

**MEETING OF THE
METIS NATION CONSTITUTION COMMISSION**

VANCOUVER, B.C.

MAY2-4, 1993

BRIEFING BOOK

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CONSTITUTION COMMISSION
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**BRIEFING BOOK
TABLE OF CONTENTS**

	TAB
1. Terms of Reference/Resolution of 5/2/93 (Vancouver)	1
2. Executive Overview of Draft Constitution	2
3. Draft Constitution of the Government & People of the Metis Nation	3
4. Draft Legislation	4
• Ministry of Justice/Legislative Affairs	
• Ministry of Economic & Employment Development	
• Ministry of Social Development, Education & Health	
• Ministry of Governance & Land Claims	
• National Anthem Act	
• National Flag of the Metis Nation Act	
• National Emblem of the Metis Nation Act	
5. Constitution of the Manitoba Metis Federation Inc.	5
6. Bylaws of the Metis Nation of Alberta	6
7. Bylaws of the Metis Society of Saskatchewan	7
8. Bylaws of the Pacific Metis Federation	8
9. Bylaws of the Ontario Metis & Aboriginal Association	9
10. Constitution & Bylaws of the Metis Nation-NWT	10

TERMS OF REFERENCE

METIS CONSTITUTION COMMISSION

Whereas the people of the Metis Nation as represented by their delegates to the assembly February 1993 declare their intention to establish a Constitution of the government of the Metis Nation.

And whereas this goal is consistent with the Metis Nation's inherent right to self-government.

It is hereby resolved that the Metis National Council establish and mandate a commission to develop a constitution for the government of the Metis Nation whose mandate shall be:

1. review and research a wide variety of existing documents relevant to the topic;
2. where feasible and in the opinion of the commission, conduct consultations;
3. receiving submissions from Metis people;
4. make progress reports to the MNC and the MNCW executive;
5. the MNC shall provide the necessary financial and human resources.

The timeframe for the work of the commission shall be:

1. the Commission shall generate an interim report by June 30, 1993;
2. a final report to be tabled in the city of Winnipeg, in the province of Manitoba on November 16, 1993.

**METIS NATIONAL COUNCIL
SPECIAL ASSEMBLY
SATURDAY, FEBRUARY 6, 1993**

CALL TO ORDER -

Meeting was called to order at 9:35 a.m. by co-chair, Senator Ed Head.

OPENING PRAYER -

Norm Chartrand

TERMS OF REFERENCE - METIS CONSTITUTION COMMISSION (Appendix 4)

Tony Belcourt tabled the Terms of Reference (Appendix 5) but stated that the Committee did not deal with the composition.

MOTION 05/02/93

MOVED BY: Larry Desmeules
SECONDED BY: Ernie Blais

THAT we establish the Commission comprised of representatives from the Metis National Council of Women and 2 Senators from each Province and Territory and once the report is complete it go back to the Board of each Province and Territory for resolution so that it become binding on the Metis National Council.

AMENDMENT TO THE MOTION: Sandra Delaronde

That the appointments by the Provincial affiliates be gender equal so that there is a male and female from each Province.

ABSETENTIONS: 1

MOTION CARRIED.

MOTION 06/02/93

MOVED BY: Ron Swain
SECONDED BY: Sid MacKey

THAT we adopt the Terms of Reference as presented with the following amendment on the time frame #2 "a final report is to be tabled in the city of Winnipeg to a special MNC assembly in the province of Manitoba on November 16, 1993".

ABSTENTION: 1

CARRIED.

MOTION 07/02/93

MOVED BY: Larry Desmeules
 SECONDED BY: Marcel St. Germaine

THAT the Commission get \$200.00 a day plus expenses.

OPPOSED: 2
 ABSTENTIONS: 3

MOTION CARRIED.

PROGRAM UPDATES

Secretary of State: Roy Jacobs
 Bob Rowe - Native Citizens Directorate

The representatives from Secretary of State did a brief update on what is happening to the funding for the 93/94 fiscal year. They stated that the Economic Statement delivered by the Finance Minister on December 2nd outlined basically reductions to grants and contributions. All the programs of Native citizens within Secretary of State fall under that category and that they are subject to a 10% reduction. Secretary of State informed the delegation that they fund the Metis National Council, the Native Council of Canada and the Inuit Tapirisat of Canada.

Ron Swain stated that the Ontario Metis Aboriginal Association had withdrawn from the Native Council of Canada 3 - 4 years ago. He asked whether Secretary of State had decreased N.C.C.'s funding? Roy Jacobs stated that they had not decreased N.C.C.'s funding.

Roy Jacobs agreed to send a message to the Minister that the funding lines have to be re-examined as far as the MNC Core Funding goes.

Sheila Genaille formally requested on behalf of the Metis National Council of Women what the funding is for the Native Council of Canada, the Metis National Council, the Inuit Tapirisat, Native Women's Association of Canada and the Inuit Women.

Bob Rowe stated that the Civil Servant's salaries had not been cut by the 10% reduction.

MOTION 08/02/93

MOVED BY: Tony Belcourt
 SECONDED BY: Larry Desmeules

MNC Special Assembly

February 5, 6, & 7, 1993

EXECUTIVE OVERVIEW

PREAMBLE—The preamble sets out the background for the Constitution.

PART I, FOUNDATIONS OF THE METIS NATION—deals with the foundation upon which the Metis Nation rests. This includes a declaration that the Metis Nation is third order of government in Canada, exercises all the rights of the Metis under section 35 of the Constitution of Canada and that until the Metis Nation enacts legislation, the laws of Canada will apply to Metis people. It recognizes that Metis people will have dual Canadian and Metis citizenship, defines the Metis and authorizes the Metis Nation Parliament to make laws to enumerate and register the Metis. Finally, this part recognizes Batoche as the Capital of the Metis Nation, and authorizes the Metis Nation Parliament to adopt a Metis Nation flag, anthem and emblem.

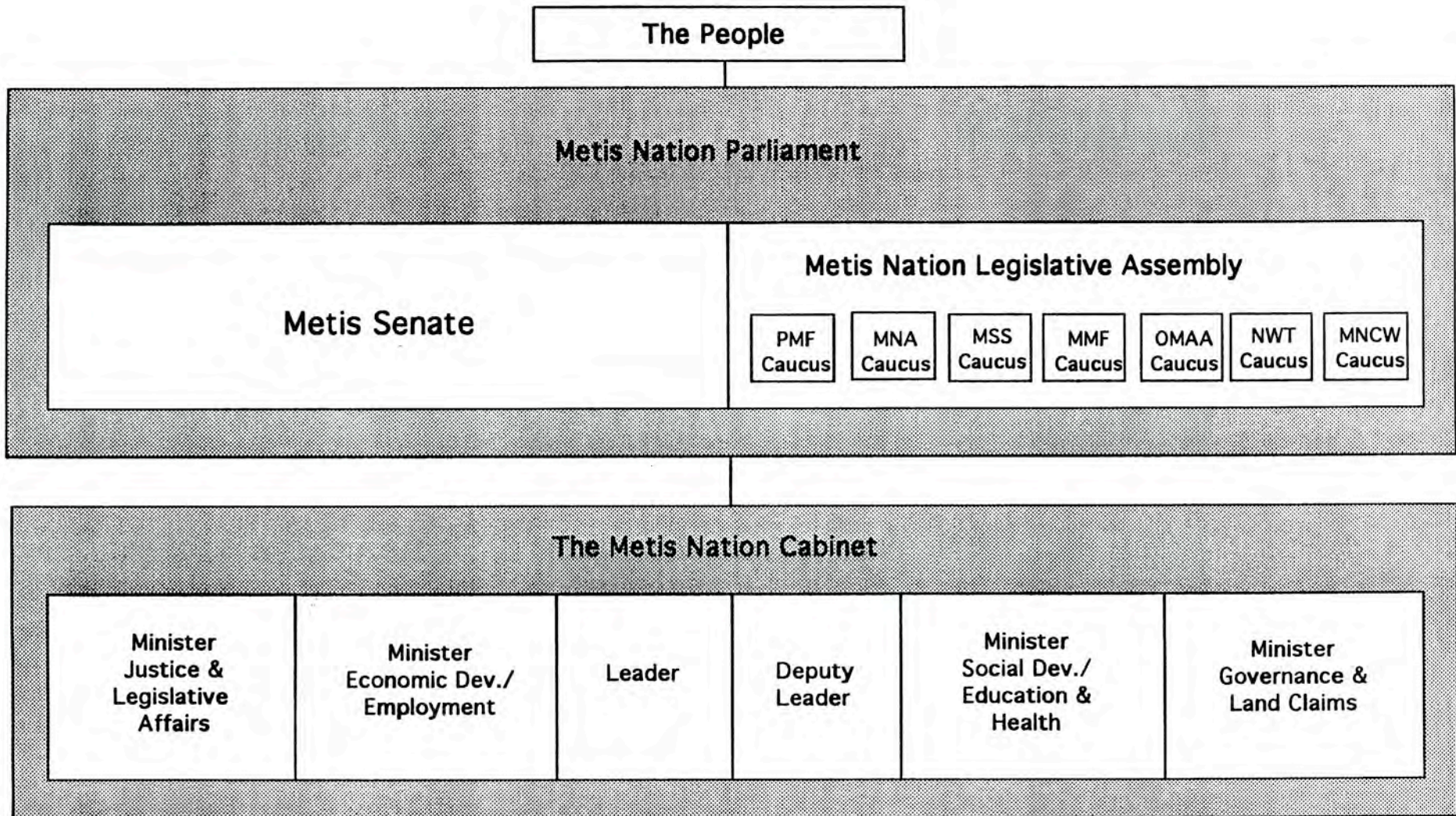
PART II, CENTRAL GOALS OF THE METIS NATION—sets out the goals of the Metis Nation. These include the restoration of a land and resource bases; the recognition of Metis jurisdiction and to seek cooperative relationships with other Canadians. It also focuses upon improving living conditions of Metis people and respecting the individual rights of Metis. Finally, it recognizes that one of the central goals is the independence of the Metis Nation and a commitment to resist any aggression upon the Metis Nation or any of its people.

PART III, PRINCIPLES OF THE METIS NATION—outlines some of the principles that are important to the Metis people including the family, education, training, employment and work. It also recognizes the importance of culture and language. This part recognizes that religion and politics should be separate and that people should have the right to express opinions so long as those opinions do not bring dishonour to the Metis Nation. Finally, it recognizes that the basis for interaction between Metis should be mutual respect, cooperation and tolerance and that all power rests with the people.

