis Elections Commission composed of 3 Senators is empowered to oversee and conduct the general elections and by-elections of the Organization.
 - b) The terms of office of the Senators who sit on the Commission shall cease at the first session of the Métis Nation Legislative Assembly following the elections.
 - c) The Senators who sit on the Commission shall be appointed by the Métis Nation Legislative Assembly, based upon the recommendations of the Senate, for a term of not more than three years, and are eligible for reappointment.
 - d) When the election or by-election date has been set and the election called by the Métis Nation Legislative Assembly, based upon the recommendation of the Provincial Métis Council, the Commission shall have sole authority and responsibility to conduct the elections and shall be independent and answerable only to the Métis Nation Legislative

Assembly.

- e) The Commission shall appoint a Chief Electoral Officer and other required personnel.
 - f) The Commission shall be responsible for official recounts and appeals.
 - g) The decisions of the Commission shall be final and binding, subject to the right of appeal to the Métis Nation Legislative Assembly, which decision shall be final and binding.
 - h) The Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council, shall determine the rate of remuneration and expense accounts for the Commission members, along with the period deemed necessary for the work of the Commission.
8. In the event of a vacancy on the Provincial Métis Council of the Métis Nation Legislative Assembly, a by-election shall be called within ninety (90) days from the date of vacancy.
9. When nominations close all candidates shall take a leave of absence for any elected position on the Provincial Métis Council of the Métis Nation Legislative Assembly or any salaried position with the Organization, or its subsidiary bodies. The Provincial Métis Council members and any person who has a salaried position with the Organization shall continue to receive their salary while they are on such leave of absence.
10. When nominations close and until candidates are unofficially elected, the Senators shall be solely responsible for conducting the affairs and activities of the Organization. The Senators shall receive remuneration for their work during this period.
11. The Provincial Métis Council members shall be on call and shall conduct business or represent the Organization from time to time as requested by the Senate. The Provincial Métis Council member shall receive expenses to compensate for travel as requested by the Senate.
12. All defeated or retiring candidates who were on the Provincial Métis Council prior to the election shall be entitled to and will receive their salary for two weeks after the election.
13. Any candidate who's election has been appealed under Section 7(f) and has been found guilty by the Métis Elections Commission of violating Section 9 shall forfeit such elected position with a right of appeal to the Métis Nation Legislative

Assembly, which decision shall be final and binding.

ARTICLE 9: METIS NATION OF SASKATCHEWAN HEAD OFFICE

1. The Head Office shall be in Saskatoon.
2. The (12) Regional Offices of the Organization shall be accessible to our People and Leadership.

ARTICLE 10: CITIZENSHIP

1. 'Métis' means an Aboriginal person who self-identifies as Métis, who is distinct from Indian and Inuit, and:
 - (i) is a descendant of those Métis who received or were entitled to receive land grants and/or Scrip under the provision of the *Manitoba Act, 1870* or the *Dominion Lands Act*, as enacted from time to time; or
 - (ii) a person of Aboriginal descent who is accepted by the Métis Nation and/or Métis Community.(Amended Dec. 13/97)
2. Any Métis who is a member of a duly registered Local is a member of the Métis Nation of Saskatchewan.
3.
 - (a) A member shall only belong to one (1) Local.
 - (b) A person shall reside in the Local for at least (6) months before he/she is eligible for membership in that Local. The Locals may make exceptions for educational and medical purposes.
4. 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) Membership cards shall be numbered and a register maintained by the Senate in the Head Office. Replacement cards shall retain original number.
 - d) Membership cards shall be issued by the President or Secretary of a duly

registered Local upon completion of the designated form.

5. Where there is a dispute as to membership, a ruling shall be made by the Senate, with a final right of appeal to the Métis Nation Legislative Assembly the decision of which shall be final and binding.
6. 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 member 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 developments 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 the Senators, Women and Youth in the determination of their role and responsibilities within the Organization.
2. The Métis Women of Saskatchewan shall be designated (1) seat in the Provincial Métis Council and (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 Nation Legislative Assembly.
- 2.1 That the Provincial Métis Youth Council shall be designated (1) seat on the Provincial Métis Council and (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. That the Senate be given the power to resolve disputes occurring in the Regions and Locals. Further, that decisions of the Senate shall be final and binding.

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 with this section.
2. The Provincial Métis Council members who is assigned a portfolio shall automatically sit as the 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 (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 (1): **SECRETARIAT (Inserted June 26, 1997)**

1. A Secretariat shall be retained under the Non-Profit Corporations Act for the sole purpose of carrying out the administrative duties of the Métis Nation - Saskatchewan. (Inserted June 26/97)
2. The Secretariat shall be known as the Métis Nation of Saskatchewan Secretariat Incorporated. (Inserted June 26/97)
3. The Board of Directors of the Secretariate shall be the same members who are elected to the Provincial Métis Council. (Inserted June 26/97)

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 of 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 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.

**MÉTIS NATION OF SASKATCHEWAN
CITIZENSHIP ACT**

RATIFIED NOVEMBER 6, 1999

*khs
dec 12/99*

ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation of Saskatchewan Citizenship Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:

- 2.1. "Act" shall mean the Métis Nation of Saskatchewan Citizenship Act.
- 2.2. "Appeals" shall mean any written objection by a person who has been rejected entry in the Métis Nation of Saskatchewan Central Registry or by a Métis Nation of Saskatchewan citizen who is objecting to the registration of any person to the Métis Nation of Saskatchewan Central Registry.
- 2.3. "Child" shall mean a child of a Métis citizen.
- 2.4. "Citizenship Appeal Board" shall mean the Métis Nation of Saskatchewan Citizenship Appeal Board.
- 2.5. "Membership" shall mean citizenship.
- 2.6. "Métis" shall mean a Métis citizen as defined by the Métis Nation of Saskatchewan Constitution.
- 2.7. "Métis community" shall mean the Locals as set out by the Constitution.
- 2.8. "Métis Local" shall mean a Métis Local listed in Schedule I of the Métis Nation of Saskatchewan Constitution.
- 2.9. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation of Saskatchewan, as set out in the Constitution.
- 2.10. "Records" shall mean any records used to support an application for citizenship including historical records, church records, archival records, census records and oral history from Métis Elders.
- 2.11. "Registered" shall mean registered as a Métis under this Act.
- 2.12. "Registrar" shall mean the Registrar appointed by the Senate to administer the Central Registry.

ARTICLE THREE - COMMUNITY ACCEPTANCE

3. In this Act:

- 3.1. The Métis Nation of Saskatchewan shall accept a person as Métis if the person can produce records denoting the person as having Métis ancestry and is accepted by a Métis community and if the person complies with the following conditions:**
 - 3.1.1. The person normally resides within the community or jurisdiction of the Métis Nation of Saskatchewan; and**
 - 3.1.2. The person expressly held him/herself out to be Métis in the community or jurisdiction;**
- 3.2. The authorized Métis Local must make its decision impartially and in good faith.**

ARTICLE FOUR - REGISTRATION PROCESS

4. In this Act:

- 4.1. A person who wishes to be registered as a Métis may apply to a Métis Nation of Saskatchewan Local.**
- 4.2. The Métis Nation of Saskatchewan Local President or Secretary must issue a card recognizing the person as Métis if they meet the requirements of this Act, but not before they are registered by the Registrar.**
- 4.3. The parent or guardian of a child under 16 years of age may apply for registration on behalf of the child.**
- 4.4. The guardian of a person who is under a mental or legal disability may apply for registration on behalf of the person.**
- 4.5. No person is obliged to apply for registration.**
- 4.6. In the case of an application for registration, the applicant must provide historical and genealogical evidence, such as the records or documents of a government, church or community, including oral testimony from a Métis Elder reduced to writing, to show that the person is a descendant of a Métis.**
- 4.7. The Registrar shall review applications for registration and shall register a person as a Métis only if:**
 - 4.7.1. The person is entitled to be registered as a Métis pursuant to this Act and**
 - 4.7.2. The application is properly made.**

- 4.8. Following the coming into force of this Act, the Registrar shall establish and implement a process to seek out and encourage the registration of all persons who are entitled to be registered as Métis.

ARTICLE FIVE - VOLUNTARY REMOVAL FROM REGISTRY

5. In this Act:

- 5.1. A person who is registered as a Métis citizen may, at any time, voluntarily remove him/herself from the registry.
- 5.2. The Registrar shall remove a person who, by written request, declares that he or she no longer wishes to be registered as a Métis.
- 5.3. A person who has removed him/herself from the registry may re-apply for registration.

ARTICLE SIX – CENTRAL REGISTRY

6. In this Act:

- 6.1. The Registrar shall maintain a uniform system for the registration of the citizens of the Métis Nation of Saskatchewan.
- 6.2. The following minimum information about a Métis citizen may be included in the Central Registry:
 - 6.2.1. The person's name;
 - 6.2.2. The person's address or place of residence;
 - 6.2.3. The person's date of birth;
 - 6.2.4. The person's marital status and the name of any spouse;
 - 6.2.5. The dates of any marriages;
 - 6.2.6. The names and dates of birth of any children of the person;
 - 6.2.7. The Local under which the person has applied for registration;
 - 6.2.8. The Mother's full name and date of birth;
 - 6.2.9. The Father's full name and date of birth;
 - 6.2.10. The other information submitted in support of the person's application for registration; and

- 6.2.11. Such genealogical information about the person as may exist.
- 6.3. The Registrar may collect and register additional demographic information about Métis citizens.
- 6.4. The Registrar shall treat the registry as confidential.
- 6.5. The Registrar shall cause the registry system to be kept safely by administrative, physical and technological safeguards that are reasonable and consistent with this Act.
- 6.6. The Registrar with the consent of the Provincial Métis Council may enter into agreements with the government of a province or territory or with the government of Canada respecting the collection and exchange of information for the better functioning of the registry system but may not disclose confidential information without the consent of the registrant.
- 6.7. The process for registration shall be such that:
- 6.7.1. A person makes application to a Métis Local for citizenship by completing the Métis Nation of Saskatchewan Citizenship Application Form.
- 6.7.2. The President of the Métis Local submits the Citizenship Application Form to the Registrar for consideration and entry into the Registry.
- 6.7.3. The Registrar rejects or registers the person into the Registry and notifies the Métis Local President in writing of the decision.
- 6.7.4. In the event that the Registrar accepts the registration, the Registrar forwards a signed standardized Métis Nation of Saskatchewan Citizenship Card to the Métis Local President or Secretary who then issues the standardized Métis Nation of Saskatchewan Citizenship Card to the person.
- 6.7.5. The standardized Métis Nation of Saskatchewan Citizenship Cards shall be numbered consecutively following the Métis Local numbers.
- 6.7.6. Only the standardized Métis Nation of Saskatchewan Citizenship Cards shall be recognized as legitimate for the purposes of the Constitution and this Act.
- 6.7.7. The Provincial Métis Council will be responsible for the development of the Métis Nation of Saskatchewan Citizenship Application Form and the standardized Citizenship Card.

