

NEW

**ELECTION REGULATIONS
METIS ELECTIONS COMMISSION
METIS NATION OF SASKATCHEWAN**

REGULATION I

These Regulations apply to "Regional" and "Provincial" elections.

REGULATION II

For the purposes of these Regulations the following definitions apply, viz:

1. "Member of the Metis Nation of Saskatchewan" (Member) - means a Metis person who meets the criteria for membership as set out in the constitution of the Metis Nation of Saskatchewan "MNS");
2. "Elector" - means a Member who is entitled to vote for a candidate for an office pursuant to Regulation III hereof.
3. "Candidate" - means a person who
 - (a) is a Member of the MNS;
 - (b) is entitled pursuant to Regulation III hereof to vote for the specific office for which she is a candidate; and
 - (c) is duly nominated pursuant to Regulation V hereof as a candidate for that office.
4. "Election" - means an election duly called pursuant to the constitution of the MNS.
5. "Metis Election Committee" - means three Senators who are appointed pursuant to the constitution of the MNS and who are responsible to oversee and conduct the general election and by-elections of the MNS.
6. "Chief Electoral Officer" - means the person appointed by the Metis Elections Commission of the MNS to set, manage and conduct elections.
7. "Local Deputy Returning Officer" - means the person appointed by the Chief Electoral Officer to manage and conduct voting procedures at polls within each Local as provided for in this Regulation.
8. "Local" - means a committee of Metis people established at the community level pursuant to the constitution of the MNS and is the basic unit of organization in each community.
9. "Region" - means one of the Regions of the MNS as described in the constitution of the MNS.
10. "Scrutineer" - means a person appointed by a candidate to represent his or her interest at a polling station and to act as an agent of the candidate.
11. "Election Officer" - means the Chief Electoral Officer, the Local Deputy Returning Officer or Poll Clerk as established in these Regulations.

12. "Polling Station" - means the place where electors may vote as established by the Chief Electoral Officer.
13. "Presidential Candidate" - means duly nominated persons entitled to run for the office of President of the MNS.
14. "Candidate for Secretary" - means the duly nominated persons entitled to run for the Office of Secretary of the MNS.
15. "Candidate for Treasurer" - means the duly nominated persons entitled to run for the office of Treasurer of the MNS.
16. "Regional Representative Candidate" - means the duly nominated persons entitled to run for the Office of Representative for a Specific Region of the MNS.
17. "Poll Book" - means the register of electors maintained by each Local Deputy Returning Officer.

REGULATION III

Qualifications of Electors

1. Any Member who resides, and who has resided therein, for at least six months, in the Region where a Regional election is being held and who is sixteen year of age or older is entitled to vote in that election for the Office of Regional Representative, and is entitled to vote in any election for the offices of President, Secretary and Treasurer of the MNS.
2. The following rules apply for the purpose of determining an individual member's residence:
 - (a) "Community" - means, for the purposes of Regulation III.2, Local or Region whichever the case may be.
 - (b) "Fixed Home" - the physical residence of a person is his true, fixed permanent home or lodging place to which whenever he is absent he has the intention of returning. Evidence based upon the address shown on the person's last income tax return, driver's license, Saskatchewan Hospitalization card, or any other governmental material shall be conclusive evidence of the fixed home address of the person.
 - (c) "Temporary Residence" - a person shall be deemed not to have gained a residence in the community if he comes for temporary purposes to that community without the intention of making some place therein his home. A person does not lose her residence by leaving her home for temporary purposes.
 - (d) "Leaving the Community" - if a person leaves a community with the intention of making her residence elsewhere she loses her residence in the community which she leaves.
 - (e) "Indefinite Absence" - if a person removes himself to a place outside a community with the intention of making that place his place of residence for an indefinite time he loses his residence in the community notwithstanding that he entertains the idea or intention of returning at some future time.