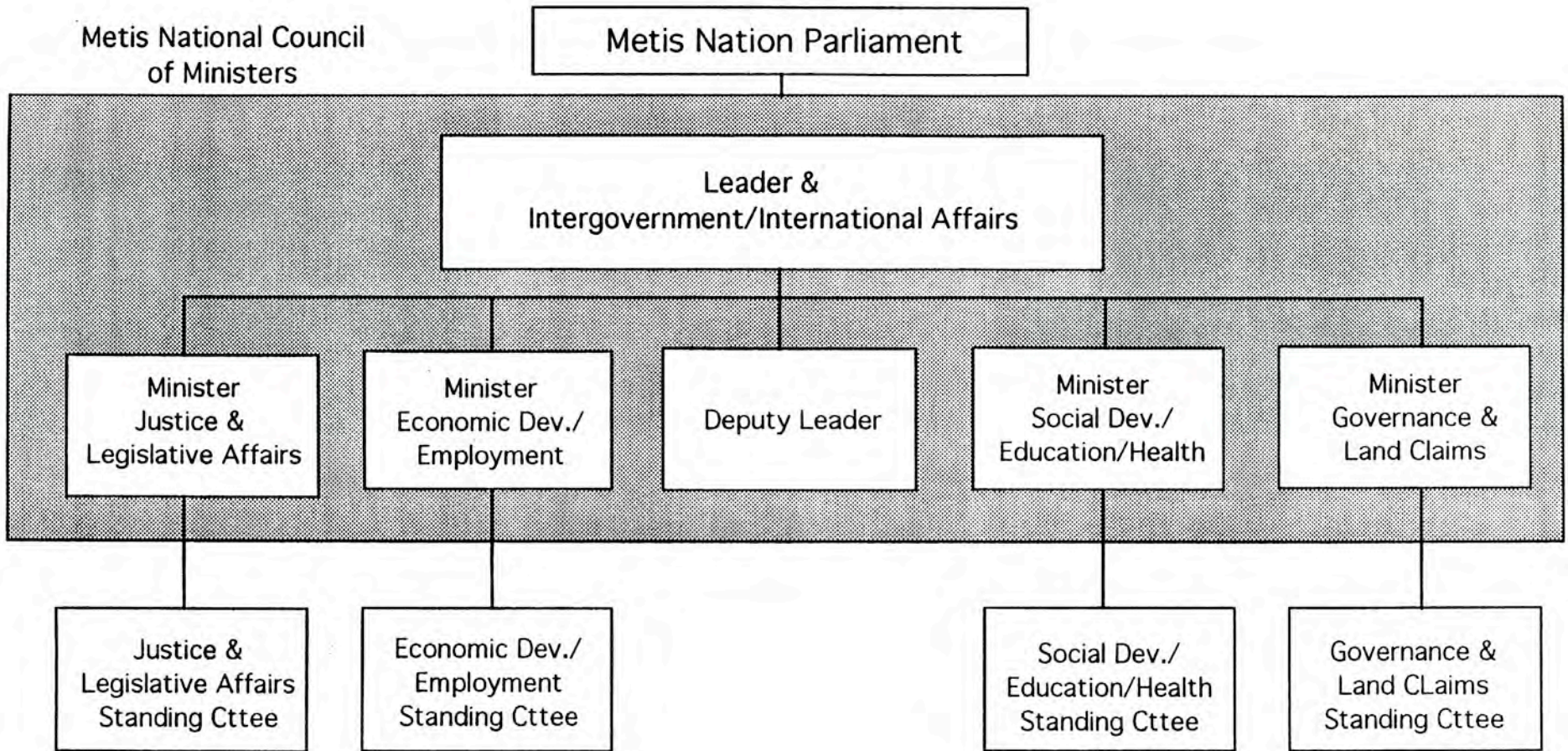
PART IV, THE METIS NATION PARLIAMENT—sets out the structures of the Metis Nation Parliament including the recognition of a Metis Nation Legislative Assembly (the Provincial boards), and a Metis National Elders Senate as the authority to enact laws and adopt motions. The composition of the legislature (how many votes and seats each provincial and/or territorial association receives) needs to be determined by the MNC Executive. This part sets out the responsibilities of the Metis Nation Legislative Assembly and the Senate and sets out the basic procedures for enacting laws and motions as well as the functioning of the Parliament. This part also requires that Members of the legislature swear an oath.

PART V, EXECUTIVE INSTITUTIONS—sets out the responsibilities of the Executive institutions including a Cabinet (the Metis National Council of Ministers) and the Leader and Deputy Leader. The composition of the Cabinet and the ministries to be created must be determined by the Executive. More importantly, the method for selecting the Leader and Deputy Leader and their term of office must be determined.

PART VI, TRANSITIONAL AND OTHER PROVISIONS—sets out the constitutional amending formula and indicates that the Constitution shall only be adopted for a three year interim period.

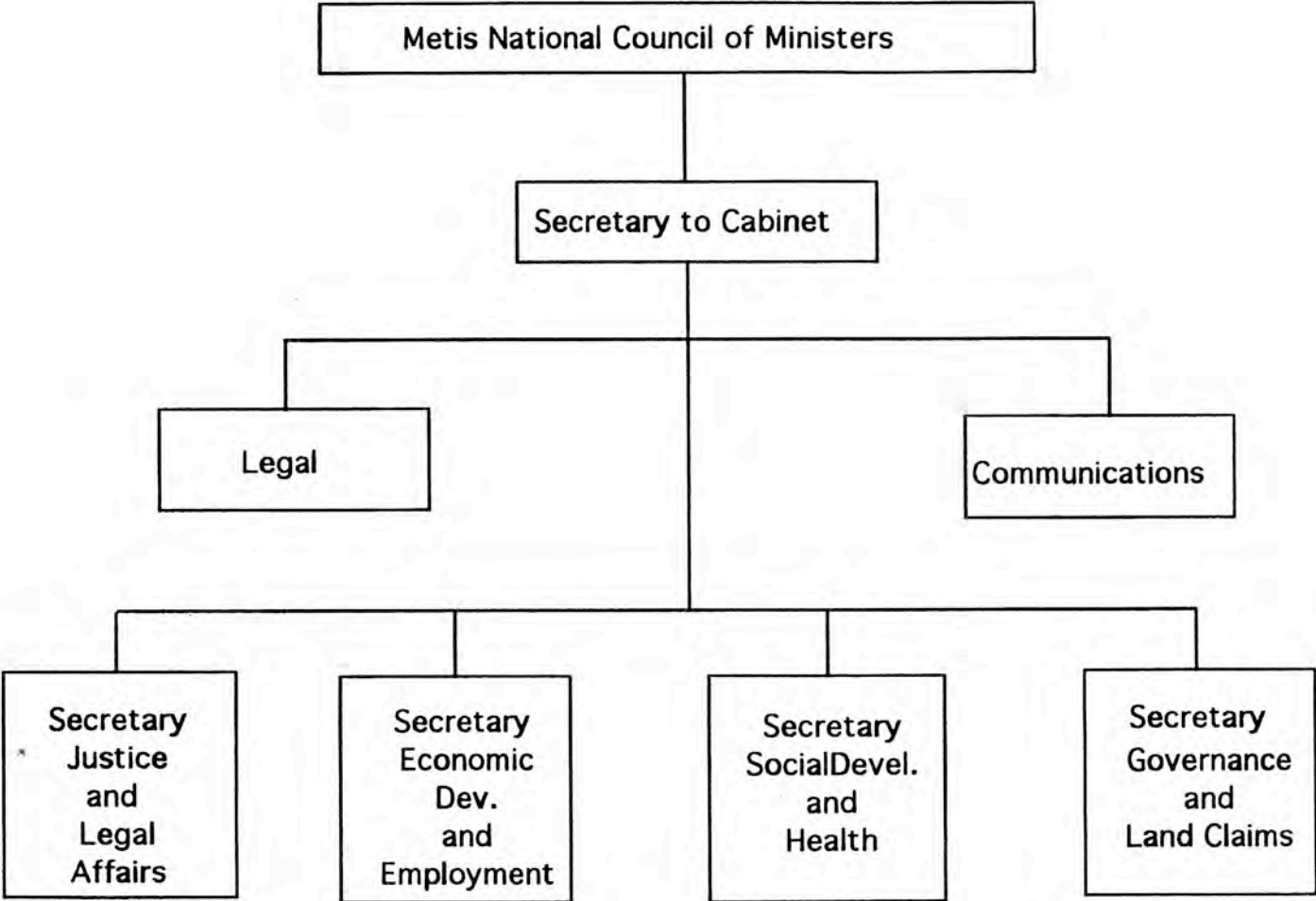


BY WAY OF EXAMPLE ONLY



BY WAY OF EXAMPLE ONLY

Metis Nation Secretariat



BY WAY OF EXAMPLE ONLY

**DRAFT CONSTITUTION OF THE GOVERNMENT
AND PEOPLE OF THE METIS NATION
TABLE OF CONTENTS**

Preamble	1
PART I	
Foundations of the Metis Nation	1
PART II	
Central Goals and Aspirations of the Metis Nation	2
PART III	
Principles of the Metis Nation	3
PART IV	
The Metis Nation Parliament.....	4
Composition and Selection of Members of Legislative Assembly	4
Oath of Allegiance	5
Responsibilities of Metis Nation Legislative Assembly	5
Composition and Selection of Metis Nation Elders Senate	6
Responsibilities of Metis Nation Elders Senate	6
Procedures of Metis Nation Elders Senate	7
Procedures of Metis Nation Parliament	7
PART V	
Executive Institutions	9
Composition and Selection of Cabinet	9
Possible Cabinet Makeup	9
Possible Ministries to be created.....	9
Oath of Allegiance	10
Responsibilities of Metis Nation Cabinet	10
Procedures of Cabinet	11
Leader and Deputy Leader	11
Oath of Allegiance	12
Responsibilities of Leader and Deputy Leader	12
PART VI	
The Public Service of the Metis Nation	13
PART VII	
Transitional and Other Provisions	13

DRAFT CONSTITUTION OF THE GOVERNMENT AND PEOPLE OF THE METIS NATION

PREAMBLE

WHEREAS the Metis people of Canada are desirous of strengthening the historic bonds among Metis people across the Metis homeland;

AND WHEREAS the Metis people of Canada share a common cultural identity, lifestyle and political will and desire to build a new foundation to protect and strengthen Metis identity;

AND WHEREAS Metis people have an inherent right to govern themselves and continue to assert this right within the context of the Canadian federation;

AND WHEREAS the Metis people are resolutely intent upon reclaiming their rights to land and to control over Metis citizenship;

NOW THEREFORE the Metis people declare this document to be the Constitution of the Metis Nation of Canada.

Home Land. 3

PART I

FOUNDATIONS OF THE METIS NATION

1. The Metis Nation shall be the sole representative body of the Metis people of Canada and shall exercise, within the context of the Canadian federation and within the limits of this Constitution, the rights, powers, privileges and jurisdictions of a third order of government in Canada.
2. The Metis Nation shall not extinguish or surrender its rights to land or resources nor surrender any of its jurisdiction to any other government in Canada except pursuant to a treaty, Land Claims Agreement or inter-governmental agreement ratified by the Metis people affected by the agreement and where the jurisdiction or rights to be surrendered or extinguished apply to all Metis, the treaty or inter-governmental agreement has been ratified by the Parliament of the Metis Nation.
3. The Metis Nation of Canada shall enjoy and have the power to exercise all aboriginal, treaty or other rights or freedoms that pertain to the Metis people as one of the Aboriginal people of Canada under the *Constitution Act, 1982*.
4. (1) The Capital of the Metis Nation shall be in [Batoche].

(2) Until such time as a permanent Parliament is constructed, the Metis Nation Parliament shall meet in such place as may be deemed appropriate by the Metis National Council of Ministers.

5. The people of the Metis Nation shall have dual Canadian and Metis citizenship.

6. (1) For the purposes of this Constitution "Metis" means an Aboriginal person who self-identifies as Metis, who is distinct from Indian and Inuit and

(a) is a descendant of those Metis who received or were entitled to receive land grants and/or scrip under the provisions of the *Manitoba Act, 1870*, or the *Dominion Lands Acts*, as enacted from time to time or

(b) is recognized as a Metis pursuant to laws enacted by the Metis Nation Parliament.

(2) For the purposes of identifying the people of the Metis Nation, the Metis Nation Parliament shall establish laws for the enumeration and registration of the Metis people of Canada.

7. The Metis Nation Parliament shall adopt a flag to be known as the "Flag of the Metis Nation," which shall be raised to full mast at all official functions involving the Metis Nation.

8. The Metis Nation Parliament shall adopt an anthem to be known as the "Anthem of the Metis Nation," which shall be played at the opening and closing of the Metis Nation Parliament and such other official functions involving the Metis Nation as is appropriate.

9. The Metis Nation Parliament shall adopt an emblem to be known as the "Emblem of the Metis Nation," which shall be the official symbol of the Metis Nation.

10. The laws of Canada and the laws of the provinces and territories continue to apply to the Metis Nation, subject nevertheless to displacement by laws enacted by the Metis Nation Parliament.

PART II

CENTRAL GOALS AND ASPIRATIONS OF THE METIS NATION

11. The Central goals and aspirations of the Metis Nation are to

(a) represent and promote the interests of the Metis Nation;

- (b) restore Metis lands and resources for future generations;
- (c) achieve the full recognition of the Metis Nation and its jurisdiction within the Canadian federal system;
- (d) seek cooperative and productive relations with other Canadian governments and peoples based upon mutual respect, sharing and tolerance;
- (e) promote progress and prosperity among Metis people in all cultural, social, economic and political fields;
- (f) achieve self-sufficiency for the Metis people and the institutions of the Metis Nation;
- (g) maintain and promote respect for the individual rights and freedoms of the Metis people and the equal protection and advancement of female and male Metis; and
- (h) maintain the independence and integrity of the Metis Nation, safeguard its stability and resist any aggression upon its existence or any of its people.

PART III

PRINCIPLES OF THE METIS NATION

12. The family shall form a cornerstone of the Metis community and Metis Nation laws shall promote and safeguard it and shall be directed at enabling the family and its members to become self sustaining, productive and healthy.

13. Education and training shall be the primary instruments for social development and Metis Nation laws or initiatives shall be directed at their promotion and enhancement.