ARTICLE SEVEN - REGISTRY OFFICE

7. A Registry Office shall be established, based on available fiscal resources.
- 7.1. The Registry Office shall consist of:

7.1.1. The Registrar and

7.1.2. The staff of the Registry Office.

7.2. The Registry Office

7.2.1. is separate and independent from the public service of the Métis Nation but the staff of the Registry Office shall be considered to be members of the public service for the purpose of employment benefits;

7.2.2. Shall act impartially and in good faith in the exercise of its functions; and

7.2.3. Is under the administrative direction of the Senate; and

7.2.4. Shall retain and provide copies of the standardized Métis Nation of Saskatchewan Citizenship Application Form and the standardized Métis Nation of Saskatchewan Citizenship Cards to Métis Local Presidents.

ARTICLE EIGHT - THE REGISTRAR

8. The Registrar:

8.1.1. Shall be appointed and directed by the Senate.

8.1.2. Shall hold office for a term set by the Senate.

8.1.3. May be removed from office only by the Senate.

8.1.4. Shall report in writing to the Métis Nation Legislative Assembly and the Provincial Métis Council through the Senate.

8.1.5. Shall maintain the Central Registry.

8.1.6. Shall administer this Act.

8.1.7. Shall accept and review applications for citizenship submitted on the standardized Citizenship Application Form by a Métis Local President and decide whether a person is entitled to be registered pursuant to this Act.

8.1.8. Shall respond in writing to the Métis Local President on the decision of an application for citizenship.

8.1.9. Shall make decisions on the voluntary removal from the registry of individuals pursuant to this Act.

8.1.10. Shall forward Appeals to the Citizenship Appeal Board on the issue, pursuant to this Act.

- 8.1.11. Shall ensure that the relevant files are provided to the Citizenship Appeal Board in cases of appeal.
- 8.1.12. Shall ensure that a final report is written and filed on any appeal that comes before the Registrar or the Citizenship Appeal Board.
- 8.1.13. Shall manage the staff of the Registry Office.
- 8.1.14. Shall have a seal of office that may be reproduced by the Registrar in any manner and has the same effect whether it is manually applied or otherwise reproduced.
- 8.1.15. Shall deliver an annual report to the Provincial Métis Council, to be submitted to the Métis Nation Legislative Assembly, through the Senate, within 60 days following the end of each calendar year.

ARTICLE NINE - CITIZENSHIP APPEAL BOARD

9. The Citizenship Appeal Board shall:

- 9.1. Hear and resolve appeals from a decision of the Registrar.
- 9.2. Be composed of three Senators, appointed by the Métis Nation Legislative Assembly, for a term of three years but may be removed for cause by the Métis Nation Legislative Assembly. A Senator who is a member of the Citizenship Appeal Board and whose term has expired may be re-appointed.
- 9.3. Appoint one member of the Citizenship Appeal Board to be the Chairperson of the Citizenship Appeal Board.
- 9.4. Have an official seal, which shall be judicially noticed.
- 9.5. Shall have, in regards to attendance, swearing in and examination of witnesses, the production and inspection of documents, the enforcement of its orders and other matters necessary or proper for the due exercise of its jurisdiction, all such powers, rights and privileges as are vested in a superior court of record.
- 9.6. Shall be responsible for all citizenship appeals, the decision of which is subject only to appeal to the Métis Nation Legislative Assembly.
- 9.7. Shall conduct appeal hearings in accordance with such rules of procedures as are necessary and as are ratified by the Provincial Métis Council.
- 9.8. May appoint a person to inquire into and report on any matter before making a decision on it.
- 9.9. May sit and make a determination with a majority of members in attendance.

- 9.10. May make such orders and regulations as are necessary for the purpose of carrying out this Act, subject to ratification by the Provincial Métis Council.
- 9.11. Make recommendations to the Métis Nation Legislative Assembly in the event of final appeal by a person regarding registry.

ARTICLE TEN - CITIZENSHIP APPEALS

10. The process for Appeals will be such that:

- 10.1. The Appellant bears the burden of proof.
- 10.2. Any person who has made application on the Métis Nation of Saskatchewan Citizenship Application Form to a Métis Local President and is denied registry by the Métis Local President is entitled to appeal this decision in writing to the Registrar within thirty (30) days of the President's decision.
- 10.3. Any person whose Citizenship Application Form has been forwarded by a Métis Local President to the Registrar and has been rejected in writing by the Registrar may appeal in writing to the Citizenship Appeal Board within thirty (30) days of the Registrar's decision.
- 10.4. Any person whose application has been rejected by the Citizenship Appeal Board may appeal in writing to the Métis Nation Legislative Assembly, whose decision shall be final and binding, complying with the requirements set out in the Métis Nation of Saskatchewan Legislative Assembly Act, and shall do so within thirty (30) days of the Citizenship Appeal Board's decision.
- 10.5. All appeals by a person regarding rejection of registration by the Local President or Registrar or Citizenship Appeals Board must include:
 - 10.5.1. The name and address of the person who has been rejected;
 - 10.5.2. The Local to which application was made;
 - 10.5.3. The evidence submitted as proof of Métis ancestry;
 - 10.5.4. Copies of all correspondence regarding the appeal;
 - 10.5.5. The signature of the person who has been rejected; and
 - 10.5.6. The date of submission of the appeal.
- 10.6. Any person whose registration is being objected to shall be given a reasonable opportunity to make representation in the case at each level, and shall receive copies of all correspondence regarding the appeal.

10.7. The decision of the Citizenship Appeal Board must be in writing, signed by the deciding members of the Citizenship Appeal Board, and forwarded to the affected parties within 14 days of the date of its decision.

10.8. The Registrar shall take whatever steps are necessary to implement the decision of the Citizenship Appeal Board.

10.9. All appeals are confidential and shall be treated as such by all involved parties.

ARTICLE ELEVEN - FINANCES

11. The remuneration and employment benefits of the Registrar, the staff of the Registry Office and the Citizenship Appeals Board shall be established by the Métis Nation of Saskatchewan Treasury Board, based on available fiscal resources.

ARTICLE TWELVE - GRANDFATHER CLAUSE

12. In Grandfathering existing memberships:

12.1. Those members currently listed on the Métis Local Membership Lists will have two years from the date of the ratification of this Act, to make application for entry into the Central Registry. Once the two years has passed, those members who have not made proper application on the Métis Nation of Saskatchewan Citizenship Application Form, will automatically be removed from the system.

12.2. Only those members who have made proper application and have been entered into the Central Registry will receive the standardized Métis Nation of Saskatchewan Citizenship Card.

ARTICLE THIRTEEN - ENACTMENT

13. This Act:

13.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.

13.2. Is binding on all citizens of the Métis Nation of Saskatchewan and its Affiliates and organizations.

13.3. Repeals all former citizenship legislation.

13.4. Has received ratification on this 6th day of November, 1999.

DRAFT FOR DISCUSSION

MNC DEFINITION OF "MÉTIS"

1. Definitions

1.1. "Métis" means a person who self-identifies as Métis, is of Historic Métis Nation ancestry, and is accepted by the Métis Nation through the Acceptance Process.

- 1.2. "Acceptance Process" means the process to accept applications for registration on the Métis Nation Register, as established herein, and administered by the respective MNC provincial governing member jointly with the MNC, all as amended from time to time.
- 1.3. "Historic Métis Nation" means the Aboriginal people then known as Métis or Half-breeds who resided in the Historic Métis Nation Homeland.
- 1.4. "Historic Métis Nation Homeland" means the area of land in west central North America used and occupied as the traditional territory of the Métis, or Half-breeds as they were then known.
- 1.5. "MNC" or "Métis National Council" means the governing body that represents the Métis Nation.
- 1.6. "MNC provincial governing member" means the provincial or territorial entities who jointly form the MNC.
- 1.7. "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*.
- 1.8. "Métis Nation Citizen" means a person whose name is on the Métis Nation Register.
- 1.9. "Métis Nation Register" means the national list of Métis Nation Citizens and includes the lists maintained by the MNC governing members, all as amended from time to time.

1.10. "Registrar" means a person appointed by an MNC provincial governing member who is responsible for maintaining the Métis Nation Register within its respective jurisdiction and includes any person appointed by the MNC as national Registrar.

2. Métis Nation Registry – Enrolment Criteria

2.1. A person is eligible to be enrolled as a Métis Nation Citizen on the Métis Nation Register if that person:

- (a) is Métis within the meaning of 1.1; or
- (b) was adopted as a child, under the laws of any jurisdiction or under any Métis custom, by a Métis within the meaning 1.1.