- (f) "Regular Lodging" - a residence of a single person is the place where she occupies a room as a regular lodger or to which she habitually returns not having any other permanent lodging place.
 - (g) "Computation of Time" - the time of residence shall be computed by including the day in which the person's residence commences and also the day in which the election is to be held.
3. A person shall be deemed to have only one place of residence for purposes of these Regulations.
 4.
 - (a) If a person claims to have two or more residences then for the purposes of these Regulations he must select with the head office or the Chief Electoral Officer once an election is declared and declare one of the residences to be his actual residence and he is precluded from changing that selection for sixty (60) days.
 - (b) Any person claiming two or more residences must select the residence to be used for the purposes of the Election by filing, in writing, such selection supported by appropriate documentary evidence and a sworn declaration:
 - (i) in the case where a Chief Electoral Officer, has been appointed, and is serving, with the Chief Electoral Officer;
 - (ii) in all other cases with the President or his or her designate.
 5. An Elector is entitled to only one vote for each office for which an election is held.

REGULATION IV **Appointment of Local Returning Officials**

1. The Chief Electoral Officer shall appoint for each Local where a polling station is to be established:
 - (a) a Local Deputy Returning Officer;
 - (b) a Poll Clerk to assist the Local Deputy Returning Officer.
2. A person appointed as either a Local Deputy Returning Officer or Poll Clerk shall hold office from the time appointed until thirty (30) days after the election of which that person has been appointed has been completed.
3. Where a vacancy occurs in the office of Local Deputy Returning Officer or Poll Clerk for any reason, or if the Local Deputy Returning Officer or Poll Clerk is unable or unwilling for any reason to act then the Chief Electoral Officer shall forthwith appoint another person to fill the vacancy so created.

REGULATION V **Nominations of Candidates for Election**

1. Nominations shall be in writing and shall include a written acceptance of the nomination by the candidate.
2. All nominations shall be signed by the person making the nomination and by an additional five (5) individual members who shall attest their support of the nomination.

3. In the case of elections for Regional Representative, all nominations shall be made and supported by members who reside in the relevant Region.
4. Nominations of candidates for any elected position shall be filed with the Chief Electoral Officer and he shall receive them on a day not less than thirty (30) days prior to the election for which the candidate wishes to be nominated, any time up to 5:00 o'clock in the afternoon thereof at such place that he appoints.
5. The Chief Electoral Officer shall give at least thirty (30) days notice of the date, time and place when and where she will receive nominations. Such notice shall be posted in the Head Office of the MNS and in the office of each relevant Regional Office, and shall be placed in at least one newspaper with a general circulation in the relevant Region or Regions, or Province, as the case may be.
6. The qualifications of candidates for office in the Legislative Assembly shall be:
 - (a) Only individual members of the MNS of sixteen years of age or older shall be entitled to stand as candidates for elected office in the MNS.
 - (b) Any candidate who accepts a nomination for any office must, if employed by the MNS, apply for a leave of absence from such employment at least thirty (30) days prior to the Election Date, effective on the date he files such nomination. All such applications for a leave of absence shall be granted. The leave of absence shall be tendered in writing to the Chief Electoral Officer along with the nomination and the candidate's acceptance of the nomination.

REGULATION VI **Proceedings on Acclamation**

Where only that number of candidates for any particular office or offices as is equal to the number of offices to be filled is nominated within the time limited therefore, the Chief Electoral Officer shall declare the candidate or candidates nominated duly elected to that office or those offices.

REGULATION VII **Where Too Few Candidates Nominated**

Where the number of nominations of candidates for a particular position received by the Chief Electoral Officer pursuant to this Regulation is less than the number of offices to be filled the Chief Electoral Officer shall declare those candidates whose nominations were received by the deadline set out herein as being elected. The Chief Electoral Officer shall then set an additional day for the receipt of additional nominations for the remaining positions which nominations shall be received prior to 5:00 o'clock p.m. on the day established at such place as the Chief Electoral Officer appoints.