14. Employment and work shall form the basis for the growth and prosperity of Metis people and Metis Nation laws or initiatives shall be directed at enhancing employment opportunities and the general advancement of Metis people.

15. The culture and language of the Metis Nation shall nourish Metis identity, unity and patriotism and Metis Nation laws and initiatives shall be directed at their promotion and enhancement.

16. The Metis Nation shall make no laws respecting the establishment, the promotion or the discouragement of maintaining, practising or otherwise participating in religious activities or institutions.

17. (1) The basis for interaction between Metis shall be mutual respect, co-operation, sharing and tolerance.

(2) All Metis shall have the freedom to hold opinions and express them orally or in writing or by any other means, unless such opinions bring dishonour to the Metis Nation.

18. Discrimination based on sex, language, race, nationality, ethnic origin, age, religion, profession, education, color, physical or mental disability or social position shall be strictly forbidden.

19. (1) All power within the Metis Nation rests with the people and may only be exercised through the established structures and institutions set out in this Constitution.

(2) Any authority within the Metis Nation that is not exercised in accordance with this constitution is of no force or effect.

PART IV

THE METIS NATION PARLIAMENT

20. (1) The Metis Nation Parliament shall consist of the Metis Nation Legislative Assembly and the Metis Nation Elders Senate.

(2) The Metis Nation Parliament shall be vested with all the legislative power of the Metis Nation and shall be the supreme authority within the Metis Nation.

(3) The Metis Nation Parliament shall hold an [annual] ordinary session every calendar year.

(4) Extraordinary sessions of Parliament shall be held upon the call of three-quarters of the Members of the Metis National Council of Ministers.

(5) At least [half] of the members of both the Metis Nation Legislative Assembly and the Metis Nation Elders Senate must be present to constitute a session of the Metis Nation Parliament.

Composition and Selection of Members of the Legislative Assembly

21. (1) The Legislative Assembly shall be composed of XXX Members as follows:

COMPOSITION TO BE DETERMINED

- (a) XX elected Metis representatives from each of the provinces and territories within the Metis Homeland;
- (b) XX elected representatives of Metis women; and
- (c) XX Members of the Metis National Council of Ministers (the Metis Cabinet).

(2) Until the electoral processes of each of the provincial and territorial representative bodies within the Metis Homeland is harmonized and the Metis Nation Parliament enacts a law governing the election of its Members, the method of selection of Members of the Legislative Assembly shall be determined **[by the provincial and territorial representative bodies]** within the Metis Homeland.

(3) Parliament shall enact an electoral law to provide for direct one person one vote elections and such law shall provide for equitable representation of Metis according to the population distribution of Metis people across the Metis Homeland.

(4) No Legislative Assembly shall continue for longer than **[three]** years from the date of the general election of its Members.

(5) Every citizen of the Metis Nation, **[18]** years of age or older, has the right to vote in an election of Members of the Legislative Assembly and to be qualified for membership therein.

Oath of Allegiance

22. Before a Member of the Metis Nation Legislative Assembly undertakes the duties, obligations and responsibilities of office he or she shall swear the following oath to be administered by a Member of the Metis Nation Elders Senate:

I swear that I will be faithful to the Metis Nation and will uphold and defend the Constitution and the laws of the Nation and will carry out my duties, obligations and responsibilities in a manner that will bring honour to the Metis Nation and her people, so help me God.

Responsibilities of Metis Nation Legislative Assembly

23. (1) The Metis Nation Legislative Assembly has plenary authority to enact laws for the Metis Nation.

(2) The Metis Nation Legislative Assembly shall make decisions based upon **[majority vote]**.

(3) Without in any way restricting its plenary powers, the Metis Nation Legislative Assembly shall be responsible for the following matters:

(a) the formulation of general policy regarding all matters set out in this Constitution, especially policy to achieve the central goals and aspirations of the Metis Nation and to fulfill the principles of the Metis Nation;

(b) the ratification of all intergovernmental agreements or treaties that affect the aboriginal, treaty or other rights or freedoms of the Metis Nation;

(c) defining the jurisdiction and responsibility of the departments, committees, task forces or boards and agencies carrying out the work of the Legislative Assembly;

(d) the election of the Leader and Deputy Leader;

(e) enacting electoral laws for the election of Members including the Leader and Deputy Leader;

(f) enacting laws relating to the enumeration and registration of Metis people;

(g) enacting a code of ethics or such other instruments as may be necessary to uphold the integrity of the Parliament and Government of the Metis Nation; and

(h) adopting rules of procedure to govern the working of the Legislative Assembly and its constituent parts.

Composition and Selection of Metis Nation Elders Senate

24. (1) The Metis Nation Elders Senate shall be composed of **XX** Metis Senators from each of the provinces and territories within the Metis homeland.

(2) Metis Senators from each province or territory shall be appointed [by the province or territory concerned based upon criteria to be established and included in this Constitution].

Responsibilities of Metis Nation Elders Senate

25. The Metis Nation Elders Senate shall be responsible for

(a) swearing in the Members of the Metis Nation Legislative Assembly, Ministers of the Metis National Council of Ministers and the Leader and Deputy Leader of the Metis Nation;

- (b) reviewing and ratifying legislation enacted by the Metis Nation Legislative Assembly;
- (c) initiating laws respecting decorations, medals of honour or other commemorative honors for the Metis Nation;
- (d) resolving internal disputes among members of the Metis Nation Parliament, Metis National Council of Ministers upon request of any one of the interested parties;
- (e) the ratification of all intergovernmental agreements or treaties that affect the aboriginal, treaty or other rights or freedoms of the Metis Nation;
- (f) resolving conflicts between the Metis Nation Parliament and any of the provincial, territorial or women's representative bodies within the Metis Nation upon request of any one of the interested parties; and
- (g) any such other responsibility vested in it by this Constitution or by the Laws of the Metis Nation.

Procedures of Metis Nation Elders Senate

26. (1) In the exercise of its authority outside of Parliamentary sessions, at least [half] of the Metis Senators shall be necessary for the exercise of the authority of the Metis Nation Elders Senate.

(2) The Metis Nation Elders Senate shall act by [consensus].

(3) The Metis Nation Elders Senate may regulate itself and may develop its own rules of procedure.

Procedures of Metis Nation Parliament

27. (1) At the opening of each session of the Metis Nation Parliament, the election of a Speaker and Deputy Speaker shall be the first order of business and shall not be interrupted by any other proceeding.

(2) The Speaker and Deputy Speaker shall have general charge of the business of the Metis Nation Parliament and shall be the final authority on all procedural questions.

(3) Decisions regarding procedural questions shall be based upon the usage's, forms, customs and precedents of the Parliamentary tradition, as far as they may be applicable to the Metis Nation Parliament;

(4) The sessions of the Metis Nation Parliament shall be open to all Metis people.

(5) The Metis Nation Legislative Assembly and the Metis Nation Elders Senate shall convene and sit in the same chamber during Parliamentary sessions but shall vote separately unless otherwise provided for in this Constitution.

(6) Where at least [half] of the Members of either the Metis Nation Legislative Assembly or the Metis Nation Elders Senate request an opportunity to retire to consider a matter before Parliament, the Speaker shall separate the chamber.

28. (1) Legislation and Motions shall be the two primary law making instruments of the Metis Nation Parliament.

(2) Laws shall be considered enacted upon the satisfaction of the following procedures:

(a) the Metis National Council of Ministers or any other Member of the Metis Nation Legislative Assembly submits a draft of the law to the Metis Nation Parliament;

(b) the Metis Nation Legislative Assembly has reviewed the law and adopted it by a majority vote; and

(c) the Metis Nation Elders Senate has reviewed the law and at least [one third] of its Members have ratified the law.

(3) If [two-thirds] or more of the Members of the Metis Nation Elders Senate propose amendments to a law adopted by the Metis Nation Legislative Assembly, the law with the proposed amendments shall be returned to the Metis Nation Legislative Assembly for reconsideration.

(4) If the amendments proposed by the Metis Nation Elders Senate are accepted by the Metis Nation Legislative Assembly after reconsideration, the law shall be returned to the Metis Nation Elders Senate for ratification.

(5) If after reconsideration, the amendments proposed by the Metis Nation Elders Senate are not accepted by the Metis Nation Legislative Assembly, the law may nevertheless be enacted by [two-thirds] or more of the Members of the Metis Nation Legislative Assembly without ratification by the Metis Nation Elders Senate.

29. Motions may be initiated by any Member of the Legislative Assembly or Metis Nation Elders Senate and shall be considered adopted upon [a simple

majority vote] of the combined Members of the Metis Nation Legislative Assembly and the Metis Nation Elders Senate.

30. Laws that are enacted and motions that are adopted shall be recorded and published in the official gazette of the Metis Nation Parliament within two months following the close of a Parliamentary session.

PART V

EXECUTIVE INSTITUTIONS

31. The executive institutions of the Metis Nation shall consist of
- (a) a Cabinet, which shall be the Metis National Council of Ministers; and
 - (b) the Leader and Deputy Leader of the Metis Nation.

Composition and Selection of Cabinet

32. The Metis National Council of Ministers shall be composed of

POSSIBLE CABINET MAKEUP

- (a) Presidents of the Provincial and Territorial representative bodies in the Metis Homeland;
 - (b) Presidents of the national or provincial representative bodies of Metis Women;
 - (c) ordinary Members of the Legislative Assembly;
 - (d) the Leader and Deputy Leader; and
 - (e) Senator(s) of the Metis Nation Elders Senate.
33. (1) The Leader of the Metis Nation shall be responsible for intergovernmental and international affairs and shall assign Ministerial responsibilities amongst the various other Members of the Cabinet.

(2) The first Cabinet of the Metis National Council shall be composed of Ministers with the following responsibilities:

POSSIBLE MINISTRIES TO BE CREATED (SEE DRAFT STATUTES)

- (a) Social Development, Education and Health;
- (b) Economic and Employment Development;

(c) Governance and Land Claims; and

(d) Justice and Legislative Affairs;

(3) The Metis Nation Parliament shall define the jurisdiction, authorities and mandate of the Ministries.

Oath of Allegiance

34. Before a Member of the Cabinet undertakes the duties, obligations and responsibilities of office he or she shall swear the following oath to be administered by a Member of the Metis Nation Elders Senate:

I swear that I will be faithful to the Metis Nation and will uphold and defend the Constitution, the laws of the Nation and the duties of my office and will carry out the duties, obligations and responsibilities in a manner that will bring honor to the Metis Nation and her people, so help me God.

Responsibilities of Metis Nation Cabinet

35. (1) The Metis National Council of Ministers in its capacity as the Cabinet of the Metis Nation, shall be responsible for dealing with all internal and external matters within the competence of the Metis Nation according to the laws adopted by the Metis Nation Parliament and this Constitution.

(2) Without limiting the generality of subsection (1), the Cabinet shall carry out the following responsibilities:

(a) the implementation of the general motions, policies or recommendations of the Metis Nation Parliament;

(b) the drafting and submission of laws for presentation to the Metis Nation Parliament;

(c) **[the preparation of the draft annual general budget and audited accounts];**

(d) the adoption of policies necessary for the implementation of Metis Nation laws including any administrative, financial or other policies for the effective and efficient functioning of Metis Nation departments, secretariats or committees ;

(e) [the appointment, dismissal and supervision of the Secretary to the Metis Cabinet]; and

(f) any other jurisdiction or responsibility vested in it by this Constitution or by the Metis Nation Parliament.

(4) The Minister shall file an Annual Report with the Speaker of the Legislative Assembly outlining the activities of the Ministry together with a full financial accounting at the outset of the Legislative Assembly and Members shall be given an opportunity to question the Minister thereon.

Procedures of Cabinet

36. (1) The deliberations of the Cabinet shall be held in camera.

(2) Cabinet decision shall be taken on the basis of [consensus] but, if a consensus can not be achieved, the question shall be decided by a [majority vote].

37. The Cabinet may regulate itself and may develop its own internal rules of procedures.

38. The Leader must call a meeting of Cabinet within [two weeks] of receiving notice in writing from four or more Members of Cabinet.

Leader and Deputy Leader

39. (1) Until such time as the Parliament of the Metis Nation enacts an electoral law based upon one person one vote for the election of the Leader and Deputy Leader

OPTIONS FOR SELECTION OF LEADER

(a) the first Leader and Deputy Leader shall be appointed by the Metis National Council of Ministers;

OR

(b) the first Leader and Deputy Leader shall be elected by the Metis Nation Legislative Assembly.