2.2. An application for enrolment on the Métis Nation Register must include the following:

- (a) a signed and witnessed written declaration that he or she self-identifies as Métis and is not registered on another Aboriginal register; and
- (b) evidence that he or she is Métis; or
- (c) evidence that he or she was adopted by a Métis within the meaning 1.1.

2.3. A parent, guardian or legal representative who provides proof of his or her lawful authority to represent a minor or a person who is legally incompetent, may submit an application for that minor or legally incompetent person.

2.4. A person is not eligible to be enrolled as a Métis Nation Citizen while that person is enrolled under another Aboriginal registry.

3. Acceptance Process

3.1. Each MNC provincial governing member shall establish an Acceptance Process which shall operate according to the principles and rules set out herein and any procedural rules including the appeal process shall be in accordance with the principles of natural justice.

3.2. Notwithstanding 3.1, efforts should be made to have the Acceptance Process as uniform as possible by all provincial governing members.

3.3. A copy of each application and declaration shall be provided to the MNC Registrar, along with that person's name for the national register.

3.4. Registration on the Métis Nation Register constitutes acceptance by the Métis Nation that the person is a Métis Nation Citizen and shall be accepted by all MNC provincial governing members.

3.5. Evidence for the purposes of 2.2(b) and (c) may include, but is not limited to, one or more of the following:

- (a) vital statistics records issued by governments such as birth certificates, marriage, divorce and death certificates, adoption records or census rolls;
- (b) scrip or land grants issued to an ancestor pursuant to the *Manitoba Act, 1870* or the *Dominion Lands Acts* or entitlement to such scrip or land grants;
- (c) memorials, addenda or other such documents associated with the scrip or treaty process which identified Métis communities in the Historic Métis Nation Homeland and the Métis members of those communities;
- (d) proof in the form of diaries, notes or other documents that a Métis ancestor participated in activities of the Historic Métis Nation;
- (e) church records in the form of baptism, confirmation, marriage, annulment or death records;
- (f) a written or oral statement by an Elder who is a Métis Nation Citizen; and
- (g) any other proof which the Registrar may consider valuable in assisting an applicant to prove his or her Métis ancestry or adoption by a Métis within the meaning of 1.1.

3.6. The Registrar shall give notice in writing of the reasons for any decision to refuse enrolment or to remove a name from the Register and of the right to appeal, including the period for making an appeal. Any person whose application for enrolment on the Métis Nation Register is refused or whose name is removed may, within 60 days of notice of such decision, appeal in writing to the Registrar.

3.7. Each Métis Nation Citizen shall be provided proof of enrolment on the Métis Nation Register.

June 11, 2000

MÉTIS NATION OF SASKATCHEWAN

SENATE ACT

RATIFIED NOVEMBER 6, 1999

ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation of Saskatchewan Senate Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:
 - 2.1. "Act" shall mean the Métis Nation of Saskatchewan Senate Act.
 - 2.2. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation of Saskatchewan, as set out in the Constitution.
 - 2.3. "Ordinarily Resident" shall mean the Region to which the person is registered as a member and the Region of the member's fixed home address to which whenever he/she is absent he/she has the intention of returning.
 - 2.4. "Region" shall mean Regions as determined by the Métis Nation of Saskatchewan Constitution.
 - 2.5. "Senate" shall mean the Métis Nation of Saskatchewan Senate.
 - 2.6. "Senator" shall mean a member of the Métis Nation of Saskatchewan Senate.

ARTICLE THREE - MANDATE AND POWERS OF THE SENATE

3. The Senate shall:
 - 3.1. Act as the judicial arm of the Métis Nation of Saskatchewan and where provided in the Constitution, shall be available for consultation by the Métis Nation Legislative Assembly in fulfilling its mission under the Métis Nation of Saskatchewan Constitution;
 - 3.2. Be subject to the authority of this Act and the Métis Nation Legislative Assembly.
 - 3.3. Be represented by one Senator per Region and one Senator to be appointed by the Métis Women of Saskatchewan.
 - 3.4. Designate one Senator as the Chairperson of the Senate.

ARTICLE FOUR - QUALIFICATIONS FOR A SENATOR

4. A person is eligible for appointment to the Senate if he/she:
 - 4.1.1. Is a citizen of the Métis Nation of Saskatchewan.
 - 4.1.2. Is appointed by the membership at an area meeting or

- 4.1.3. Is an appointee of the Métis Women of Saskatchewan, appointed by their general assembly.
- 4.1.4. Is ordinarily resident in the Region of appointment.
- 4.1.5. Is non-partisan.
- 4.1.6. Is non-political, including Federal, Provincial and Métis governments.
- 4.1.7. Is at least fifty-five (55) years of age.
- 4.1.8. Has not been convicted of an indictable offence within five (5) years of appointment to the Senate, and has exhausted all appeals.

ARTICLE FIVE - APPOINTMENT AND RATIFICATION OF SENATORS

5. Senate appointments:

- 5.1. Shall be made by the membership by a show of hands or by ballot at a duly called area meeting, or in the case of the Métis Women of Saskatchewan by their general assembly.
- 5.2. Shall be forwarded in writing to the President of the Provincial Métis Council and the Senate Chairperson by the official charged with recording the minutes of the meeting at which the appointment was made. The submission will include a copy of the minutes of the meeting, indicating the motion.
- 5.3. Forwarded to the President of the Provincial Métis Council and the Senate Chairperson shall be accompanied by a resume and biography of the Senator.
- 5.4. Shall be sworn in by the Senate at their next meeting, if the conditions under Section 4 of this Act are met.

ARTICLE SIX - TERM AND REMOVAL OF OFFICE

6. In this Act:

- 6.1. The term of office for a Senator shall be for life:
- 6.2. Notwithstanding Article 6.1, the term of office of a Senator shall terminate if a Senator is:
 - 6.2.1. Disqualified for violating any part of this Act or
 - 6.2.2. Is unable to fulfil his/her duties on a permanent basis.
- 6.3. The term of office for the Chairperson of the Senate shall be:
 - 6.3.1. For three years or until a written resignation is tabled at a Senate meeting.

6.3.2. Subject to reappointment by the Senate.

6.4. A Senator shall be removed from office by the Senate:

6.4.1. For being convicted of an indictable offence and all appeals are exhausted.

6.4.2. If he/she takes up residency outside of the province of Saskatchewan.

6.4.3. For actions unbecoming the stature of a Senator while holding office.

6.4.4. By voluntarily resigning in writing to the Chairperson of the Senate.

6.5. A Senator shall take a leave of absence from the office of the Senate for being charged with an indictable offence.

ARTICLE SEVEN - CODE OF ETHICS / STANDARDS OF CONDUCT

7. Each Senator shall comply with the following Code of Ethics / Standards of Conduct:

7.1. Function as a collective unit representing, serving and protecting the best interest of the Métis people and the Constitution of the Métis Nation of Saskatchewan and shall not sit on any elected local position nor serve on any regional or provincial Affiliate board including urban councils and advisory committees.

7.2. Understand that the Senate shall be driven by consensus, and any decisions or actions by a Senator without the authorization and approval of the Senate body shall be deemed null and void and therefore have no force and effect upon the Senate as a whole.

7.3. Devote time, thought and study to the responsibilities of a Senator necessary to render effective credible service in the Senate.

7.4. Encourage full and open dialogue in all matters with other members of the Senate.

7.5. Remove themselves from any committee of the Senate if they are in conflict of interest in carrying out the duties of that committee, pursuant to the applicable legislation.

ARTICLE EIGHT - COMMITTEES OF THE SENATE

8. Pursuant to this Act:

8.1. The Senate shall establish any such committees as are required by the Métis Nation of Saskatchewan Constitution or Legislation and as required to carry out the following duties:

8.1.1. Mediation and Arbitration

8.1.2. Veteran's Affairs

8.1.3. Central Registry and Citizenship Appeals

8.1.4. Regional and Local Disputes

8.1.5. Management of the Métis Nation of Saskatchewan during Election Period

8.1.6. Ceremonial Activities and Exchanges

8.1.6.1. Conducting Opening / Closing Prayers

8.1.6.2. Directing Swearing-In Ceremonies and Oaths

8.1.6.3. Presenting Awards and Gifts of Recognition

8.1.6.4. Displaying Métis Flags and Sashes.

8.2. The Senate shall appoint one Chairperson for each committee to serve as the spokesperson for that committee.

8.3. The Senate may delegate by resolution, the decision-making authority of any committee of the Senate to be the voice of the Senate and subject to ratification by Senate majority, unless otherwise provided in the Constitution or legislation.

ARTICLE NINE - QUORUM AND VOTING

9. To conduct official Senate business:

9.1. A simple majority of the Senators will constitute a quorum.

9.2. A quorum must be present at a meeting of the Senate, or at any meeting of a committee of the Senate.

9.3. Decisions made by a quorum of the Senate binds all members of the Senate to the motions and resolutions passed.

ARTICLE TEN - FINANCES

10. In order for the Senate to function:

10.1. Where fiscal resources are available, the Métis Nation of Saskatchewan, in accordance with the laws and regulations of the Métis Nation of Saskatchewan Treasury Board, shall provide financial resources to the Senate as required for the purposes of carrying out this Act.

10.2. Such resources shall be within the means available to the Métis Nation of Saskatchewan for such purposes.

- 10.3. The Chairperson of the Senate shall make formal written request to the Métis Nation of Saskatchewan Treasury Board for all expenditures of the Senate.
- 10.4. The Métis Nation of Saskatchewan shall actively pursue fiscal resources for the functions of the Senate.
- 10.5. Regions or Locals that require the involvement of the Senate to resolve disputes, will be responsible for Senate travel expenses and honorariums, until such time that the Métis Nation of Saskatchewan is able to provide resources to the Senate, as per Section 10.1 of this Act.
- 10.6. The Métis Nation of Saskatchewan will be responsible for travel expenses and honorariums for the Senate while conducting official Senate business, pursuant to this Act.