REGULATION VIII **Proceedings Where Poll Required**

Where more candidates are nominated for any particular office than are required to be elected the Chief Electoral Officer shall:

1. Forthwith publicly announce the names of the candidates and the date and time when the polls will be open for the taking of votes for the candidates nominated.

2. Within ten (10) days after the nomination post up in each Regional Office a notice showing:
 - (a) the names of the candidates nominated;
 - (b) the date and time and place where polls will be open for the taking of votes for the candidates nominated.

REGULATION IX **Withdrawals**

Any candidate nominated for any particular office may before 2:00 o'clock in the afternoon of the second day following the nomination day, tender his/her withdrawal in writing to the Chief Electoral Officer who shall accept.

REGULATION X **Death of a Candidate**

Where a candidate dies after being nominated, and before the close of the poll, the Chief Electoral Officer shall fix a new day for the nomination of candidates and for polling and the nomination day shall be the nearest day practicable after allowing a reasonable time period between the new posting of the notice of the election and the nomination day. She shall forthwith make a report thereof to the Metis Elections Commission and with her report shall state the cause of the postponement of the election.

REGULATION XI **Time, Place and Manner of Holding Elections**

1. Elections for Regional Representatives shall be held at polls designated by the Chief Electoral Officer within their respective Regions and one poll should be established in each Local.
2. Elections for the Office of President shall be held at polls designated by the Chief Electoral Officer within the province.
3. Polling shall begin at 8:00 o'clock in the forenoon and close at 8:00 o'clock in the afternoon of the same day.
4. No polling place shall be established by the Chief Electoral Officer in premises in which a candidate has any legal interest or estate.
5. The polling place shall be accessible to disabled and handicapped persons.

REGULATION XII **Ballot Papers**

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

REGULATION XIII **Contents of Ballot Papers**

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.

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

REGULATION XIV Voting Compartments and Materials

The Local Deputy Returning Officer shall ensure that a proper compartment in which the elector can mark his ballot screened from observation, is provided at each polling place.

REGULATION XV

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

No campaign material, literature or activity shall be permitted within one (1) kilometre of the polling place. For purposes of this Regulation campaigning activity includes the continued presence of a candidate or his representatives but not the continued presence of the Scrutineer appointed by the specific candidate for the specific poll, and campaigning includes any activity intended to influence voting.

REGULATION XVI Secrecy of Voting

Every Local Returning Officer, Poll Clerk, candidate and scrutineer of a candidate in attendance at a polling place or at the counting of the ballots or of both shall maintain and aid in maintaining the secrecy of the voting and he/she shall not communicate or attempt to communicate any information obtained at the counting of the ballots as to any candidate for whom any vote is given in any particular ballot paper or by any particular elector.

REGULATION XVII Voting by Ballot

Where a poll is required at an election the vote shall be given by secret ballot.

REGULATION XVIII

All Local Deputy Returning Officers 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 then lock the box and place his seal upon it in such a manner as to prevent it from being opened without breaking the seal and he 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. In the event that the ballot box leaves the polling station during the hours of voting, the ballot papers within that box shall be considered invalid. For the purpose of this Regulation, no polling station shall be established in motorized vehicles such as autos, motor homes, etc. or trailers or buses.

REGULATION XIX Persons Entitled to be Present

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 Clause 2, 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.

2. A candidate may at any time after her nomination appoint in writing a scrutineer to act on her behalf in the polling place and upon appointing a scrutineer the candidate shall hand the written appointment to the scrutineer who shall hand it to the Local Deputy Returning Officer for the Polling station for which she is appointed.