(2) Notwithstanding any provision in this Constitution, the authority to select the Leader and Deputy Leader shall be vested in the Metis Nation Parliament.

(3) The Office of Leader or Deputy Leader shall be automatically vacated:

(a) if the Leader or Deputy Leader resigns; or

(b) if the Metis Nation Legislative Assembly and the Metis Nation Elders Senate adopt a resolution of non-confidence approved by at least [three-quarters] of their respective members at an extraordinary session of Parliament called for that purpose.

(4) The term of the Leader and Deputy Leader shall not exceed three years after the date of the general election unless renewed.

Oath of Allegiance

40. Before the Leader or Deputy Leader undertake the duties, obligations and responsibilities of office he or she shall swear the following oath to be administered by a Member of the Metis Nation Elders Senate:

I swear that I will be faithful to the Metis Nation and will uphold and defend the Constitution, the laws of the Nation and the office of Leader and will carry out my duties, obligations and responsibilities in a manner that will bring honour to the Metis Nation and her people, so help me God.

Responsibilities of Leader and Deputy Leader

41. (1) The Leader of the Metis Nation shall be responsible for intergovernmental and international affairs and shall be responsible for enhancing and promoting the cultural, social, economic and political interests of the Metis Nation.

(2) Without restricting the generality of subsection (1), the Leader shall be responsible for

- (a) calling meetings of the Cabinet, chairing its meetings and directing its debates;
- (b) supervising and co-ordinating the activities of Ministers;
- (c) diplomatic appointments;
- (d) in consultation with the Cabinet calling the Metis Nation Parliament into session;
- (e) opening the annual session of the Metis Nation Parliament with a "state of the Metis Nation" address highlighting the important matters arising during the year and the details of the Leaders plan for the Metis Nation in the ensuing year;
- (f) supervising the implementation of Metis Nation laws, motions and policies through the Metis National Council of Ministers; and
- (g) representing the Metis Nation on all matters not specifically assigned under the Constitution.

(3) The Leader and the Deputy Leader shall file an Annual Report outlining the activities of the Leader and Deputy Leader together with a full financial accounting at the outset of the Legislative Assembly and the Members shall be given an opportunity to question the Leader and Deputy Leader thereon.

42. The Deputy Leader shall be responsible for the exercise all the powers of the Leader in the event that he or she is absent or unable to act for any reason; and such other responsibilities as may be assigned by the Parliament or Cabinet.

43. In the event that the office of Leader or Deputy Leader becomes vacant during the term of office, the Metis National Council of Ministers shall appoint a replacement who shall serve the remaining term if the term is less than one year or if the term is longer than one year until the next session of Parliament at which time the Parliament of the Metis Nation shall appoint a replacement.

Part VI

The Public Service of the Metis Nation

44. (1) The Metis National Council of Ministers shall establish a Secretariat to carry out the work of the Metis Nation Legislative Assembly, the Metis National Council of Ministers, the Leader, Deputy Leader and the Metis Nation Elders Senate.

(2) The [Metis National Council of Ministers] shall appoint a Secretary to the Cabinet who shall be responsible for supervising, appointing and dismissing persons engaged to carry out the work of the Secretariat.

45. (1) The public service shall be open to all citizens of the Metis Nation.

(2) Public service shall be considered a national trust and members of the public service shall pursue the interests of the Metis Nation alone.

PART VII

TRANSITIONAL AND OTHER PROVISIONS

46. This Constitution may only be amended upon the approval of [two thirds of the combined membership of the Metis Nation Legislative Assembly and the Metis Nation Elders Senate].

47. The provisions of this Constitution shall apply for a [interim period of three years] beginning from the date of its coming into force.

48. (1) This Constitution shall take effect when it is adopted by the Executive of the Metis National Council and adopted by a resolution of the National Assembly of the Metis Nation. The day this Constitution comes into force shall

be the day specified in the resolution of the National Assembly of the Metis Nation.

An Act respecting the Ministry of Justice and Legislative Affairs

Short title 1. This Act may be cited as the Ministry of Justice and Legislative Affairs.

ESTABLISHMENT OF THE MINISTRY

Ministry Established 2.(1) There is hereby established a Ministry of the Metis Nation of Canada called the Ministry of Justice and Legislative Affairs over which the Minister of Justice and Legislative Affairs shall preside.

Minister (2) The Minister shall hold office at the pleasure of the Leader of the Metis Nation and shall be responsible for the direction of the Ministry and its work.

Secretary of
Ministry 3. The Metis National Council of Ministers may appoint an officer to work under the supervision of the Secretary to the Cabinet, called the Secretary to the Minister of Justice and Legislative Affairs to hold office at the pleasure of the Council.

POWERS , DUTIES AND FUNCTIONS OF THE MINISTER

Powers, duties and
functions 4. (1) The Minister is the official legal advisor of the Metis Nation and the powers, duties and functions of the Minister extend to and include all matters over which the Metis Nation Parliament has jurisdiction, not by law assigned to any other ministry relating to:

- (a) the enhancement of Metis participation in the administration of justice;
- (b) investigation and research into alternative justice models;
- (c) advising the heads Ministers of the several Ministries of the Metis Nation government on all matters of law connected with such Ministry;
- (d) the regulation and conduct of all litigation for or against the Metis Nation or any Ministry, within the authority or jurisdiction of the Parliament of the Metis Nation;
- (e) where requested by the Metis National Council of Ministers, intervening in legal matters that materially affect the rights of the Metis Nation;

- (f) advising and providing technical expertise on federal and provincial legislation, regulations and policies affecting the Metis Nation;
- (g) coordination and facilitation of the justice related initiatives of Metis provincial and territorial associations and institutions; and
- (h) advancing the justice interests of the Metis Nation with all federal and as necessary provincial government departments, committee's and agencies; and
- (i) carrying out such other duties as are assigned by the Metis National Council of Ministers.

AGREEMENTS

Agreements

5. The Minister may, with the approval of the Metis National Council of Ministers, enter into agreements with the federal and as necessary provincial governments or any agencies thereof respecting the carrying out of initiatives for which the Minister is responsible.

NATIONAL COMMITTEE FOR JUSTICE AND LEGISLATIVE AFFAIRS

Establishment of National Committee

6. (1) There is hereby established a committee called the National Committee for Justice and Legislative Affairs consisting of a Chairperson to be appointed by the Metis National Legislative Assembly, two Members from each Metis provincial or territorial representative body to be appointed by the caucuses of each Province and Territory and two representatives of the national Metis women's organization.

Term and replacement

(2) Membership on the Committee will be for a one year term and shall be renewable. Members retiring during the course of a year shall be replaced by the Provincial President from which the retiring Member resides.

Remuneration and expenses

(3) Members of the National Committee may be paid such remuneration as may be approved by the Metis National Council of Ministers and are entitled to be paid reasonable travel and other expenses incurred while absent from their ordinary place of residence in the course of their duties under this Act.

Duties and powers

(4) The National Committee shall advise the Minister in respect of all matters relating to the duties and responsibilities of the Minister.

Meetings

(5) The National Committee shall meet at such times and places as the Minister may direct.

Annual Report

ANNUAL REPORT

7. The Minister shall submit annually a report to the Metis Nation Parliament.

An Act respecting the Ministry of Economic and Employment Development

Short title 1. This Act may be cited as the Ministry of Economic and Employment Development.

ESTABLISHMENT OF THE MINISTRY

Ministry Established 2.(1) There is hereby established a Ministry of the Metis Nation of Canada called the Ministry of Economic and Employment Development over which the Minister of Economic and Employment Development shall preside.

Minister (2) The Minister shall hold office at the pleasure of the Leader of the Metis Nation and shall be responsible for the direction of the Ministry and its work.

Secretary of
Ministry 3. The Metis National Council of Ministers may appoint an officer to work under the supervision of the Secretary to the Cabinet, called the Secretary to the Minister for Economic and Employment Development to hold office at the pleasure of the Council.

POWERS , DUTIES AND FUNCTIONS OF THE MINISTER

Powers, duties and
functions 4. (1) The powers, duties and functions of the Minister extend to and include all matters over which the Metis Nation Parliament has jurisdiction, not by law assigned to any other Ministry relating to:

- (a) enhancing the economic development of the Metis Nation in all economic sectors;
- (b) improving opportunities for productive and gainful employment for Metis people within all professions, trades, and occupational categories;
- (c) enhancing Metis access to training opportunities and other related social development opportunities;
- (d) providing economic and employment support services to the Metis community as may be requested;
- (e) to develop and as necessary carry out initiatives to assist the growth and expansion of Metis small businesses;

- (f) to coordinate and facilitate the economic and employment initiatives of Metis provincial and territorial associations and institutions;
- (g) to advance the developmental interests of the Metis Nation with all federal government departments, committee's and agencies;
- (h) to coordinate the housing and related policy initiatives of Metis provincial and territorial associations;
- (i) promoting and developing traditional economic activities of Metis fisherman, trappers, hunters and other renewable resources users; and
- (j) carrying out such other duties as are assigned by the Metis National Council of Ministers.

Agreements

AGREEMENTS

5. The Minister may, with the approval of the Metis National Council of Ministers and subject to the Metis Nation Constitution, enter into agreements with the federal and as necessary provincial governments or any agencies thereof respecting the carrying out of initiatives for which the Minister is responsible.

NATIONAL COMMITTEE FOR ECONOMIC AND EMPLOYMENT DEVELOPMENT

Establishment of National Committee

6. (1) There is hereby established a committee called the National Committee for Economic and Employment Development consisting of a Chairperson to be appointed by the Metis National Legislative Assembly, two Members from each Metis provincial or territorial representative body to be appointed by the caucuses of each province and territory and two representatives appointed by the national Metis women's organization.

Term and replacement

(2) Membership on the Committee will be for a one year term and shall be renewable. Members retiring during the course of a year shall be replaced by the Provincial President from which the retiring Member resides.

Remuneration and expenses

(3) Members of the National Committee may be paid such remuneration as may be approved by the Metis National Council of Ministers and are entitled to be paid reasonable travel and other expenses incurred while absent from their ordinary place of residence in the course of their duties under this Act.

Duties and powers

(4) The National Committee shall advise the Minister in respect of all matters relating to the duties and responsibilities of the Minister.

Meetings

(5) The National Committee shall meet at such times and places as the Minister may direct.

Annual Report

ANNUAL REPORT

7. The Minister shall submit annually a report to the Metis Nation Parliament.

**An Act respecting the
Ministry of Social Development, Education and Health**

Short title 1. This Act may be cited as the Ministry of Social Development, Education and Health.

ESTABLISHMENT OF THE MINISTRY

Ministry Established 2.(1) There is hereby established a Ministry of the Metis Nation of Canada called the Ministry of Social Development, Education and Health over which the Minister of Social Development, Education and Health shall preside.

Minister (2) The Minister shall hold office at the pleasure of the Leader of the Metis Nation and shall be responsible for the direction of the Ministry and its work.

Secretary of
Ministry 3. The Metis National Council of Ministers may appoint an officer to work under the supervision of the Secretary to the Cabinet, called the Secretary to the Minister of Social Development, Education and Health to hold office at the pleasure of the Council.

POWERS , DUTIES AND FUNCTIONS OF THE
MINISTER

Powers, duties and
functions 4. (1) The powers, duties and functions of the Minister extend to and include all matters relating to all matters over which the Metis Nation Parliament has jurisdiction, not by law assigned to any other ministry relating to

- (a) the investigation and research into the public health and welfare of Metis people;
- (b) the collection, publication and distribution of information related to the public health and safety of Metis people;
- (c) the promotion and development of national initiatives directed towards improving the position of Metis families;
- (d) the promotion and development of national initiatives aimed at obliterating family violence and abuse;
- (e) the promotion and development of national initiatives aimed at eliminating poverty and reducing the dependancy of disadvantaged Metis people from social assistance;

- (f) the promotion and development of national initiatives directed at Metis welfare and child care;
- (g) the promotion and development of national educational initiatives including secondary, post secondary, and basic adult upgrading;
- (f) to coordinate and facilitate the social development, educational and health related initiatives of Metis provincial and territorial associations and institutions;
- (g) to advance the social development, educational and health interests of the Metis Nation with all federal government departments, committees and agencies; and
- (h) shall carry out such other duties as are assigned by the Metis National Council of Ministers.

AGREEMENTS

Agreements

5. The Minister may, with the approval of the Metis National Council of Ministers, enter into agreements with the federal and as necessary provincial governments or any agencies thereof respecting the carrying out of initiatives for which the Minister is responsible.