ARTICLE ELEVEN - RECORD KEEPING AND REPORTING PROCEDURES

11. In this Act:

- 11.1. The Senate shall keep written minutes of all meetings.
- 11.2. The minutes of Senate meetings shall be held by the Chairperson of the Senate.
- 11.3. The Senate shall submit an annual written report to be tabled with the Métis Nation Legislative Assembly thirty days prior to the Assembly to be included in the Order of the Day.
- 11.4. Before any Senate hearing, all Métis involved shall be sent a registered letter informing them of the proposed hearing.
- 11.5. An application to the Senate must be made in writing by registered letter outlining in detail the grievance(s).
- 11.6. All decisions of the Senate shall be recorded and one copy shall be sent by registered letter to each of the provincial head office, regional office and the parties involved.

ARTICLE TWELVE – GRANDFATHER CLAUSE

12. In this Act:

- 12.1. All existing Senators are grandfathered to this Act and will continue to act as Senators until their terms have expired, pursuant to this Act.

ARTICLE THIRTEEN - ENACTMENT

13. This Act:

13.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.

13.2. Is binding on all citizens of the Métis Nation of Saskatchewan and its Affiliates and organizations.

13.3. Repeals all former Senate legislation.

13.4. Has received ratification from the Métis Nation Legislative Assembly this 6th day of November, 1999.

**MÉTIS NATION OF SASKATCHEWAN
ELECTION ACT**

RATIFIED NOVEMBER 6, 1999

ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation of Saskatchewan Election Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:

- 2.1. "Act" shall mean the Métis Nation of Saskatchewan Election Act.
- 2.2. "Appeals" shall mean any Appeal of an election by an elector for an act seen to have breached this Election Act, including breach of the Code of Conduct, Conflict of Interest, Eligibility, and breach of Election Regulations.
- 2.3. "By-election" shall mean an election called to fill a vacancy within the Provincial Métis Council.
- 2.4. "Candidate" shall mean any individual who is nominated as a Candidate for the election.
- 2.5. "Chief Electoral Officer" shall mean the individual appointed by the Métis Elections Commission to carry out the duties set out in this Act.
- 2.6. "Commissioner" shall mean any Senator who is appointed by the Métis Nation Legislative Assembly to the Métis Elections Commission.
- 2.7. "Election" shall mean an election called by the Métis Nation Legislative Assembly to elect Executive Members or Regional Representatives.
- 2.8. "Election Officers" shall mean any individual appointed by the Métis Elections Commission to carry out the duties under this Act under the supervision of the Chief Electoral Officer.
- 2.9. "Elector" shall mean any citizen of the Métis Nation of Saskatchewan who is eligible to cast a ballot pursuant to the eligibility requirements of this Act.
- 2.10. "Electoral List" shall mean a list made pursuant to this Election Act naming those citizens entitled to cast a ballot at an election.
- 2.11. "Frivolous Court Action" shall mean any suit that is brought against the Métis Nation of Saskatchewan and dismissed by a Court of Law for having no basis in law or fact.
- 2.12. "Métis Elections Commission" shall mean the Métis Nation of Saskatchewan Métis Elections Commission.
- 2.13. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation of Saskatchewan, as set out in the Constitution.

- 2.14. "Nominator" shall mean any citizen of the Métis Nation of Saskatchewan who under this Act is eligible to nominate a candidate for an election.
- 2.15. "Ordinarily Resident" shall mean the Region to which the elector is registered as a citizen and the Region of the citizen's fixed home address to which whenever he/she is absent he/she has the intention of returning.
- 2.16. "Poll Book" shall mean the list of names of citizens who have received ballots at an election pursuant to this Act.
- 2.17. "Polling Station" shall mean a place established in each Local where an elector casts his/her vote and which is set up pursuant to this Act.
- 2.18. "Region" shall mean regions as determined in the Métis Nation of Saskatchewan Constitution.
- 2.19. "Senate" shall mean the Métis Nation of Saskatchewan Senate.
- 2.20. "Scrutineer" shall mean an elector who is authorized in writing to represent a candidate at a polling station pursuant to this Act.

ARTICLE THREE - MÉTIS NATION LEGISLATIVE ASSEMBLY

3. In this Act:
 - 3.1. The Métis Nation Legislative Assembly shall set the date for an election by Proclamation, at least once every three years, of the Executive and Regional Representatives, based upon the recommendation of the Provincial Métis Council.
 - 3.1.1. The Métis Nation Legislative Assembly is responsible to proclaim the date for an election at least sixty (60) days prior to election day to allow for the compilation of the electoral list.
 - 3.1.2. The Provincial Métis Council is hereby granted the authority to set the date for any by-elections as provided in the Constitution, that is within ninety (90) days of a vacancy occurring.
 - 3.2. The Métis Nation Legislative Assembly, based on recommendations of the Senate, shall appoint three Senators to sit on the Métis Elections Commission.
 - 3.3. The Métis Nation Legislative Assembly shall also appoint one Senator as alternate, in the event of death, illness, resignation or Conflict of Interest pursuant to this Act, to the Métis Elections Commission.
 - 3.4. The Métis Nation Legislative Assembly has the final decision on any Appeals under this Act.

- 3.5. The Métis Nation Legislative Assembly has the responsibility to determine remuneration of the Métis Elections Commission.
- 3.6. All granting of new Citizenship Cards to the Métis Nation of Saskatchewan shall be suspended from the date of the close of the Electoral List until the day after the general election is held.
- 3.7. The Provincial Métis Council is hereby granted the authority to develop election regulations, pursuant to this Act.

ARTICLE FOUR - MÉTIS ELECTIONS COMMISSION

4. In this Act:

- 4.1. The Métis Elections Commission shall be composed of three members of the Senate, appointed by the Métis Nation Legislative Assembly, based upon the recommendations of the Senate.
- 4.2. The Métis Elections Commission Commissioners shall meet the requirements of the Code of Conduct pursuant to this Act.
- 4.3. The Métis Elections Commission shall have sole authority and responsibility to conduct elections or by-elections pursuant to this Act and shall be independent and answerable only to the Métis Nation Legislative Assembly.
- 4.4. The Métis Elections Commission shall set the dates for Revision to the Electoral List.
- 4.5. The Métis Elections Commission shall appoint a Chief Electoral Officer.
- 4.6. The Métis Elections Commission shall appoint the Local Returning Officers and Poll Clerks required to conduct an election, based on the recommendation of the Chief Electoral Officer.
- 4.7. The Métis Elections Commission shall be responsible for all election Appeals, the decision of which is final and binding, subject only to appeal to the Métis Nation Legislative Assembly.

ARTICLE FIVE - CHIEF ELECTORAL OFFICER

5. The Chief Electoral Officer shall:

- 5.1. Meet the requirements of Eligibility, Code of Conduct and Conflict of Interest provisions pursuant to this Act.

- 5.2. Not have filed a Frivolous Court Action against the Métis Nation of Saskatchewan in the last three (3) years.
- 5.3. Not have been convicted of an indictable offence within five years (5) prior to the Election Proclamation.
- 5.4. Set, manage and conduct the election according to this Act.
- 5.5. Recommend to the Métis Elections Commission for appointment all election officers and other required personnel. The Chief Electoral Officer must only recommend election officers that meet the requirements of Eligibility, Code of Conduct and Conflict of Interest provisions pursuant to this Act. Election officers can not have brought a Frivolous Court Action against the Métis Nation of Saskatchewan within the last three (3) years.
- 5.6. Guide and supervise election officers with respect to the conduct of the election.
- 5.7. Ensure that all election officers conduct their duties in compliance with this Act.
- 5.8. Prepare, print and distribute forms for use pursuant to this Act.
- 5.9. Publish the place and hours fixed for the nomination of Candidates and the date fixed for the closing of nominations.
- 5.10. Accept letters of withdrawal from candidates, nominations, letters of appointment for scrutineers and candidate's letters of leave of absence from Métis Nation of Saskatchewan and Métis Nation of Saskatchewan's Affiliate organizations and the one-hundred dollar (\$100.00) bonds submitted with nominations.
- 5.11. Compile and distribute to each polling station, a final Electoral List, pursuant to this Act, prior to the Election day.
- 5.12. Reconcile all ballots for both unofficial and official counts, and prepare an official election report for the Métis Elections Commission.
- 5.13. Publicly declare to be elected the candidate or candidates having the greatest number of votes.

ARTICLE SIX - ELIGIBILITY

6. In order to participate in an election, the participant shall:
 - 6.1. Be a citizen of the Métis Nation of Saskatchewan.
 - 6.2. Be at least sixteen (16) years of age on the day of the election.
 - 6.3. Be a resident of Saskatchewan who has resided therein for at least six months prior to the date of the close of nominations.

- 6.4. In order to vote for a regional representative, have been a resident of Saskatchewan and ordinarily resident in the region for at least six months prior to the date of the close of nominations.

ARTICLE SEVEN - ELECTORS

7. In order to cast a ballot in an election, an elector shall:
 - 7.1. Meet the requirements of Eligibility pursuant to this Act.
 - 7.2. Prior to the close of the Electoral List, transfer his/her citizenship to the Local where he/she is ordinarily resident.
 - 7.3. Be on the Electoral List on Election Day.
 - 7.4. Vote at the polling stations closest to where they are registered and ordinarily resident, pursuant to Article 7.2 of this Act. Electors may request of the Chief Electoral Officer that they be placed on the list of another polling station and such determinations shall be at the discretion of the Chief Electoral Officer. Adequate identification will have to be supplied by the elector to the election official, if such a request is made and a Declaration Form will have to be completed and signed.
 - 7.5. Meet the requirements of the Code of Conduct at the polling station in accordance with this Act.