REGULATION XX **General Proceedings at Polling Station**

Where a person claiming to be an elector presents himself at the polling station for the purpose of voting the Local Deputy Returning Officer shall, subject as provided herein, proceed as follows, namely:

1. He shall, if having reasonable grounds to believe that the elector may not be qualified as a member of the Metis Nation of Saskatchewan, request of that elector sufficient proof such that the elector meets the requirements of membership pursuant to the Constitution of the Metis Nation of Saskatchewan; further to this end, the Local Deputy Returning Officer may require any such elector to produce a Saskatchewan Hospitalization Card, and if upon such request, the Saskatchewan Hospitalization Card cannot be produced, then the Local Deputy Returning Office can automatically deny that person a vote.
2. He shall require that person to make a declaration in the form appended hereto as Schedule "A" (Voter Declaration Form).
3. He shall witness the signature of the Elector on the Voter Declaration Form.
4. A person who refuses to make the declaration when required to do so shall not be given a ballot paper and shall not vote.
5. After the Voter Declaration Form is properly attested, he shall record the elector's name and address in the Poll Book.
6. He shall require the elector to sign his name opposite the place where it appears in the Poll Book maintained by the Local Deputy Returning Officer.
7. The Local Deputy Returning Officer either personally or through her Poll Clerk shall explain to the person voting as concisely as possible the way in which voting is to be done, including but not limited to the following:
 - (a) that the Voter may vote for only one candidate;
 - (b) that the Voter should indicate his/her choice by marking an "X" in the space beside the name of the candidate he or she supports;
 - (c) that if the Voter's address is within the region, they will be given a ballot for all four (4) candidates including the President, Treasurer, Secretary and Regional Director but if the home address is outside the Region, they will be given only the ballots for the provincial candidates including the President, Treasurer and Secretary;
 - (d) that the Voter must vote alone; and

- (e) that the Voter should fold the paper across in the same manner it was folded when delivered to him or her by the Deputy Local Returning Officer so as to expose the initials of the Deputy Returning Officer and shall leave the compartment. He shall without delay and without showing the front of the ballot paper to anyone or so displaying the ballot paper so as to indicate the candidate or candidates for whom he has voted deliver the ballot paper so folded to the Deputy Returning Officer.
8. The Local Deputy Returning Officer shall fold the ballot in three and initial the back of the ballot paper in such manner that the initial may be visible when the ballot is folded in three and deliver it to the person who has signed opposite his own name in the Poll Book.

REGULATION XXI **The Marking of Ballots**

Upon receiving from the Local Deputy Returning Officer the ballot paper the elector shall forthwith proceed to the voting compartment provided for the purpose and shall there and then mark her ballot paper by placing a mark on the right hand side opposite the name of the candidate for whom she desires to vote or any other place within the division on the ballot that contains the name of that candidate.

REGULATION XXII **Delivery of Ballot**

The elector shall then fold the paper across so as to conceal the names of the candidates and the mark upon the face of the paper, so as to expose the initials of the Local Deputy Returning Officer and shall leave the compartment. He shall without delay and without showing the front of the ballot paper to anyone or so displaying the ballot paper so as to indicate the candidate or candidates for whom he has voted deliver the ballot paper so folded to the Local Deputy Returning Officer.

REGULATION XXIII

The Local Deputy Returning Officer without unfolding the ballot paper or in any way disclosing to herself or to any other person the name of any candidate or the marks made by the elector shall verify her own initials and in the presence of those people present deposit the ballot paper in the ballot box and the elector shall forthwith leave the polling place.

REGULATION XXIV

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

REGULATION XXV **Forfeiture of Voting Right**

Where a person leaves the polling place without first delivering her ballot paper to the Local Deputy Returning Officer in the manner prescribed or returns it after declining to vote she thereby forfeits her right to vote and the Local Deputy Returning 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.