NATIONAL COMMITTEE FOR SOCIAL DEVELOPMENT, EDUCATION AND HEALTH

Establishment of National Committee

6. (1) There is hereby established a committee called the National Committee for Social Development, Education and Health consisting of a Chairperson to be appointed by the Metis National Legislative Assembly, two Members from each Metis provincial or territorial representative body to be appointed by the caucuses of each Province and Territory and two representatives of the national Metis women's organization.

Term and replacement

(2) Membership on the Committee will be for a one year term and shall be renewable. Members retiring during the course of a year shall be replaced by a Legislative Assembly Member appointed by the Provincial President from which the retiring Member resides at the time of appointment.

Remuneration and expenses

(3) Members of the National Committee may be paid such remuneration as may be approved by the Metis National Council of Ministers and are entitled to be paid reasonable travel and other expenses incurred while absent from their ordinary place of residence in the course of their duties under this Act.

Duties and powers

(4) The National Committee shall advise the Minister in respect of all matters relating to the duties and responsibilities of the Minister.

Meetings

(5) The National Committee shall meet at such times and places as the Minister may direct.

ANNUAL REPORT

Annual Report

7. The Minister shall submit annually a report to the Metis National Parliament.

An Act respecting the Ministry of Governance and Land Claims

Short title 1. This Act may be cited as the Ministry of Governance and Land Claims.

ESTABLISHMENT OF THE MINISTRY

Ministry Established 2.(1) There is hereby established a Ministry of the Metis Nation of Canada called the Ministry of Governance and Land Claims over which the Minister of Governance and Land Claims shall preside.

Minister (2) The Minister shall hold office at the pleasure of the Leader of the Metis Nation and shall be responsible for the direction of the Ministry and its work.

Secretary of
Ministry 3. The Metis National Council of Ministers may appoint an officer, to work under the supervision of the Secretary to the Cabinet, called the Secretary to the Ministry of Governance and Land Claims to hold office at the pleasure of the Council.

POWERS , DUTIES AND FUNCTIONS OF THE MINISTER

Powers, duties and
functions 4. (1) The Minister shall have the powers, duties and functions of the Minister extend to and include all matters over which the Metis Nation Parliament has jurisdiction, not by law assigned to any other Ministry relating to:

- (a) coordinate national interests of provincial and territorial bodies relating to the Federal/provincial tripartite self-government policy;
- (b) investigation and research into local self government models;
- (c) investigate and research into Metis land claims including claims flowing from the nonfulfillment and fraudulent execution of the implementation of the Manitoba Act and the Dominion Lands Act;
- (d) develop national approaches to acquire federal Crown land and as appropriate provincial land, and to develop land acquisition policies;
- (e) develop stable intergovernmental processes and relationships to advance the interests of Metis;

- (f) coordinate and facilitate the self-government and land claims related initiatives of Metis provincial and territorial associations and institutions;
- (g) to advance the self-government and land claims interests of the Metis Nation with all federal and as necessary provincial government departments, agencies and committees;
- (h) shall carry out such other duties as are assigned by the Metis National Council of Ministers; and
- (i) establish a framework for the enumeration and registration of Metis people.

AGREEMENTS

Agreements

5. (1) The Minister may, with the approval of the Metis National Council of Ministers, enter into agreements with the federal and as necessary provincial governments or any agencies thereof respecting the carrying out of initiatives for which the Minister is responsible.

(2) Notwithstanding subsection (1), the Minister may not enter into agreements which would extinguish, settle or affect the land rights of the Metis people.

NATIONAL COMMITTEE FOR THE MINISTRY OF SELF-GOVERNMENT AND LAND CLAIMS

Establishment of National Committee

6. (1) There is hereby established a committee called the National Committee for Governance and Land Claims consisting of a Chairperson to be appointed by the Metis National Legislative Assembly, two Members from each Metis provincial or territorial representative body to be appointed by the caucuses of each Province and Territory and two representatives of the national Metis women's organization.

Term and replacement

(2) Membership on the Committee will be for a one year term and shall be renewable. Members retiring during the course of a year shall be replaced by the Provincial President from which the retiring Member resides.

- Remuneration and expenses (3) Members of the National Committee may be paid such remuneration as may be approved by the Metis National Council of Ministers and are entitled to be paid reasonable travel and other expenses incurred while absent from their ordinary place of residence in the course of their duties under this Act.
- Duties and powers (4) The National Committee shall advise the Minister in respect of all matters relating to the duties and responsibilities of the Minister.
- Meetings (5) The National Committee shall meet at such times and places as the Minister may direct.

ANNUAL REPORT

Annual Report

7. The Minister shall submit annually a report to the Metis Nation Parliament.

An Act respecting the National Anthem of the Metis Nation

- | | |
|-----------------|--|
| Short title | 1. This Act may be cited as the Metis Nation Anthem Act . |
| National anthem | 2. The words and music of [Proud to be Metis], as set out in the schedule, are designated as the National Anthem of the Metis Nation. |
| Public domain | 3. The words and music of the Metis Nation anthem are hereby declared to be in the public domain. |

SCHEDULE A

METIS NATION ANTHEM

*In the forest on the river,
and across the western plain,
as the white man journeyed westward,
to the land of the Indian.
A new race was created,
a new Nation rose up strong.
Hardship as its destiny,
and its curse to not belong.
In the land from which they came
in the land they helped to build.
They found themselves the alien,
found their vision unfulfilled.
And despite their valiant effort,
to defend what they believe.
When at last the battle ended,
they were only left to grieve.*

*We are proud to be Metis
Watch a Nation rise again.
Never more forgotten people
We're the true Canadian.*

*From across the plain they travelled,
from Red River to the Peace
looking for their own homeland,
that would help them to replace
all the land that had been taken,
and the dreams that had been dashed.
Their brave heroes now called traitors,
and courageous deeds now past.
But their spirit was not broken,
and their dreams had never died.
Their determination strengthen
even while the people cried
as they waited for the battle,
that would end their years of pain.
And the final bloodless battle,
when the Nation rose again.*

*We are proud to be Metis
Watch a Nation rise again.
Never more forgotten people
We're the true Canadian.*

*For this newest generation
and the future ones to come,
with the past to motivate us,
it will help to keep us strong.
As we build the Metis Nation,
as we watch it rise again,
our past lost is motivation,
to inspire our future gain.*

*We are proud to be Metis
Watch a Nation rise again.
Never more forgotten people
We're the true Canadian.*

*We are proud to be Metis
Watch a Nation rise again.
Never more forgotten people
We're the true Canadian.*

An Act respecting the National Flag of the Metis Nation

Short title

1. This Act may be cited as the Metis Nation Flag Act .

National flag

2. The infinite symbol, on a blue backdrop, as set out in the schedule, is designated as the National flag of the Metis Nation.

Public domain

3. The flag of the Metis Nation is hereby declared to be in the public domain.

An Act respecting the National Emblem of the Metis Nation

- | | |
|-----------------|---|
| Short title | 1. This Act may be cited as the Metis Nation Emblem Act . |
| National Emblem | 2. The symbol as set out in the schedule, is designated as the National Emblem of the Metis Nation. |
| Public domain | 3. The Emblem of the Metis Nation is hereby declared to be in the public domain. |

CONSTITUTION MANITOBA METIS FEDERATION INC.

BY-LAW NO. 1

ARTICLE I OBJECTIVES OF THE CORPORATION

1. To promote the history and culture of the Metis people and otherwise to promote the cultural pride of its membership.
2. To promote the education of its members respecting their legal, political, social and other rights.
3. To promote the participation of its members in community, municipal, provincial, federal, Aboriginal, and other organizations.
4. Generally, to promote the political, social and economic interests of its members.

ARTICLE II POLITICAL AFFILIATION

The organization shall not be affiliated with any political party.

ARTICLE III MEMBERSHIP

DEFINITIONS AND APPLICATIONS FOR MEMBERSHIP

1. DEFINITION

- (a) "*Aboriginal person*" means any person who declares himself to be an Aboriginal person on account of descent or a personal relationship with a family of Aboriginal persons and who is accepted as an Aboriginal person by an Aboriginal community in accordance with the procedures established in this article.
- (b) "*Metis*" means an Aboriginal person who self-identifies as Metis, who is distinct from Indian and Inuit and:
 - (i) is a descendant of those Metis who received or were entitled to receive land grants and/or Scrip under the provision of the Manitoba Act, 1870, or the Dominion Lands Acts, as enacted from time to time;
or
 - (ii) A person of Aboriginal descent who is accepted by the Metis Nation.
- (c) "*Children*" includes all natural or adopted children, whether legitimate or illegitimate under Canadian law.

AS AMENDED BY THE 24TH ANNUAL ASSEMBLY JULY 30, 31, 1992

- (d) *"Membership Appeal Tribunal"* means a tribunal of three Aboriginal persons, including at least one Metis, which shall be appointed by the Board to hear appeals of membership decisions by the Board. The term of office shall be five years, renewable at the discretion of the Board as confirmed by the members at a general meeting.
- (e) *"Metis Nation"* means the community of Metis persons in subsection (a), which is represented nationally by the Metis National Council and provincially by the Pacific Metis Federation, Metis Nation of Alberta, Metis Society of Saskatchewan, Manitoba Metis Federation, Ontario Metis Aboriginal Association and the Metis Nation-Northwest Territories, acting either collectively or in their individual capacity, as the context require, or their successor organizations, legislative bodies or governments.

2. APPLICATION PROCESS

- (a) All memberships, except honorary memberships, shall be admitted in accordance with the provisions of this article.
- (b) Applications for membership shall be made in a form established from time to time by resolution of the Board of Directors and shall be submitted to the "local" of the organization in which the applicant resides. For purposes of this article, "residence" shall bear the meaning established by resolution of the Board of Directors.
- (c) All applications for membership shall be submitted to the Regional Committee by the receiving "local." The Committee shall consider each application, and in, accordance with such procedures as may be laid down by the Board, shall recommend acceptance or rejection of the application, or shall return the application to the applicant along with a request for further specified information respecting the application.
- (d) Recommendations by Regional Committees in accordance with clause (3) shall be made to the Board of Directors who shall decide whether to accept or reject such applications. The Board's decision shall be forthwith delivered by registered post or personally to the applicant.

3. APPEALS

- (a) Any applicant whose application is rejected has a right to appeal that decision to the Membership Appeal Tribunal, provided that the appeal is placed before the Tribunal, in such form and in such manner as the Tribunal may prescribe, within sixty days from the date of receipt of rejection.
- (b) Any registered member has a right to appeal a decision of the Board respecting an application for membership. Such appeal shall be heard by the Tribunal in accordance with procedures laid down by the Tribunal. The decision made by the

AS AMENDED BY THE 24TH ANNUAL ASSEMBLY JULY 30, 31, 1992

Tribunal shall be final and shall not be reviewable by, nor appealable to, any court of law.

- (c) The Senate of the Manitoba Metis Federation shall form the Membership Appeal Tribunal for decisions rendered by the Board of Directors. Decisions rendered by the local may be appealed to the regional board and decisions rendered by the regional board may be appealed to the provincial board. Each of the respective boards shall be the Membership Appeal Tribunal for the preceding step.

4. CLASSES OF MEMBERSHIP

The classes of membership in the organization are as follows:

(a) INDIVIDUAL MEMBER

Any person who is Metis and who is 18 years of age is entitled to membership in the Manitoba Metis Federation.

(b) ASSOCIATE MEMBER

Spouses, as defined by resolution of the Board of Directors, of individual members. Such resolution shall only be effective upon confirmation by the members in general meeting. Associate members shall have no vote and shall not hold office, and shall be entitled only to such benefits as may from time to time be determined by resolution of the Board, upon confirmation by the members in general meeting.

(c) HONORARY MEMBERS

Such persons as may from time to time be admitted by resolution of the Board of Directors. Honorary members shall have no vote and no right to hold office.

(d) CHILDREN

Children (under the age of 18 years) of individual members shall be entitled to the benefit of the services of the organization and to such other benefits as shall be determined by resolution of the Board.

ARTICLE IV TERMINATION OF MEMBERSHIP

Individual membership shall terminate upon the happening one or more of the following events; viz.

1. Death.
2. Participation in any land claims agreement under the meaning of the *Constitution Act, 1982*, to which the Corporation is not a party.