ARTICLE EIGHT - ELECTORAL LIST

8. The Electoral List shall:
 - 8.1. List all of the Electors eligible to vote in an election.
 - 8.1.1. The Electors shall be listed by Local.
 - 8.2. Be compiled by the Chief Electoral Officer from the most recent Local Citizenship Lists on file at the Métis Nation of Saskatchewan Office.
 - 8.3. Be revised only during a publicly announced revision period. The revision period shall be between the date of the Election Proclamation and thirty days prior to election day to a maximum period of thirty days.
 - 8.4. Upon provision of evidence to the satisfaction of the Chief Electoral Officer, of a legitimate error or omission, a citizen can have his/her name added to, or removed from the Electoral List during the revision period.
 - 8.5. Be posted in each polling station on Election Day.
 - 8.6. Be made available to the candidates.

ARTICLE NINE - NOMINATION OF CANDIDATES

9. In this Act:

- 9.1. Any citizen of the Métis Nation of Saskatchewan is eligible to be nominated as a candidate if on the day his/her nomination papers are filed he/she:
 - 9.1.1. Meets the requirements of Eligibility pursuant to this Act;
 - 9.1.2. Has not filed a Frivolous Court Action against the Métis Nation of Saskatchewan within the last three (3) years;
 - 9.1.3. Has not been convicted of an indictable offence within five years (5) prior to the Election Proclamation;
 - 9.1.4. If seeking to be a candidate for Regional Representative, is ordinarily resident in the region for which he/she seeks nomination; and
 - 9.1.5. Has not been charged with an indictable offence.
- 9.2. Any citizen of the Métis Nation of Saskatchewan is eligible to nominate a candidate if he/she meets the requirements of Eligibility pursuant to this Act;
- 9.3. All nominations for the Executive and the Regional Representatives of the Provincial Métis Council shall be submitted to the Chief Electoral Officer and shall include the following:
 - 9.3.1. The signature of the nominator;
 - 9.3.2. A letter of acceptance from the potential candidate;
 - 9.3.3. A non-refundable bond of one-hundred dollars (\$100.00) which shall be deposited by the Chief Electoral Officer into the electoral fund; and
 - 9.3.4. A minimum of five (5) additional individual citizens who shall attest their support of the nomination by signing the nomination form, and if nominating a candidate for Regional Representative, these citizens must be ordinarily resident within the region.
 - 9.3.5. Any candidate who accepts a nomination for the Executive or for Regional Representative of the Provincial Métis Council must, if employed by the Métis Nation of Saskatchewan or any of its Affiliates, apply for a leave of absence from such employment at least thirty (30) days prior to the Election Date, effective on the date he/she files such nomination. All such applications for a leave of absence shall be granted. Proof of the leave of absence shall be tendered in writing to the Chief Electoral Officer along with the nomination and the candidate's letter of acceptance for the nomination.

ARTICLE TEN - SCRUTINEERS

10. Scrutineers shall:

- 10.1. Meet the requirements of the Eligibility and Code of Conduct provisions pursuant to this Act.
- 10.2. Not have been convicted of an indictable offence within five (5) years prior to the Election Proclamation.
- 10.3. Present a letter of authorization from their respective Candidate for the purpose of identifying themselves at the polling station.
- 10.4. Have been appointed by their candidate to represent him/her at that polling station, and to observe the election procedures on his/her behalf. Only one Scrutineer per candidate may be present in the polling area at any one time.
- 10.5. Not impede, prevent, or otherwise interfere in any way with the free exercise of the elector's right to vote or in any way compel, induce or prevail on an elector to vote or to refrain from voting.

ARTICLE ELEVEN - SECRECY OF VOTING

11. In this Act:

- 11.1. Voting in the election shall be by secret ballot.
- 11.2. No person shall interfere or attempt to interfere with an elector who is marking his/her ballot or casting his/her vote or otherwise attempt to obtain at the polling station information as to the candidate or candidates for whom an elector at that polling station is about to vote or has voted.
- 11.3. Each election officer, candidate and scrutineer in attendance at a polling station or at the counting of the ballots shall assist in maintaining the secrecy of the voting and shall not communicate or attempt to communicate any information obtained at the polling place regarding which candidate an elector has voted for or is about to vote for.

ARTICLE TWELVE - CODE OF CONDUCT

12. In this Act:

- 12.1. No person shall disturb the peace and good order at a polling place or a place where election proceedings are underway.

12.2. The Chief Electoral Officer or his/her designate may cause to remove any person who is disrupting or otherwise interfering at a polling place or a place where election proceedings are underway.

12.3. No person shall unlawfully take down, cover up, mutilate, deface or alter an election proclamation, notice or other document required to conduct an election pursuant to this Act.

ARTICLE THIRTEEN - CONFLICT OF INTEREST

13. In this Act:

13.1. The Commissioners and the Chief Electoral Officer shall not be in a Conflict of Interest respecting their duties;

13.2. Conflict of Interest will exist when:

13.2.1. An immediate family member is a candidate or employee or official in the election. An immediate family member is defined as father, mother, stepfather, stepmother, foster parent, brother, sister, spouse (including a common law spouse), child (including a child with a common law spouse), ward, father-in-law, mother-in-law or relative permanently residing with an election official.

13.2.2. Any close personal or business associate is a candidate or employee or official in the election.

13.3. In such a case where a Commissioner or Chief Electoral Officer are in Conflict of Interest, he/she will be required to:

13.3.1. Reveal his/her interest in or in connection to the candidate, employee or official;

13.3.2. Refrain from participating in substantive discussion other than to provide, on request, factual information;

13.3.3. Be absent while discussions concerning the candidate, employee or official in question are taking place. The record must reflect that the person in conflict was absent as specified.

ARTICLE FOURTEEN - FINANCES

14. In this Act:

14.1. The Métis Nation Legislative Assembly, based upon the recommendations of the Provincial Métis Council, shall determine the rate of remuneration and expense accounts for the Commissioners.

14.2. There shall be paid out of the General Fund such sums as are required to meet the monetary obligations of the Métis Nation of Saskatchewan under this Act and approved by the Métis Nation Legislative Assembly.

ARTICLE FIFTEEN - ASSUMPTION OF OFFICE

15. The procedure for Assumption of Office shall be:

15.1. The newly elected Executive and the Regional Representatives of the Provincial Métis Council shall take office the day after election day, and must take an Oath of Office within thirty (30) days of the announcement of official election results.

ARTICLE SIXTEEN - VACANCY OF OFFICE

16. In this Act:

16.1. An office of the Provincial Métis Council is considered vacant when a person who holds that office:

16.1.1. Dies;

16.1.2. Resigns in writing from his/her office; or

16.1.3. Is convicted of an indictable offence and has exhausted such appeals to any appeal courts; or

16.1.4. Ceases to qualify as a candidate by virtue of the membership or residency provisions referred to in Article Six - Eligibility hereof.

16.2. A member of the Provincial Metis Council shall take a leave of absence upon being charged of an indictable offence until the matter is dealt with.

ARTICLE SEVENTEEN - ENACTMENT

17. This Act and Regulations:

17.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.

17.2. Is binding upon all citizens of the Métis Nation of Saskatchewan and its Affiliates and organizations.

17.3. Repeals all former election legislation and regulations.

17.4. Has received ratification by the Métis Nation Legislative Assembly on this 6th day of November, 1999.

METIS NATION OF SASKATCHEWAN

ELECTION REGULATIONS

GENERAL APPLICATION

1. These regulations apply to general elections and by-elections.

ELECTION OFFICERS

2. Qualification of Election Officers

- 2.1. All election officers must meet the requirements of Eligibility and Code of Ethics as set out in the Metis Nation of Saskatchewan Election Act.
- 2.2. Election officers must not have been convicted of an indictable offence within five (5) years prior to the Election Proclamation.

2.2.1. Chief Electoral Officer

- 2.2.1.1. The Chief Electoral Officer shall recommend to the Metis Election Commission appointments for all election officers based on the recommendations of the Local. The Chief Electoral Officer shall supervise and appoint for each Local where a polling station is established a Deputy Returning Officer and a Poll Clerk.

2.2.2. Deputy Returning Officers and Poll Clerks

- 2.2.2.1. A person appointed as either a Deputy Returning Officer or a Poll Clerk shall hold office from the time appointed until thirty (30) days after the election or by-election.
- 2.2.2.2. Deputy Returning Officers and Poll Clerks shall be paid at a remuneration rate as set out by the Metis Elections Commission and approved by Metis Nation of Saskatchewan.

ELECTORAL LIST

3. Qualification of Electors

- 3.1. In order to participate in an election, the participant shall meet the Eligibility requirements as set out in the Election Act.

- 3.2. An elector shall have only one place of residence for purposes of these regulations. If a participant claims to have two or more residences, then for the purposes of these regulations, he/she must select and declare to the Chief Electoral Officer one of the residences to be his/her actual residence.
- 3.3. An elector is entitled to only one vote for each office for which an election is held.
- 3.4. An elector must be listed on the Electoral List on Election Day in order to participate in the election.

4. Revision Procedures

- 4.1. The Chief Electoral Officer will forward to the Local Presidents a temporary Electoral List which is compiled from the Métis Local membership lists on file at the Metis Nation of Saskatchewan Registry Office. The Local Presidents will be responsible for submitting to the Chief Electoral Officer the names and contact information of any new members and striking the names of members who have since deceased or transferred from their Local registry.
- 4.2. The Chief Electoral Officer will revise the temporary Electoral List and ensure that the revised Electoral List is posted in a public place in each Local community.
- 4.3. Members will be responsible for verifying that their name is on the Electoral List.
- 4.4. An elector is responsible to transfer their Local membership to the Local where they are ordinarily resident, pursuant to the Election Act, Article 7.4.
- 4.5. If a member wishes to move his/her name to the Electoral List of another Local to meet residency requirements and Article 4.4 above, the member shall make a written request to the Local President of the Local in their area of residency, carbon copying a letter to the President where they were originally registered. Or, an elector can request to have his/her name transferred from their Local Electoral List to an alternate Local Electoral List. These changes may be done by:
 - 4.5.1. Writing to the Chief Electoral Officer and making such a request.
 - 4.5.2. Including verification of residency with adequate documentation (drivers license, picture ID, Income Tax return from the most recent tax year); or
 - 4.5.3. Stating that the elector will be away from the Local where they are registered and wishes to vote at another poll.
- 4.6. All requests for revision of the electoral list must be processed by the Chief Electoral Officer during the period of time set for revision of the Electoral List. No requests for revision will be accepted or processed on Election Day.