REGULATION XXVI Voting by Incapacitated Person

1. Notwithstanding any other provision in this Regulation where a person claiming to be entitled to vote presents himself for the purpose of voting at a polling place and makes a declaration that he is unable to read or is incapacitated by blindness or other physical cause, when marking his ballot paper the Local Deputy Returning Officer shall proceed as follows:
 - (a) she shall:
 - (i) in the presence of any scrutineer of the candidates who are then present in the polling place 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; or
 - (ii) if a person is accompanied by a friend, permit the friend to accompany the person into the voting compartment and mark the person's ballot paper for her.
 - (b) she shall state or cause to be stated in the poll book by entering opposite the name of that person that the vote is marked pursuant to this provision and the reason that it is so marked.
 - (c) the declaration of inability to read or incapacity to mark the ballot paper shall be made before, attested by, and given to the Local Deputy Returning Officer at the time of voting.

REGULATION XXVII

Duties of Local Deputy Returning Officers respecting spoiled and declined

ballots:

1. Immediately after the closing of the poll the Local Deputy Returning Officer in the presence of the Poll Clerk and the candidates' scrutineers who may be there shall:
 - (a) count the number of spoiled and declined ballots and place them all in an envelope marked "spoiled and declined ballots" seal it up and endorse thereon the number of such ballots therein contained.
2. Similarly, the Local Deputy Returning 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).

NUMBER OF NAMES ON LIST _____

NUMBER WHO VOTED _____

WE HEREBY CERTIFY THAT THE ABOVE STATEMENT IS CORRECT
DATED AT _____, THIS _____ DAY OF _____, 19____

LOCAL DEPUTY RETURNING OFFICER SIGNATURE

POLL CLERK SIGNATURE

SIGNATURE OF SCRUTINEER (if they wish to sign)

3. The Local Deputy Returning Officer shall then open the ballot box and count the number of ballot papers therein and record the result.

4. Ballots to be Rejected

Subject to subsection (7), (8) and (10) in making the count, the Local Deputy Returning Officer shall reject any ballot that:

- (a) has not been supplied by her; or
- (b) has not the symbol "X" marked thereon; or
- (c) has the symbol "X" set opposite the names of more candidates than are to be elected; or
- (d) has the symbol "X" and some other figure set opposite the name of the candidate; or
- (e) does not show for which candidate the vote is given; or
- (f) has any mark or writing made by the voter by which she may be identified.

5. Objections to be Noted in Poll Book

- (a) The poll book shall be divided into a column containing the names of electors who signed a Declaration to Vote, a column for the signature of electors next to their names on the list and a column for remarks by election officers.
- (b) The Local Deputy Returning Officer shall make a note in the Poll Book of every objection to a ballot paper by a scrutineer and shall decide any questions arising out of the objection. The Officer's decision shall be final and subject to reversal only on a recount or on a petition questioning the decision or the return.

6. Every objection noted in the Poll Book shall be numbered and a corresponding number placed on the back of the ballot paper and initialled by the Local Deputy Returning Officer.

7. Marks Allowed on the Ballot

Subject to subsection (8) the ballot paper is not invalid merely because the voter without

any apparent intention of identification has marked his vote out of or partly out of its proper space if the mark clearly indicates the candidate for whom he evidently intended to vote or has marked his ballot 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.

8. A ballot paper shall not be rejected merely because the voter without apparent intention of identification has marked her vote with a writing instrument other than the pencil provided for the purpose.
9. The Local Deputy Returning Officer shall endorse:
 - (a) "rejected" on any ballot that he rejects as invalid;
 - (b) "rejection objected to" on any ballot paper where an objection is made to his decision to reject the ballot; and
 - (c) "objected to but counted" on any ballot paper objected to but counted by him.

Then he shall place the ballot papers in separate envelopes provided according to whether they are endorsed "rejected", "rejection objected to" or "objected to but counted" and shall seal up the envelopes and record the number of ballot papers in each and in particular shall keep a careful account of the ballot papers that are endorsed "objected to but counted".

10. Counting the Ballots Allowed

The Local Deputy Returning 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 such other symbol as allowed under subsection (7) and shall credit each candidate with one vote in respect to each vote given for her on an un-rejected and un-objected ballot and on each ballot objected to but counted.