AS AMENDED BY THE 24TH ANNUAL ASSEMBLY JULY 30, 31, 1992

3. The entry of the member's name in a Band list or in the Indian Register according to the provisions of the *Indian Act*, R.S.C., c. I-6, as amended.

ARTICLE V REGIONAL AND LOCAL ASSOCIATIONS

1. The Federation shall be organized on the basis of regional associations ("*Regions*") which shall comprise the total of local associations ("*Locals*") within the boundaries of each Region.

(a) BOUNDARIES:

- (i) The boundaries establishing the "Regions" shall be established by resolution of the Board of Directors. Such resolutions shall take effect upon ratification by a 2/3 majority at an Annual General Meeting.
- (ii) The boundaries establishing "Locals" shall be determined by the Regional Committees pursuant to rules established by the Board.

(b) EXECUTIVE:

- (i) Each "Region" shall be administered by a Vice-President and two other members, who shall sit on the Federation's Board of Directors.
- (ii) The Vice-President and the two Regional executive officers shall be elected in accordance with the by-laws of the Federation.
- (iii) Each "Local" shall be administered by a Chairperson, a Vice-Chairperson, and a Secretary-Treasurer.
- (iv) These executive officers of each "Local" shall be elected in accordance with the by-laws of the Federation.

ARTICLE VI TERMS OF OFFICE

1. The executive officers of a Region shall hold office for a term, or terms, each of which shall not exceed three years and three months from the date of election, and each of which shall commence from the date such officers shall be declared elected by the Chief Electoral Officer and continue until the date of the next following election pursuant to bylaw No. 2 or the vacation of that term under Article IX or Article X(5) hereof;
2. The executive officers of each "Local" shall hold office for a term as set and determined by each local. However, no change of executive officers shall be recognized until details of same are registered with the appropriate regional office and with the "Head Office" of the corporation.
3. Vacancies arising in any of the regional or local offices between regular elections shall be filled in accordance with the by-laws by special by-election called for that purpose.

AS AMENDED BY THE 24TH ANNUAL ASSEMBLY JULY 30, 31, 1992

4. **SPECIAL PROVISION:** All elected members of the Board holding office on March 31, 1989, shall have their term of office extended or reduced, as the case may be, until March 31, 1990, by force of this provision.

ARTICLE VII BOARD OF DIRECTORS

1. The Board shall comprise the members of each Regional Committee and the President of the Federation.
2. The Board shall have the power to manage and administer the affairs of the Federation.
3. The Board may, unless otherwise provided in these by-laws, by majority resolution, make, change, or revoke, by-laws for the regulation of the affairs of the Federation.

ARTICLE VIII DIRECTORS: FAILURE TO ATTEND MEETINGS

A member of the Board who fails to attend three consecutive Board meetings without cause acceptable to the Board shall be liable to dismissal *ipso facto*. For greater certainty, the dismissal shall take effect from the date of the relevant third meeting unless cause acceptable to the Board is shown at that meeting.

ARTICLE IX BOARD OF DIRECTORS: POWER TO REMOVE MEMBERS

1. The Board of Directors shall have the power to remove any officer of the Federation or member of the Board for behaviour which is contrary to, or detrimental to, the objects of the Federation, or for behaviour which would tend to bring the Federation into disrepute.
2. The Board shall have the Power to demand the resignation of the President in case of policy dispute, but in that event all Board positions shall become vacant from the date of the President's resignation, and elections shall be held to fill all the offices for a new three year term. This provision applies as an exception to the general provision respecting vacancies on the Board, including the Office of the President.
3. The Board of Directors shall set a process for the removal of any director or Vice President by the members of the Federation from the region represented by such director or Vice President.
4. Where the members of a region have complied with the process defined by the Board of Directors, shall declare the position of such director or Vice President vacant and institute an election as provided in the By-Laws.

AS AMENDED BY THE 24TH ANNUAL ASSEMBLY JULY 30, 31, 1992

PROGRESS REPORT

Further to the resolution of the annual assembly and the Metis National Council executive meeting in Manitoba the Metis Senate Constitution Committee convened in Vancouver on May 2-4, 1993. The purpose of the meeting was to establish a workplan/budget for carrying out the Commissions work. Senatorial representatives from all Metis National Council provincial and territorial affiliates were present along with the President of the Metis Nation and the Minister responsible for the Commission.

DAY ONE

The Commission commenced its work by undertaking a thorough examination of the role of the Commission and the current political environment. While there was no definitive substantive constitutional proposals adopted the Senators generally felt that a new constitution must reflect the values of the Metis people and be drafted in such a way that individual Metis people can find themselves in its reading. The Commission examined a number of political issues raised over the last several years being:

- * Definition of a Metis
- * The impact of Bill C-31
- * Evolution of the Metis Nation political structures including the development of the Senates
- * The progress the Metis people achieved in the Metis Nation Accord
- * The growing sense of pride of the Metis Nation

The Commission also discussed the potential uncertainty resulting from the large number of provincial and territorial elections to be held during the course of the Commission's work.

In organizing the Commissions work it adopted a three phase approach to conducting its work.

Phase One

The first phase of the Commissions work will be devoted to getting the Commission and its personnel geared up to undertake consultations with the Metis community on the development of the Metis Nation Constitution. This will involve preparatory work including developing survey questionnaires, directed at Metis people at the community, regional, and provincial level as well as Metis people working in the Metis public service. It will also involve establishing the consultation schedule and the timing and nature of onsite hearings at Metis provincial and territorial assemblies. Finally, a communications strategy will be developed.

Wilson
I am proud to be a Metis

Linda Price

Phase one is to be completed by June 25 to comply with the resolution of the annual assembly which calls for an interim report prior to June 30, 1993. The Commission will be seeking a meeting with the metis nation cabinet on June 25 to discuss the consultation instruments and the consultation process.

The first undertaking was to establish the budgetary requirements of the Commission. It was determined that approximately 110,000.00 was required to carry out the work. The budgetary breakdown is as follows:

Commission co-ordinator	\$30,000
Commission travel	48,000
Commission report	12,000
Communications	20,000

Possible sources of financing for the work of the Commission were discussed as follows:

Royal Commission	50,000
Justice	30,000
FPRO	20,000
EIC	10,000

Phase Two

Phase Two will involve undertaking consultations with the Metis community and implementation. The results of the consultations will be analyzed throughout phase two. It is anticipated that consultations will be undertaken with Metis people during set events to reduce costs. Among the people to be consulted; local presidents, members at large during annual assemblies, the boards of each of the provincial and territorial affiliates, Metis womens organizations, Metis veterans and youth identified by local presidents. Phase two is to be completed no later than October 24.

Phase Three

Phase three will focus upon the development of the final report of the Commission incorporating the views of those consulted and will consist of a set of recommendations for the constitution of the government and the people of the Metis Nation. In addition to the report, the Commission expects to table a draft constitution for consideration of the Metis Nation Cabinet and the Metis Nation Assembly. Production of the report will be completed by November 12, 1993.

5. Without restricting the generality of the foregoing any petition signed by a majority of members registered to vote in such region or a majority vote supporting such removal taken at any regional meeting at which such recall have been set as an order of business shall be grounds for removal.
6. No motion for removal shall apply unless Notice in writing of intention to remove the director or Vice President shall have been delivered to such director or Vice President at least twenty-one (21) days in advance of any regional assembly.

ARTICLE X PRESIDENT

1. The President shall be the chief executive officer of the Federation, and shall chair all meetings of the Board.
2. The President shall hold office for a term, or terms, each of which shall not exceed three years and three months from the date of election, and each of which shall commence from the date such President shall be declared elected by the Chief Electoral Officer and continue until the Chief Electoral Officer shall declare elected in an election pursuant to bylaw No. 2 another person elected to the office of President or the vacation of that term under Article IX or Article X(5) hereof.
3. A candidate for the President's office must have served at least one year as an elected officer of the Federation.
4. In the event that a vacancy occurs in the office of the President before the expiration of a term, the Board shall appoint, a member of the Board of Directors to fill the vacancy unless more than one year remains in the term of that vacancy. In that event an election for the position of President, or any other vacancy, in the Federation shall be held in accordance with the by-laws of the Federation.
5. The President shall have the power to dismiss the Board in case of policy dispute, but in such event all positions on the Board, including that of the President, shall be vacant from the date of such dismissal, and elections shall be held to fill all positions for a new three year term.

ARTICLE XI BOARD MEETINGS

1. The Board shall meet at least once in every calendar year.
2. A meeting of the Board may be convened at the request of the President, or at the request of four or more Board members.
3. At least 10 business days' written notice shall be given for Board meetings provided that the notice requirement may be waived with the agreement of all members of the Board.
4. QUORUM: The President and ten members of the Board shall constitute a quorum.

AS AMENDED BY THE 24TH ANNUAL ASSEMBLY JULY 30, 31, 1992

5. **PROCEDURE:** The procedure at meetings shall follow *Robert's Rules of Order* unless the Board, by resolution, adopts another standard for procedures as the first order of business.

ARTICLE XII GENERAL ASSEMBLIES

1. An annual general assembly (AGA) of all the members of the Federation shall be called once in every calendar year.
2. The following business shall be transacted at every annual AGA, namely:
 - (a) the Board shall inform the members regarding the Federation's activities in the previous year;
 - (b) the Board shall receive, for its consideration, suggestions from the members concerning the future activities of the Federation;
 - (c) such matters as are set out in the notice convening the AGA.
3. **VOTING:** At all general assemblies, each voting member shall have one vote.
4. Regional Committees may submit resolutions to the Board for its consideration for submission to the AGA or to an extraordinary general assembly.
5. Notice concerning an annual general assembly (AGA) shall be sent from the Federation's head office postmarked not less than ninety days before the date set for the AGA to all Regional offices. The Regional committee shall send such notice to the address of each "Local" secretary-treasurer postmarked at least seventy-five (75) days before the date of the AGA, and shall take such other reasonable means available to it to bring notice of the AGA to the members within its "Region." Each notice shall provide for the opening and adjournment times which shall be confirmed by a majority vote at the outset of each assembly and which may not otherwise be changed or extended except as hereinafter provided in Article XII(7).
6. The notice concerning an AGA shall specify the place and time of the meeting, and shall state the business to be transacted.
7. Providing that proper and sufficient notice, as hereinbefore set forth, shall have been given, there shall be no minimum nor maximum number of members entitled or required to conduct or hold any meeting of the membership. Any motion to extend the time set for adjournment shall require an affirmative vote of eighty percent (80%) of the delegates registered to attend such meeting at the close of business on the first day of such meeting. The Assembly may, by majority vote, move to adjourn at any time prior to the time so determined.

AS AMENDED BY THE 24TH ANNUAL ASSEMBLY JULY 30, 31, 1992

8. For the purpose of the 1989 Assembly quorum shall be one (1) delegate from at least 50% of the registered locals.

ARTICLE XIII EXTRAORDINARY GENERAL ASSEMBLY

An extraordinary general assembly of the members may be called at any time, by the Board, provided that the notice required for an AGA be complied with and that the purpose for the assembly, and the business proposed for consideration be stated in the notice of such extraordinary general assembly.

ARTICLE XIV ELECTION OF DIRECTORS AND EXECUTIVE

The Board of Directors shall pass by-laws for the regulation of the elections of members of the Board of Directors and other officials of the Federation.

ARTICLE XV MISCELLANEOUS

1. No elected officer of the Federation may do work for the Federation, either as an employee or by contract, other than the fulfilment of the obligations of his or her position within the Federation.
2. For greater clarity, and not restricting the generality of the foregoing, no person who receives remuneration either by way of director's fees, nor as payment for the holding of any office within the Federation (i.e. President or Vice President) shall be considered an employee of the Federation. No person elected to office shall by reason only of having failed to be re-elected to such office be entitled to any further or other notice, or to any severance pay or other employee benefit.

AS AMENDED BY THE 24TH ANNUAL ASSEMBLY JULY 30, 31, 1992

**ELECTION BY-LAW
MANITOBA METIS FEDERATION INC.**

ARTICLE I

This by-law applies to "Regional and "Provincial" elections.
Note: ["Local" elections are dealt with in Article XXXV].