5. Distribution for Election Day

5.1 The Electoral List will identify members by the Local where they hold their membership. A copy of the Local list of members on the Electoral List will be distributed to each Local, to be posted by the election staff at the polling station for that Local.

5.2 Regional Electoral Lists will be compiled by the Chief Electoral Officer and made available to all candidates in the election.

6. Verification

6.1. The membership lists on file at the Metis Nation of Saskatchewan Registry Office will be forwarded to the Local Presidents, for update of new or transferred memberships. The updated lists will then be used to develop the Electoral List.

CANDIDATES

7. Qualifications

7.1. Qualifications of candidates are subject to the requirements of the Election Act.

8. Nomination Procedures

8.1. Nominations of candidates for any elected position shall be filed with the Chief Electoral Officer not less than thirty (30) days prior to Election Day. Nominations may be received any time up to 5:00 o'clock in the afternoon thereof at such place and date as is appointed by the Chief Electoral Officer.

8.2. A nomination must comply with the requirements as set out in the Election Act.

9. Where No Candidates Nominated

9.1. In the event that no nominations of a candidate for a particular position is received by the Chief Electoral Officer, the Chief Electoral Officer shall then set an additional day for the receipt of additional nominations for the remaining positions. These nominations shall be received prior to 5:00 o'clock in the afternoon thereof at such place and date as is appointed by the Chief Electoral Officer.

10. Proceedings on Acclamation

10.1. Where the Chief Electoral Officer pursuant to the Election Act receives only one nomination of a candidate for a particular position, the Chief Electoral Officer shall declare that candidate whose nomination was received by the deadline set out herein as being elected.

11. Procedures at Polls

11.1. Within ten (10) days after the nomination deadline, the Chief Electoral Officer will have posted in each Regional Office and within each Local a notice showing:

11.1.1. The names of the candidates nominated and

11.1.2. The date and time and place where polls will be open for the taking of votes for the candidates nominated.

12. Withdrawals

12.1. Any candidate nominated for any particular office may tender a withdrawal in writing to the Chief Electoral Officer before 2:00 o'clock in the afternoon on the second day following the date for nomination deadline.

13. Scrutineers

13.1. Qualification of scrutineers shall be pursuant to the Election Act.

13.2. One scrutineer is allowed per candidate per polling station, pursuant to the Election Act.

13.3. Scrutineers are allowed to be in attendance during voting and at all ballot counts.

ELECTION POLLS

14. General Procedures

14.1. The election officer shall immediately before the commencement of the poll, show the ballot box to such persons as are present in the polling place so that they may see that it is empty and then shall lock the box and place his/her seal upon it in such a manner as to prevent it from being opened without breaking the seal and he/she shall place the box in plain view for the receipt of ballot papers and shall keep it so locked and sealed during the hours of voting.

14.2. In the event that the ballot box leaves the polling station during the hours of voting, the ballot papers within the box shall be considered invalid.

14.3. For the purpose of these regulations, no polling station shall be established in a motorized vehicle such as automobiles, motor homes, trailers, buses, etc.

14.4. No polling place shall be established by the Chief Electoral Officer in premises in which a candidate has any legal interest or estate.

14.5. The polling place shall be accessible to disabled and handicapped persons.

- 14.6. Polling shall begin at 8:00 a.m. and close at 8:00 p.m. on election day.
- 14.7. Where a person claiming to be an elector presents him/herself at the polling station for the purpose of voting, the electoral staff shall proceed as follows:
- 14.7.1. Verify that the elector's name is on the Electoral List. A person who is not named on the Electoral List of that polling station is not entitled to cast a vote.
- 14.7.2. If an elector wishes to be placed on the Electoral List of another Local, he/she may request to do so during the revision period for the Electoral List by doing the following:
- 14.7.2.1. During the revision period, an elector may make a request to the Chief Electoral Officer to vote at a polling station to which they are not listed on the Electoral List of that polling station.
- 14.7.2.2. The elector shall provide to the Chief Electoral Officer proper identification, such as a Métis membership card, a driver's license, a Saskatchewan Health Card, or picture identification and can state the name of the Local to which they are registered as a member.
- 14.7.2.3. The Chief Electoral Officer will verify that the elector is indeed on the Electoral List at the polling station stated by the elector.
- 14.7.2.4. The Chief Electoral Officer may authorize the transfer.
- 14.7.3. If the elector's name is on the Electoral List of that polling station, then the elector shall present his/her proper identification to the election officer for verification.
- 14.7.4. If all above requirements have been met, the election officer shall require the elector to sign his/her name opposite the place where it appears in the Poll Book maintained by the election officer.
- 14.7.5. The election officer will explain to the elector as concisely as possible the way in which voting is to be done, including but not limited to the following:
- 14.7.5.1. That the elector may vote for only one candidate for each position;
- 14.7.5.2. That the elector should indicate his/her choice by making an "X" in the space beside the name of the candidate he/she supports;
- 14.7.5.3. That the elector must vote alone;
- 14.7.5.4. That the elector should fold the ballot paper across in the same manner as it was folded when delivered to him/her by the election officer so as to expose the initials of the election officer but to not expose the front of the ballot paper so as to indicate the candidate or candidates for whom he/she has voted.

14.7.5.5. Before allowing the elector to deposit their ballot paper in the ballot box, the election officer shall verify their own initials on the ballot paper and instruct the elector to deposit their ballot paper in the ballot box.

14.8. In the event there is more than one Local in a community, one polling centre will be established to accommodate all polling stations.

15. Code of Conduct

15.1. No person shall interfere with or attempt to interfere with an elector when marking his/her ballot paper or casting his/her vote or otherwise attempt to obtain at the polling station information as to the candidate or candidates for whom an elector is about to vote or has voted.

15.2. No campaign material, literature or activity shall be permitted within the polling station. For purposes of these regulations, campaigning activity includes the continued presence of the candidate or his/her representative but not the continued presence of the duly appointed scrutineer, and includes any activity intended to influence voting.

BALLOTS

16. Ballot Papers

16.1. Where a poll is established, the Chief Electoral Officer shall forthwith cause to be printed a sufficient number of ballot papers for the purposes of the election.

17. Contents of Ballot Papers

17.1. Every ballot paper shall contain the name of the duly nominated candidates which shall be arranged alphabetically in the order of their surnames and, if there are two or more candidates with the same surnames, then in the order of their given names.

17.2. The ballot papers shall be in the form prescribed by the Chief Electoral Officer.

18. The Marking of Ballots

18.1. Upon receipt of a ballot paper by an election official, the elector shall forthwith proceed to the voting compartment provided for the purpose and shall there and then mark his/her ballot paper by placing a mark on the right hand side opposite the name of the candidate for whom he/she desires to vote.

19. Spoiled and Declined Ballots

19.1. Immediately after the closing of the poll, the election officer in the presence of all election officers and the scrutineers present, shall count the number of spoiled and declined ballots, place them in an envelope marked "Spoiled and Declined Ballots", seal the envelope and endorse thereon the number of such ballots therein contained.

20. Ballots to be Rejected

20.1. The election officer shall reject any ballot that:

20.1.1. Has not been supplied by him/her and initialed;

20.1.2. Has not the symbol "X" marked thereon;

20.1.3. Has the symbol "X" marked opposite the names of more candidates than are to be elected;

20.1.4. Has the symbol "X" and some other figure set opposite the name of the candidate;

20.1.5. Does not show for which candidate the vote is given; or

20.1.6. Has any mark or writing made by the elector by which he/she may be identified.

21. Marks Allowed on the Ballot

21.1. A ballot paper is not invalid merely because the elector without any apparent intention of identification has marked his/her vote out of or partly out of its proper space if the mark clearly indicates the candidate for whom he/she evidently intended to vote or has marked the ballot paper with a form of a cross other than an "X" or the figure "1" or "V" or a check mark or any other mark clearly indicating an intent to vote for the candidate opposite whose name the mark is placed.

21.2. A ballot paper shall not be rejected merely because the elector without apparent intention of identification has marked his/her vote with a writing instrument other than the pencil provided for the purpose.

22. Disposition of Ballots

22.1. The Chief Electoral Officer shall retain all ballot papers received by him/her for one month following the Official count and then:

22.1.1. Unless he/she has received notice of an appeal as provided for herein; or

22.1.2. Unless he/she is otherwise directed by order of the Metis Elections Commission, or an order of a Court having jurisdiction served on him/her within thirty (30) days of the day on which the election was held, he/she shall then cause the ballots to be destroyed in the presence of two witnesses.

22.1.3. The Chief Electoral Officer and the witnesses shall jointly make a statutory declaration that they have witnessed the destruction of the paper and the declaration shall be retained by the Chief Electoral Officer.

22.1.4. A copy of the declaration shall be included in the final report tabled at the Metis Nation Legislative Assembly by the Metis Elections Commission.

VOTING

23. Voting Compartments and Materials

23.1. Election officers shall ensure that a proper compartment, in which the elector can mark his/her ballot screened from observation, is provided at each polling station.

24. Secrecy of Voting

24.1. While an elector is in the balloting compartment, no other person shall be allowed to enter the compartment or to be in any position from which he/she can observe the elector marking the ballot paper, unless the person marking his/her ballot paper requires assistance and is granted that assistance as provided herein.