11. The Local Deputy Returning 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 her and the Poll Clerk and such other scrutineers of the candidates as may be present and desire to sign.

12. Disposition of Copies

One copy of the statement shall be attached to the poll book and the second shall be retained by the Local Deputy Returning Officer to be forwarded to the Chief Electoral Officer.

13. After making the statement mentioned in subsection (11) the Deputy Returning Officer shall in the presence of the persons authorized to attend make up into separate packets:
 - (a) the statement of poll;
 - (b) the used ballot papers that have been objected to and have not been counted;
 - (c) the ballot papers that have been objected to but that have been counted;

- (d) the rejected ballot papers not objected to;
 - (e) the rejected ballot papers objected to;
 - (f) the spoiled and declined ballot papers;
 - (g) the discarded ballot papers;
 - (h) the unused ballot papers;
 - (i) the poll book with the declaration of the Local Deputy Returning Officer therein;
 - (j) the list of electors used at the poll;
 - (k) the declaration of electors;
 - (l) the statement of the number of electors marked by the Local Deputy Returning Officer under the heads "physical incapacity" and "unable to read" with the declaration of the inability and the notes taken of objections made to ballot papers found in the ballot box; and
 - (m) all other documents that were completed, prepared or used at the election.
14. The Local Deputy Returning Officer shall seal each of the packets mentioned in subsection (13) with her own seal and such scrutineers of the candidates as desire may affix their seals and signatures.
15. The Local Deputy Returning Officer shall mark on the outside of each of the packets a short statement of the contents thereof, the date of the election, his name and the return and the name of the election.

REGULATION XXVIII

1. The Chief Electoral Officer shall publicly declare to be elected the candidate or candidates having the greatest number of votes beginning with that candidate who has the greatest number of votes and continuing until the number of persons to be elected has been elected.
2. Where it appears that two or more candidates have an equal number of votes the Chief Electoral Officer shall at the times she declares the results of the poll state that two or more candidates, naming them, to have an equal number of votes.
3. Where it appears that each of two or more candidates has an equal number of votes and there are no other candidates having a number of votes with as great as the number of votes cast for each of the candidates having such an equality of votes, the Chief Electoral Officer shall declare each of the candidates having such an equality of votes to be elected if in the result the number of persons so elected will not be greater than the number of persons to be elected.
4. Where it appears that each of two or more candidates has an equal number of votes if:
 - (a) the number of candidates having a number of votes greater than the number of votes cast for each of the candidates having such an equality;

(b) together with the number of candidates having such an equality of votes;

is not greater in total than the number of persons to be elected the Chief Electoral Officer shall declare each of the candidates having such an equality of votes to be elected.

REGULATION XXIX **Application for Recount**

Where it appears that two or more candidates have an equal number of votes, and for any reason the Chief Electoral Officer on complying with the relevant by-laws cannot declare to be elected the full number of persons to be elected without first being determined whether any one or more of the persons apparently having such an equality of votes actually has received more votes than the other or others of those persons the Chief Electoral Officer shall on behalf of and at the cost of the Federation immediately conduct a recount of the ballots as hereinafter provided.

REGULATION XXX **Recount**

1. The Chief Electoral Officer determines the need for a recount pursuant to the preceding provision (Regulation XXIX), or
2. 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 her for the purpose the Chief Electoral Officer shall appoint a time and place where she will proceed to recount the ballots and she shall give notice thereof in writing to the Metis National Legislative Assembly, the Metis Election Commission, the Local Deputy Returning Officer, and the candidates.
3. In recounting the ballots the Chief Electoral Officer shall, subject to sub-article (4) follow the provisions which a Local Deputy Returning Officer is required to observe under these Regulations.
4. Upon the completion of the recount or as soon as he 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 in accordance with the next Regulation shall forthwith certify the result and shall then declare to be elected the candidate or candidates having the highest number of votes.