ARTICLE II

For the purposes of this by-law the following definitions apply, viz:

1. "Candidate" - means an individual member who
 - a) is entitled to hold an elected office in the Manitoba Metis Federation Inc. and
 - b) is duly nominated as a candidate for that office.
2. "Elector" - means a person who is entitled to vote for a candidate for an office pursuant to this by-law.
3. "Election" - means an election duly called pursuant to the by-laws of the Manitoba Metis Federation Inc.
4. "Chief Electoral Officer" - means the person appointed by the Board of Directors of the Manitoba Metis Federation Inc. to set, manage and conduct elections.
5. "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 by-law.
6. "Local" - means a committee of people established at the community level pursuant to the by-laws of the Manitoba Metis Federation Inc.
7. "MMF or Federation" - means the Manitoba Metis Federation Inc.
8. "Region" - means one of the Regions of the Manitoba Metis Federation Inc. as described in the by-laws of the Manitoba Metis Federation Inc.
9. "Scrutineer" - means a person appointed by a candidate to represent her interest at a polling station and to act as her agent.
10. "Election Officer" - means the Chief Electoral Officer, the Local Deputy Returning Officer or Poll Clerk as established in this by-law.
11. "List of Electors" - means the list of individual members of the Manitoba Metis Federation compiled by the local office and sent to each Regional Office to be received at least 16 days prior to the date of an election. The Regional Office shall post the list in appropriate public places at least fourteen (14) days prior to the date of the election.

AS RATIFIED BY THE 21ST ANNUAL ASSEMBLY NOVEMBER 16, 17, 18, 1989

12. "Local Executive" - means the executive members of each Local committee duly elected pursuant to the by-laws of the Manitoba Metis Federation Inc.
13. "Regional Position" or "Regional Office" - means the office of either the Regional Vice-President or Regional members of the Board of Directors of the Federation as described in the by-laws of the Manitoba Metis Federation Inc.
14. "Polling Station" - means the place where electors may vote as established by the Chief Electoral Officer.
15. "Presidential Candidate" - means the duly nominated person entitled to run for the office of President of the Manitoba Metis Federation Inc.

ARTICLE III Qualifications of Electors

1. Any Metis person who resides, and who has resided therein, for at least six months, in the Region where Regional election is being held is entitled to vote in that election, and is entitled to vote in any election for the office of President of the Manitoba Metis Federation Inc.
2. The following rules apply for the purpose of determining an individual member's residence:
 - a) "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 licence, Manitoba H.S.C. card, or any other governmental material shall be conclusive evidence of the fixed home address of the person.
 - b) "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.
 - c) "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.
 - d) "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.
 - e) "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.

- f) "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 this by-law.
4. a) If a person claims to have two or more residences then for the purposes of this by-law 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 Federation 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 Officers.
- 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.

ARTICLE 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.

ARTICLE 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 twenty (20) individual members who shall attest their support of the nomination.
3. In the case of elections for Regional Office, 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 Manitoba Metis Federation Inc. 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 Federation shall be:
 - a) Only individual members of the Manitoba Metis Federation Inc. shall be entitled to stand as candidates for elected office in the Manitoba Metis Federation Inc.
 - b) In the case of the offices of Vice-President and President, only otherwise qualified candidates who have previously served for one year in an elected office of the Manitoba Metis Federation Inc. are entitled to stand as candidates for election.
 - c) No member who has an outstanding financial debt owing to the Manitoba Metis Federation Inc. that is more than thirty (30) days in arrears at the date of nomination shall be entitled to stand as a candidate for elected office.
 - d) No member who has a contract or an interest in a contract for pecuniary gain with the Manitoba Metis Federation Inc. shall be entitled to stand as a candidate for elected office.
 - e) Any candidate who accepts a nomination for any office must, if employed by the Federation, apply for a leave of absence from such employment, 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.
 - f) Each candidate who is employed by the Federation shall forthwith claim and thereafter be paid all outstanding holiday pay, outstanding wages and claims for disbursements made.

ARTICLE VI

Proceedings on Acclamation

AS RATIFIED BY THE 21ST ANNUAL ASSEMBLY NOVEMBER 16, 17, 18, 1989

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.

ARTICLE 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 by-law 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.

ARTICLE 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.

ARTICLE 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.

ARTICLE 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 Board of Directors and with her report shall state the cause of the postponement of the election.

ARTICLE XI Time, Place and Manner of Holding Elections

1. Elections for Regional positions shall be held at polls designated by the Chief Electoral Officer within their respective Regions.
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.

ARTICLE XII Advance Polls

1. Persons Voting at Advanced Polls

For the purpose of accommodating persons who are qualified to vote and

- a) who are appointed Poll Clerks, Scrutineers, Local Returning Officers and because of these appointments are unable to attend at the polling place to cast their votes, or
- b) who have reason to believe that they will not be in their respective Region when the election is to be held on the day fixed for the election, or
- c) who are unable to attend at the polling place on account of physical infirmities,

the Chief Electoral Officer shall establish an 'Advance Poll' in a suitably accessible place at a central location in each Local of the Manitoba Metis Federation (or in the case of Locals within a close distance to each other, in a central location convenient to those Locals) at which votes may be cast by electors and all things shall be done and proceedings with respect thereto that are required to be done or taken in and with respect to a regular polling place in the election, shall be followed.

2. The 'Advance Poll' shall be held on a day designated by the Chief Electoral Officer.
3. Infirm or incapacitated persons requesting voting privileges shall be given a ballot to vote in the presence of two scrutineers at the place where they are infirmed.
4. Statement of Voter

Every person applying to vote at an Advance Poll before being permitted to do so shall be required by the Local Deputy Returning Officer to make and sign, and shall make and sign a statement to the effect that the applicant is unable to vote at the regular poll on the day of the election for one of the reasons stipulated in Article XII (1).

5. The Local Deputy Returning Officer shall file all such statements from Advance Polls with the other records of the polls.
6. The Chief Electoral Officer shall ensure that a list of the names of all electors who have signed statements at Advance Polls is made available at each poll on the day of the election, and the Local Deputy Returning Officer shall check this list against the list of eligible voters at each poll.
7. At every Advance Poll, at the close of the poll the Local Deputy Returning Officer shall remove the ballots from the ballot box and ensure that the number of ballots in the box when combined with the number of unused ballots, equals the number of ballots which the Local Deputy Returning Officer was given at the commencement of voting. The ballots shall not be sorted or unfolded but simply shall be counted to determine whether there is a discrepancy between the number of ballots cast and left over when compared with the number of ballots with which the polling station opened. All ballots shall then be placed into marked envelopes provided by the Chief Electoral Officer, signed and sealed. The statements necessary to be filed shall be prepared and signed, and along with the unused ballots, delivered immediately following the closing of the advanced poll to the place designated by the Chief Electoral Officer.

ARTICLE XIII Ballot Papers

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

ARTICLE XIV 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.

ARTICLE XV Voting Compartments and Materials

The 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.

ARTICLE XVI Material to be Available

The Chief Electoral Officer shall before the opening of the poll ensure that the following are available:

1. Suitable directions for the guidance of voters.
2. A suitable poll book, where the names of all electors are to be entered.
3. A copy of the latest revised list of electors.
4. A ballot box or ballot boxes as required.
5. A sufficient number of ballot papers.
6. Such other forms, stationary and materials as may be required to enable the Deputy Returning Officer to perform her duties properly.

ARTICLE XVII

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 by-law campaigning activity includes the continued presence of a candidate or his representatives, and any activity intended to influence voting.

ARTICLE XVIII 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.

ARTICLE XIX Voting by Ballot

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

ARTICLE XX

All 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 by-law, no polling station shall be established in motorized vehicles such as autos, motor homes, etc. or trailers or movable small structures.

ARTICLE XXI Persons Entitled to be Present

1. Subject to clause 2., 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, 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 Deputy Returning Officer for the Polling station for which she is appointed.

ARTICLE XXII 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 Deputy Returning Officer shall, subject as provided herein, proceed as follows, namely:

1. He shall ascertain that the name of the person appears on the list of electors and that the same name does not appear on the list from an Advance Poll.
2. He shall require the person to sign his name opposite the place where it appears on the electors' list in the poll book maintained by the Deputy Returning Officer.
3. The Deputy Returning Officer may and upon request shall, either personally or through her Poll Clerk explain to the person voting as concisely as possible the way in which voting is to be done.
4. The Deputy Returning Officer shall initial the back of a ballot paper and deliver it to the person who has signed opposite his name on the electors' list.

ARTICLE XXIII The Marking of Ballots

Upon receiving from the 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.

ARTICLE XXIV 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 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.

ARTICLE XXV

The 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.

ARTICLE XXVI

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.

ARTICLE XXVII Forfeiture of Voting Right

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

ARTICLE XXVIII Voting by Incapacitated Person

1. Notwithstanding any other provision in this by-law 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 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 Deputy Returning Officer at the time of voting.

ARTICLE XXIX

Duties of Deputy Returning Officers respecting spoiled and declined ballots:

- 1. Immediately after the closing of the poll the 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 Deputy Returning Officer shall count the number of electors whose names appear on the list of electors and the number of electors by whose signatures next to their names in the poll book 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_____

DEPUTY RETURNING OFFICER SIGNATURE

POLL CLERK SIGNATURE

SIGNATURE OF SCRUTINEER (if they wish to sign)

- 3. The 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 Deputy Returning Officer shall reject any ballot that:

- a) has not been supplied by her, or

AS RATIFIED BY THE 21ST ANNUAL ASSEMBLY NOVEMBER 16, 17, 18, 1989

- 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 list of electors eligible to vote at the polling station, a column for the signature of electors next to their names on the list and a column for remarks by election officers.
- b) The 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 question 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 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 Deputy Returning Officer shall endorse

- a) "rejected" on any ballot the 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 but counted".

10. Counting the Ballots Allowed

The 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 but counted.

11. The 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 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 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 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 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 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.

ARTICLE XXX

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 Deputy Returning Officer shall declare each of the candidates having such an equality of votes to be elected.

ARTICLE XXXI 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.

ARTICLE XXXII Recount

1. The Chief Electoral Officer determines the need for a recount pursuant to the preceding provision (ARTICLE XXXI), 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 Board of Directors of the Federation, the Deputy Returning Officer, and to the candidates.
3. In recounting the ballots the Chief Electoral Officer shall, subject to sub-article (4) follow the provisions which a Deputy Returning Officer is required to observe under these by-laws.
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 Article 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 the 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 Article 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 Article the candidates for election in the new election shall be only those candidates who had an equal number of votes following the recount.

ARTICLE XXXIII Disposition of Ballots

1. The Chief Electoral Officer shall retain all ballot papers received by her for one month and then:

AS RATIFIED BY THE 21ST ANNUAL ASSEMBLY NOVEMBER 16, 17, 18, 1989

- a) unless she has received a notice of a recount as provided for herein, or
- b) unless she is otherwise directed by order of the Board of Directors 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.

ARTICLE XXXIV 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 Board of Directors shall be paid to the election officer by the Board.

ARTICLE XXXV 'Local' Elections

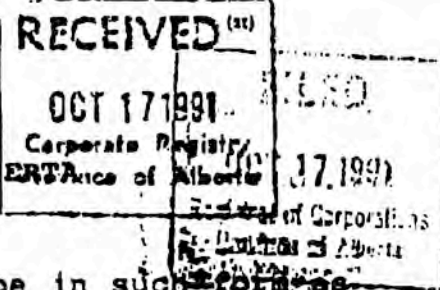
1. Any group of members forming a local shall determine methods and times for selection of officers and shall provide such information to the appropriate regional office at the time it applies to be requested as a local.
2. Each local shall be entitled to no fewer than one ballot station providing it shall have complied with the terms hereof. In order to qualify for a ballot station a local shall:
 - a) Register with the appropriate region by providing all required documents and complete all required forms;
 - b) Undertake an enumeration of all members entitled to vote in any Federation election;

- c) Provide an enumeration list of members to the appropriate regional office and to the President of the Federation or his or her designate;
- d) Represent a geographic area as defined on a map, and file with the appropriate region such map describing the geographic area represented;
- e) Comply with all regulations and requirements for the maintenance of a local as are from time to time prescribed by the Board of Directors.

3. For greater clarity, and without restricting the generality of the foregoing an enumeration shall include all persons who are entitled to be members of the Federation and shall be conducted according to the following:

- a) An advertisement shall be placed in an appropriate written medium, timed in conjunction with appropriate radio and television advertising to inform persons of the enumeration;
- b) Appropriate posters shall be placed in convenient and visible locations to advise of the enumerations;
- c) An ongoing list of members shall be maintained by each local with appropriate addition and deletion of members;
- d) Each new member shall receive a members card executed by a proper officer in that behalf.