24.2. Every election officer and scrutineer in attendance at a polling station, or at the counting of ballots or at both, shall maintain and aid in maintaining the secrecy of the voting.

25. Voting by Ballot

25.1. Where a poll is established by the Chief Electoral Officer for an election, the vote shall be given by secret ballot.

26. Persons Entitled to be Present

26.1. During the hours appointed for voting, no person is entitled or shall be permitted to be present in any polling place other than the election officers and scrutineers appointed pursuant to these regulations, the interpreter if any appointed, and such electors as are for the time being actually within the premises in which the polling place is situated, for the purpose of voting.

27. Forfeiture of Voting Right

27.1. Where a person leaves the polling place without first delivering his/her ballot paper to the election officer in the manner prescribed or returns it after declining to vote, he/she thereby forfeits his/her right to vote and the election officer shall make an entry in the poll book in the column for remarks to the effect that the person received the ballot paper but took it out of the polling place or returned it declining to vote as the facts may be.

28. Voting by an Incapacitated Person

28.1. Notwithstanding any other provision in these regulations, where an elector makes a declaration that he/she is unable to read or is incapacitated by blindness or other physical cause, when marking his/her ballot paper, the election officer shall proceed as follows:

28.1.1. He/she shall:

28.1.1.1. Cause the vote of that person to be marked on the ballot paper in the manner directed by that person and shall place the ballot paper in the ballot box.

28.1.1.2. If the person is accompanied by a friend, and so requests, the election officer shall permit the friend to accompany the person into the voting compartment and mark the elector's ballot for him/her.

28.1.1.3. State in the poll book opposite the name of that person of the cause of the incapacity and the procedure followed for that elector.

POLL BOOK

29. Poll Book

29.1. The poll book shall contain the names of all electors listed on the Electoral List and the signatures of all electors next to their name on the Electoral List.

29.2. The poll book shall contain a column for remarks by election officers.

29.3. The election officer shall make a note in the poll book of every objection to a ballot paper by a scrutineer and the officer's decision shall be final and binding on the count.

COUNTS

30. At the close of the polls at the end of the Election Day and to prepare for the election count:

30.1. The election officer shall count the number of electors whose names appear in the poll book and the number of electors who appear to have voted and shall make an entry thereon in the poll book on the line immediately below the name of the elector who voted last (in the Remarks column):

30.1.1. The number of names on the List;

30.1.2. The number of electors who cast a vote;

30.1.3. Certify the date of this count;

30.1.4. The names and signatures of all election officers; and

30.1.5. The names and signatures of all scrutineers, if they wish to sign.

30.2. The election officer shall then open the ballot box and count the number of ballot papers therein and record the result, in the presence of the other election officers and the scrutineers in attendance.

- 30.3. The election officer shall then count the number of votes given for each candidate on the ballot papers by the placing thereon opposite the name of the candidate the symbol "X" or any other such symbol as allowed and shall credit each candidate with one vote in respect to each vote given for him/her on an un-rejected and un-objected to ballot and on each ballot objected to but counted.
- 30.4. The election officer shall make out a statement in duplicate showing the number of votes given for each candidate and such other particulars as are required and the statement shall forthwith be signed by him/her and the other election officers and such other scrutineers as may be present and desire to sign.
- 30.5. One copy of the statement shall be attached to the poll book and the second shall be retained by the electoral officer to be forwarded to the Chief Electoral Officer.

31. Unofficial Counts

31.1. After making the statement mentioned above, the election officer shall in the presence of the persons authorized to attend make up into separate packets:

31.1.1. The statement of the poll;

31.1.2. The used ballot papers that have been objected to and have not been counted.

31.1.3. The ballot papers that have been objected to but have been counted.

31.1.4. The rejected ballot papers not objected to.

31.1.5. The rejected ballot papers objected to.

31.1.6. The spoiled and declined ballot papers.

31.1.7. The discarded ballot papers

31.1.8. The unused ballot papers

31.1.9. The poll book with the declaration of the election officer therein

31.1.10. The electoral list used at the poll

31.1.11. The statement of the number of electors marked by the electoral officer under the heads "physical incapacity" and "unable to read" with the declaration of the inability.

31.1.12. The notes taken of objections made to ballot papers found in the ballot box.

31.1.13. All other documents that were completed, prepared or used at the election.

31.2. The election officer shall seal each of the packets mentioned above with his/her own seal and such scrutineers as desire may affix their seals and signatures.

31.3. The election officer shall mark on the outside of each of the packets a short statement of the contents thereof, the date of the election, his/her name and the return and the name of the election.

32. Official Count

32.1 The Chief Electoral Officer, within no longer than fourteen (14) days of the Election Day, will proceed with the Official Count.

33. Announcement of Results

33.1. The Chief Electoral Officer shall publicly declare to be elected the candidate or candidates having the greatest number of votes.

33.2. Where it appears that two or more candidates have an equal number of votes the Chief Electoral Officer shall at the time he/she declares the results of the poll state that two or more candidates, naming them, to have an equal number of votes.

33.3. In the event of a tie, and all appeal processes have been exhausted, a by-election will have to be held.

APPEALS

34. Appeals

34.1. A candidate may appeal a decision of the Chief Electoral Officer by filing a statement of appeal in writing, with the Metis Elections Commission within fourteen (14) days of the announcement of the Official Count. All appeals filed with the Metis Elections Commission shall include a non-refundable bond of one hundred dollars (\$100.00).

34.2. Upon receipt of an appeal, the Metis Elections Commission shall forthwith direct the Chief Electoral Officer not to destroy the ballot papers pertaining to the specific election under appeal until further notice.

34.3. Where it appears that two or more candidates have an equal number of votes, and the Chief Electoral Officer cannot declare a candidate to be elected the Chief Electoral Officer shall immediately conduct a recount of the ballots as hereinafter provided.

34.4. If it is made to appear by the statement of a candidate filed with the Chief Electoral Officer at any time within fourteen (14) days from the date of the election that any ballot papers may have been improperly counted or rejected on application made to him/her for the purpose, the Chief Electoral Officer shall appoint a time and place where he/she will proceed to recount the ballots and he/she shall give notice thereof in writing to the Métis Elections Commission, the election officers and the candidates.

- 34.5. Upon completion of the recount or as soon as he/she has ascertained the result of the poll, the Chief Electoral Officer shall seal up all the ballot papers in separate packets and unless a new election is ordered, the Chief Electoral Officer shall forthwith certify the result and then declare to be elected the candidate having the highest number of votes.
- 34.6. Whereupon completing this recount, the Chief Electoral Officer finds that each of the two or more candidates has received an equal number of votes; and cannot therefore finally determine the result of the election by declaring to be elected the number of persons or the remaining number of persons required to be elected he/she shall require a new election to be held.
- 34.7. Where any new election is ordered the candidates for election in the run-off election shall be only those candidates who had an equal number of votes following the recount.

**MÉTIS NATION OF SASKATCHEWAN
LEGISLATIVE ASSEMBLY ACT**

RATIFIED NOVEMBER 6, 1999

ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation Legislative Assembly Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:

- 2.1. "Act" shall mean the Métis Nation Legislative Assembly Act.
- 2.2. "Affiliates" shall mean those organizations and structures established by the Métis Nation of Saskatchewan to provide programs and services to and on behalf of the Métis of Saskatchewan.
- 2.3. "General Assembly" shall mean the meeting of the General Assembly as set out in the Constitution.
- 2.4. "Clerk" shall mean the Clerk of the Métis Nation Legislative Assembly.
- 2.5. "Conflict of Interest" shall exist when an immediate family member of a member of the Métis Nation Legislative Assembly is either an Appellant or a Respondent in an appeal before the Assembly. An immediate family member is defined as father, mother, stepfather, stepmother, foster parent, brother, sister, spouse (including a common law spouse), child (including a child with a common law spouse), ward, father-in-law, mother-in-law or relative permanently residing with a member or any close personal or business associate.
- 2.6. "Deputy Speaker" shall mean the Deputy Speaker of the Métis Nation Legislative Assembly.
- 2.7. "Dumont Scout" shall mean the person responsible for the keeping of the peace at the Métis Nation Legislative Assembly, named in honour of Dumont's peacemakers historically called 'Scouts.'
- 2.8. "Executive" shall mean the Executive members of the Métis Nation Legislative Assembly/ Provincial Métis Council who are elected province-wide.
- 2.9. "Locals" shall mean the Métis Nation of Saskatchewan Locals as set out in the Constitution.
- 2.10. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation, as set out by the Constitution.
- 2.11. "Order of the Day" shall mean the compilation of documentation for members of the Métis Nation Legislative Assembly including the Agenda, Reports, Minutes, Appeal Documents, Draft Legislation, Motions and Constitutional Amendments to be tabled at the Métis Nation Legislative Assembly.

- 2.12. "Provincial Métis Council" shall mean the Regional Representatives, the Executive, and one representative from the Métis Women of Saskatchewan.
- 2.13. "Regions" shall mean the Métis Nation of Saskatchewan Regions as set out in the Constitution.
- 2.14. "Senate" shall mean the Métis Nation of Saskatchewan Senate.
- 2.15. "Speaker" shall mean the Speaker of the Métis Nation Legislative Assembly.

ARTICLE THREE - COMPOSITION OF THE MÉTIS NATION LEGISLATIVE ASSEMBLY

3. In this Act:

3.1. The Métis Nation Legislative Assembly shall be composed of:

3.1.1. The Provincial Métis Council ;

3.1.2. The Presidents of duly registered Locals of the Métis Nation of Saskatchewan; and

3.1.3. Four Representatives of the Métis Women of Saskatchewan.

3.2. In the event, that a Local President is unable to attend the Métis Nation Legislative Assembly, and has taken a leave of absence from his/her office as President, the Vice President may attend as Acting President. In order to make amendment to the list of members of the Métis Nation Legislative Assembly, the Local President must submit a written appointment to the Clerk of the Legislative Assembly to have the Vice President listed as a legitimate member of the Legislative Assembly for Voting and Quorum purposes.