New Election Ordered

5. Where upon completing this recount:
 - (a) The Chief Electoral Officer finds that each of the two or more candidates has received an equal number of votes; and
 - (b) she 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 she shall require a new election to be held.

Date of New Election

6. Where under this Regulation the Chief Electoral Officer orders a new election to be held,

he shall fix the date upon which it shall be held.

7. Where any new election is ordered pursuant to this Regulation the candidates for election in the new election shall be only those candidates who had an equal number of votes following the recount.

REGULATION XXXI **Appeal**

1. A candidate may appeal a decision of the Chief Electoral Officer after a recount by filing a statement requesting an appeal with the Metis Election Committee within fourteen (14) days of the recount.
2. The Metis Election Committee shall forthwith direct the Chief Electoral Officer not to destroy the ballot papers pertaining to the specific election under appeal until further notice.
3. The Metis Election Committee shall investigate the results of the ballots and within seven (7) days from the filing of the appeal give notice of their decision to the candidate, the Local Deputy Returning Officer, the Metis Legislative Assembly and the Chief Electoral Officer who shall declare the candidate to be elected pursuant to a decision of the Metis Election Committee.
4. A candidate may appeal the decision of the Metis Election Committee by filing within fourteen (14) days of receiving notice of the decision of the Metis Election Committee, a statement of appeal and \$100.00 with the Metis National Legislative Assembly.
5. Within seven (7) days from the filing of the appeal, the Metis Legislative Assembly shall give notice of their decision to the candidates, the Local Deputy Returning Officer, the Metis Election Committee and the Chief Electoral Officer who shall declare the candidate to be elected pursuant to a decision of the Metis Legislative Assembly.

REGULATION XXXII **Disposition of Ballots**

1. The Chief Electoral Officer shall retain all ballot papers received by her for one month and then:
 - (a) unless she has received notice of a recount as provided for herein; or
 - (b) unless she is otherwise directed by order of the Metis Election Committee or an order of a Court having jurisdiction served on her within thirty (30) days of the day on which the election was held, she shall then cause the ballots to be destroyed in the presence of two witnesses and shall jointly make a statutory declaration that they have witnessed the destruction of the papers and the declaration shall be retained by the Chief Electoral Officer.

REGULATION XXXIII **Election Expenses**

1. The contracting for or receipt of ordinary and reasonable charges:
 - (a) by the owner or possessor of a hall or room in which public meetings for the purpose of the election are held; or

- (b) by a printer for printing lists of electors, election papers or advertisements or notices of election meetings; or
- (c) by any person for the hire of any means in conveyance used in connection with and for the purposes of the election; or
- (d) by the members of a reasonable clerical staff for the purpose of the election of a candidate(s)

are lawful and do not disqualify the owner, printer, member or such person from voting.

2. The reasonable expense incurred by an election officer for printing, providing ballot boxes, ballot papers, poll booth materials for marking ballot papers, polling compartments, transmission of packets and remuneration fixed by the Metis National Legislative Assembly shall be paid to the election officer by the Metis National Legislative Assembly.

DECLARATION OF VOTER

I, _____
(Surname) (First Name) (Second Name)
of _____, in the Metis Nation of Saskatchewan, born _____
(Day/Month/Year)

hereby declare:

1. That I am the full age of 16 years.
2. That I have been ordinarily resident in Saskatchewan for six months preceding the date hereof.
3. That I have been ordinarily resident in _____ Region for six months preceding the date hereof.
4. That I am ordinarily resident in Local _____ # _____.
5. That I have not already voted at this election.
6. That I am of aboriginal ancestry and have traditionally held myself out to be a Metis or have been recognized by the community at large as a Metis.
7. That I am not a status or registered Indian or in the process of claiming status as an Indian.

DATED _____, 1995.

Signature of Deputy Returning
Officer or Poll Clerk

Signature of Voter