ARTICLE FOUR - VOTING AND QUORUM

4. In this Act:

4.1. Seventy-five (75) members of the Métis Nation Legislative Assembly constitutes a quorum of the Métis Nation Legislative Assembly.

4.2. The members shall be identified through a Roll Call registry at the Opening of the Legislative Assembly. The Roll Call will be used to determine quorum and voting.

4.3. Resolutions, ratification and appointments shall be made by a simple majority of the Roll Call, quorum being the minimum.

- 4.4. Constitutional amendments shall require seventy-five percent (75%) of the members of the Roll Call, quorum being the minimum.
- 4.5. Any decision ratified by the Métis Nation Legislative Assembly shall be binding on all Métis Nation of Saskatchewan citizens, subsidiary bodies and Affiliates.

ARTICLE FIVE - SPEAKER OF THE MÉTIS NATION LEGISLATIVE ASSEMBLY

5. The Speaker and Deputy Speaker will:

- 5.1. Be appointed by the Provincial Métis Council and ratified by the Métis Nation Legislative Assembly.

- 5.1.1. The term of appointment for the Speaker or Deputy Speaker will be for two years subject to re-appointment.

- 5.1.2. Appointments for Speaker and Deputy Speaker may be made from within or outside the Métis Nation Legislative Assembly.

- 5.2. Be responsible for the procedures, rules, debates and decorum of the Legislative Assembly.

- 5.3. Receive the list of members and seating arrangements of the Legislative Assembly from the Clerk as established by the Roll Call.

- 5.4. Approve all participation in debates and voting.

- 5.5. Secure a written record of the Legislative Assembly and certify the minutes.

- 5.6. Require Dumont's Scout to expel for the remainder of the day any member or observer from the Legislative Assembly for failing to follow the ruling of the Speaker.

- 5.7. Ensure that only Legislative Assembly members are seated in the Assembly with all other observers seated in designated areas.

- 5.8. Approve all documentation to be circulated to Legislative Assembly members.

- 5.9. Also hold the seats of Chairperson and Co-chairperson of the Annual General Assembly.

ARTICLE SIX - CLERK

6. The Clerk of the Métis Nation Legislative Assembly will:

- 6.1. Be the Chief Executive Officer of the Métis Nation of Saskatchewan.

- 6.2. Be responsible for compiling the necessary documentation for the Order of the Day.

- 6.3. Be responsible for the agenda of the Métis Nation Legislative Assembly as directed by the Provincial Métis Council.
- 6.4. Obtain and hold a certified copy of the minutes from the Speaker of the Métis Nation Legislative Assembly.
- 6.5. Provide the certified minutes of the Métis Nation Legislative Assembly to the members of the Métis Nation Legislative Assembly.
- 6.6. Secure, by contract, an independent person or agency to duly record the minutes and procedures of the Métis Nation Legislative Assembly.
- 6.7. In the case of Appeals to the Métis Nation Legislative Assembly, verify that the Appellant has met the legislative and regulatory requirements for Appeal, and if so, forward the Appeal to the Provincial Métis Council for their consideration as an addition to the Agenda.
- 6.8. Be responsible for notifying the Appellant and Respondent of the status and decision regarding the request for Appeal to the Métis Nation Legislative Assembly.
- 6.9. Ensure that the necessary staff are in place for the running of the Assembly and may appoint a Deputy Clerk to assist in carrying out these duties.
- 6.10. Also hold the seat as Clerk at the Annual General Assembly.

ARTICLE SEVEN - SENATE

7. The Senate will:
 - 7.1. Have a Ceremonial Role in the Métis Nation Legislative Assembly by:
 - 7.1.1. Giving Opening and Closing Prayers
 - 7.1.2. Swearing-In any new members
 - 7.2. Table a report to the Métis Nation Legislative Assembly, including recommendations on any Appeals or Disputes, by submitting a written report to the Clerk prior to the thirty day deadline of the Métis Nation Legislative Assembly to be compiled in the Order of the Day.
 - 7.3. Be available to the Métis Nation Legislative Assembly for clarification on any recommendations.
 - 7.4. Be available to the Métis Nation Legislative Assembly for advice and direction as required.

ARTICLE EIGHT- DUMONT'S SCOUT

8. In this Act:

- 8.1. Dumont's Scout will be appointed by the Provincial Métis Council to maintain order and procedure during the Assembly.

ARTICLE NINE - REPORTING

9. With the exception of sittings of the Metis Nation Legislative Assembly to conduct special business, the following written reports will be tabled at the Métis Nation Legislative Assembly and included in the Order of the Day:

- 9.1. Executive Reports;
- 9.2. Regional Representative Reports;
- 9.3. Métis Women of Saskatchewan Report;
- 9.4. Ministerial Reports, including, where applicable, Affiliate reports and audits;
- 9.5. Senate Report;
- 9.6. Provincial Métis Youth Council Report; and
- 9.7. Any other reports required by the Constitution or Legislation.

ARTICLE TEN- MINUTES

10. In this Act:

- 10.1. The Minutes of the Métis Nation Legislative Assembly will be:
 - 10.1.1. Contracted out to an independent person or agency.
 - 10.1.2. Forwarded to the Clerk of the Legislative Assembly.
 - 10.1.3. The Minutes of the last Métis Nation Legislative Assembly will be included in the Order of the Day.

ARTICLE ELEVEN - LEGISLATION

11. In this Act:

- 11.1. New Legislation:

11.1.1. Will be tabled with the Clerk as per Constitutional and legislative requirements and included in the Order of the Day.

11.1.2. May be tabled only by the members of the Metis Nation Legislative Assembly.

11.1.3. Be ratified by the Métis Nation Legislative Assembly.

11.1.4. Be given a date upon which it will come into force.

11.2. Legislative Amendments will:

11.2.1. Be tabled by a member of the Métis Nation Legislative Assembly with the Clerk at least thirty (30) days in advance of the Assembly and included in the Order of the Day.

11.2.2. Be ratified by the Métis Nation Legislative Assembly.

11.2.3. Be given a date upon which it will come into force.

11.3. The President of the Métis Nation Legislative Assembly shall cause a certified copy of the Act and of any amendments made to it to be deposited in:

11.3.1. The legislative record of the Métis Nation Legislative Assembly held by the Secretary of the Métis Nation Legislative Assembly and situated in the Métis Nation of Saskatchewan's head office;

11.3.2. The regional offices of the Métis Nation of Saskatchewan; and

11.3.3. Such other places as the President considers necessary.

ARTICLE TWELVE - CONSTITUTION

12. Constitutional Amendments will:

12.1. Be forwarded to the Clerk according to Constitutional requirements and be included in the Order of the Day, if one of the two following conditions are met:

12.1.1. Include approval by the Provincial Métis Council by virtue of signatures or resolution attached to the proposed constitutional amendment; or

12.1.2. Include approval by five (5) members of the Métis Nation Legislative Assembly by virtue of signatures attached to the proposed constitutional amendment.

ARTICLE THIRTEEN - APPEALS

13. By this Act:

13.1. A person may Appeal to the Métis Nation Legislative Assembly on citizenship, provided they have fulfilled the legislative requirements of the citizenship appeal process, by submitting a written report to the Clerk forwarded by registered mail including the grounds of their Appeal, any correspondence regarding the Appeal and the ruling of the Citizenship Appeal Board.

13.2. A person may Appeal to the Métis Nation Legislative Assembly on an election, provided they have fulfilled the legislative requirements of the election appeals process, by submitting a written report to the Clerk forwarded by registered mail including the grounds of their Appeal, any correspondence regarding the Appeal and the ruling of the Métis Election Commission.

13.3. The Métis Nation Legislative Assembly shall have the right to determine how it will deal with such Appeals, by either:

13.3.1. Adoption of the ruling of the Métis Election Commission or the Citizenship Appeal Board; or

13.3.2. Hear arguments based on the findings of fact by the Métis Election Commission or the Citizenship Appeal Board.

13.4. Where the Assembly chooses to hear arguments, the following procedure will be followed:

13.4.1. The Appellant and Respondent will be each given five (5) minutes to present their argument and two (2) minutes each to reply.

13.4.2. The Métis Nation Legislative Assembly will then render a decision through resolution.

13.5. Where a member of the Métis Nation Legislative Assembly is in a situation of conflict of interest on the matter at hand, the member must remove him/herself from the appeal process at the Assembly by declaring the conflict and refraining from debating and voting while the conflict remains.

ARTICLE FOURTEEN - PROCLAMATIONS

14. The Métis Nation Legislative Assembly is responsible to proclaim:

14.1. The date of the next Métis Nation of Saskatchewan election, as set out in the Election Act.

14.2. Holidays and days of commemoration, such as Louis Riel Day.

ARTICLE FIFTEEN - AFFILIATES

15. In this Act:

- 15.1. As per Article 14. 1. A of the Métis Nation of Saskatchewan Constitution, the Métis Nation Legislative Assembly, on behalf of the Métis Nation of Saskatchewan, shall exercise all voting rights, powers, and duties of ownership in relation to the affiliates, based upon the recommendation of the Provincial Métis Council.
- 15.2. The Affiliates will be responsible to submit an annual report including the audit to the Métis Nation Legislative Assembly through their Minister.

ARTICLE SIXTEEN - ENACTMENT

16. This Act:

- 16.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.
- 16.2. Is binding on all citizens of the Métis Nation of Saskatchewan and its Affiliates and organizations.
- 16.3. Has received ratification by the Métis Nation Legislative Assembly this 6th day of November, 1999.