BYLAWS OF THE METIS NATION OF ALBERTA



ARTICLE I. SEAL

The seal of the Metis Nation shall be in such form as shall be prescribed by the Board and shall have the words "THE METIS NATION OF ALBERTA" inscribed thereon. The seal shall be kept at the head office of The Metis Nation or as directed by the Board.

ARTICLE II. INTERPRETATION

When construing By-laws, reference shall be made to the Societies Act, and words and expressions used in the by-laws shall, so far as the context does not otherwise acquire, have the same meaning as would be the case when used in the Societies Act. The Board of Directors shall have final authority over all matters of policy, program and interpretation of the By-laws including, but not limited to, the resolution of conflicts or perceived conflicts within the By-laws.

ARTICLE III. DEFINITION

- (1) ANNUAL ASSEMBLY shall mean the Annual General Meeting of the Metis Nation.
- (2) ASSOCIATE MEMBERSHIP means a person who is the spouse, natural child, or child adopted by an Order of a Court, is entitled to be registered as an Associate Member of the Metis Nation and will retain such membership for his or her lifetime provided such person pays annually a sum declared to be the membership dues for Associate Membership.
- (3) BOARD shall mean the Board of Directors and shall consist of the President, six (6) Vice-Presidents, and six (6) Directors.
- (4) COUNCIL OF ELDERS or ELDERS COUNCIL means the Council of Elders established pursuant to Article XVII.
- (5) ELDER means a member of the Metis Nation at least 55 years of age who is appointed to act as a member of the Council of Elders.
- (6) EXECUTIVE COUNCIL shall mean the President and the Vice-Presidents.

- (7) **SPECIAL RESOLUTION** means a resolution passed by a majority of not less than three-fourths (3/4) of such members entitled to vote as are present in person at a General Meeting or Special Meeting of which notice specifying the intention to propose the resolution as a Special Resolution has been duly given and that all Special Resolutions have a twenty-one (21) day notice such Resolutions being required for the alteration of the objects and By-laws of the Metis Nation.
- (8) **ORDINARY RESOLUTION** means a resolution passed by a majority of not less than fifty percent (50%) plus one (1) vote of such members entitled to vote as are present in person at an Annual General Meeting duly called and constituted; such resolutions being required for the general conduct of business.
- (9) **HONOURARY MEMBER** means any person appointed by the Board as an Honourary Member who shall not be entitled to vote at any meetings of the Metis Nation and shall not be required to pay any membership fees or dues or subscriptions.
- (10) **LIFETIME MEMBERSHIP** means that person receives a membership in the Metis Nation of Alberta; it will be a lifetime membership, subject to By-laws of the Metis Nation. However, to be a member of a local association, annual dues must be paid.
- (11) **MEMBER** shall include Lifetime and Associate a member in good standing of the Metis Nation.
- (12) **METIS NATION** shall mean "THE METIS NATION OF ALBERTA".
- (13) **REGIONAL COUNCIL** shall mean the Presidents of each local in their respective zone, or any member of the Board appointed by the Presidents in each local.
- (14) **OFFICER** shall mean a member of the Executive Council.

ARTICLE IV. RELIGION - POLITICS

The Metis Nation shall not be affiliated with any religious denomination of political party, unless it is a Native political party and also that the Native political party be

endorsed by the Metis Nation of Alberta membership at a Metis Nation of Alberta Annual Assembly.

**ARTICLE V. TERMS OF OBLIGATIONS
ADMISSION OF MEMBERS AND THEIR RIGHTS**

- (1) The Metis Nation shall consist of the three kinds of members:
 - (a) Lifetime Members
 - (b) Associate Members, and
 - (c) Honourary Members
- (2) Any Metis, resident in Alberta, as defined by Article V(2A), who is accepted as a member in good standing of a duly registered Local or the Metis Nation, upon payment of the prescribed fee, shall become a Lifetime member of the Metis Nation Alberta, provided that no member shall be entitled to vote and hold office until they are sixteen (16) years of age.
 - (2A) A Metis is an aboriginal person who:
 1. Declares himself/herself to be a Metis person, and
 2. Can produce satisfactory historical or acceptable legal proof that he/she is a Metis, or
 3. Has traditionally held himself/herself out to be Metis, and
 4. Is accepted by the Metis community as a Metis.

(3) **DEFINITIONS**

1. **HISTORIC PROOF** - Evidence of an ancestor who received a land grant or a script grant under the Manitoba Act or the Dominion Lands Act, or who is recognized as a Metis in other governments, church or community records or documents.
2. **LEGAL PROOF** - A Statutory Declaration declared by a legally responsible person attesting that he/she has personal knowledge that a given

person is a Metis setting out the grounds relied on.

3. A METIS COMMUNITY - Is any group of Metis people who share that common history, culture and national identity which developed in parts of Rupertsland and the Northwest Territories.
4. Anyone running for an Executive or Board position must have resided in Alberta for one (1) year prior to the Annual elections of the Metis Nation.
5. All applications for membership shall be in a written form approved by the Board of Directors, and shall be submitted to a Local in which a person resides. Upon approval by the Local and upon payment of the prescribed membership fee, the applicants shall become members of the Metis Nation, subject to the By-laws of the Metis Nation.
- 5A. Any person denied membership, or wishes to challenge an applicant's right to membership in the Metis Nation, may appeal in writing to the Regional Council in his/her zone. A person may further appeal in writing to the Council of Elders of the Metis Nation. The decision of the Elders Council shall be final.
- 5B. Each Local shall forward a record of membership to the Secretary of the Metis Nation, stating the name, address, local, zone and date of membership approval.
- 5C. All membership rights and privileges in the Metis Nation are subject to the By-laws of the Metis Nation.
- 5D. The Lifetime and Associate membership fee shall be three (\$3.00) dollars per year or such other sum as may from time to time be decided by the board. All membership fees are to be paid to the Metis Nation and all monies collected thereby are to be used,, at the discretion of the Board, to pursue the objects of the Metis Nation.
6. Membership cards shall be issued in such form as the Board may direct, shall bear the name, address and zone of the member and shall

Identify whether the member is a Lifetime or Associate Member.

7. The Board may appoint any person of Native ancestry or of non-Native ancestry an honorary member of the Metis Nation. The honorary member shall not be entitled to vote at any meeting of the members and shall not be required to pay any membership fees or dues or subscriptions, but such appointment will not limit or restrict the rights to vote of an honorary member who is also an ordinary member in good standing.
8. A member of the Metis Nation in good standing shall mean to be a member of the Metis Nation who has observed or fulfilled all the duties and obligations pertaining to membership in respect to the affairs of the Metis Nation generally, and has paid in full all dues or fees payable as a member and who has not been suspended or expelled from membership.
9. Membership in the Metis Nation is not transferable.
10. No member of the Metis Nation shall in his individual capacity be liable for any debts or liabilities of the Metis Nation.
11. Upon the failure of any member to pay the membership fee, a subscription of assessments, or indebtedness to the Metis Nation, the Board may cause the name of such member to be removed from the Register of Members and such members shall thereafter be entitled to no privileges, or power in the Metis Nation until reinstated, provided, however, that he/she not be reinstated in membership until he/she has paid to the Metis Nation all arrears, dues and indebtedness owing by him/her at the time of reinstatement.
12. Associate members shall have all the rights and privileges of a Lifetime membership except the right and privilege to be a candidate for election or appointment to, or if elected appointed to maintain occupation of, membership upon the Board, the board of directors of any Local or Regional Council and any election of appointment made in contravention hereof shall be null and void.

**ARTICLE VI. CONDITIONS OF WITHDRAWAL OF MEMBERS
AND MANNER, IF ANY, IN WHICH A MEMBER MAY BE EXPELLED**

- (1) Any member wishing to withdraw from membership may do so upon notice in writing to the Local through its Secretary but no part of the membership fee or other dues or assessments shall be refunded to the member.
- (2) Notwithstanding Article IV (9) THE COUNCIL OF ELDERS may by motion suspend, expel or reinstate any member for any conduct or act which the Elders' Council determines is, has been, or will be, gravely detrimental to the Metis Nation or the interest of the Metis Nation.
- (3) Any office held by a member, who has been suspended or expelled shall be deemed vacant, and that member shall have no further right to participate in the affairs of the Metis Nation.

**ARTICLE VII. MODE AND TIME OF CALLING GENERAL
AND SPECIAL MEETINGS OF THE METIS NATION AND
NUMBER CONSTITUTING A QUORUM AT ANY SUCH MEETING
AND RIGHTS OF VOTING**

- (1) Notice of the time and place of all Meetings of the members and the general nature of the business to be transacted shall be communicated to each member at least twenty-one (21) days before the holding of the Meeting. Accidental omission of given notice or non-receipt thereof shall not invalidate the Meeting.
- (2) Whenever under the provisions of the By-laws of the Metis Nation notice is required to be given, such notice may be given either personally or by depositing same in a post office or in a public letter box, in a postpaid sealed envelope addressed to the Director, Officer, or member at his or her address as the same appear on the books of the Metis Nation. A notice or other documents so sent by post shall be held to be sent at the time when the same was deposited in a post office or public letter box as aforesaid. For the purpose of sending any notice, the address of any Director, Officer or member shall be his last address as recorded on the books of the Metis Nation.

- (3) An Annual Assembly called for the purpose of transacting such business as may properly come before an Annual Assembly shall be held each year at such place as the Board may determine; provided that at least twenty-one (21) days notice in writing of the time and place of such Meeting shall be given in the manner hereinbefore provided in the By-laws, and provided that said Meeting cannot be held twice in one zone before it has been held in every other zone. Accidental omission to give notice or non-receipt thereof shall not invalidate the Meeting.
- (4) Any Meeting of the members may be adjourned to a subsequent date by a majority vote of members, and all business to be tabled at that Meeting shall be adjourned and decided upon by the members present at the subsequent Meeting. Business may be transacted at the initial Meeting. No notice shall be required of any such adjournment. No adjournment shall be valid unless a quorum was present at the initial Meeting.
- (5) A quorum at any Meeting of members shall be two members in good standing, present in person, who have registered and are qualified to vote at any such Meeting.
- (6) Any Special Meeting of the members shall be held at such place as the Board may determine and on such day as the Board shall appoint. A Special Meeting of the members shall be called by the Secretary upon receipt by him/her of a Petition signed by one-fourth (1/4) of the members of the Metis Nation setting forth the reason(s) for calling such a Meeting and notice of such Meeting shall be given in the manner hereinbefore provided by these By-laws. (At least twenty-one (21) days notice: Article VII, section 1.)
- (7) No business shall be transacted or considered at any Special Meeting save only that for which the said Meeting convened.
- (8) The order of business of a Meeting or an Assembly of the Metis Nation shall be decided by the Board.

- (9) Notwithstanding anything else in these By-laws and subject to the provisions of the act, Special Resolutions passed at an Annual Assembly are effective from the time that they are registered at Corporate Registry by any member of the Metis Nation.

ARTICLE VIII. VOTING

- (1) Any Lifetime or Associate member who has not withdrawn from membership or has not been suspended, expelled, or forfeited his membership as hereinbefore provided, shall be entitled to vote at any Meeting of the Metis Nation. Such votes must be made in person and not by proxy or otherwise.
- (2) At all Meetings of the Metis Nation, every question or resolution put to a vote at the Meeting shall be decided by a majority of the votes of the full members present in person unless otherwise expressly required by the By-laws of the Metis Nation or the Societies Act. Every question or resolution put to a vote at any Meeting shall be decided in the first instance by a show of hands unless a standing vote be demanded by any members. Upon a show of hands or standing vote, every full member having voting rights shall have one (1) vote and, unless a ballot be demanded, a declaration by the Chairman of the Meeting that a question or resolution has been carried or not carried and any entry to that effect in the minutes to the number of proportion of the votes accorded in favour of or against such question or resolution, shall be satisfactory evidence of the result of the vote. A ballot may be demanded by at least five (5) members entitled to vote, and such ballot shall be demanded within three (3) minutes of announcement by the Chairman of the Meeting of the result of the vote. The demand for a ballot may be withdrawn, but if a ballot be demanded and not withdrawn, the question or resolution shall be decided by a majority of the votes given by the members present in person, and such ballots shall be taken in such manner as the Chairman shall direct, and the result of such ballots shall be deemed the decision of the Metis Nation in a General Meeting upon the matter in question.

In case of an equality of votes at any General or Special Meeting whether upon a show of hands, or on a ballot, then a second ballot shall be called and if no clear majority results from the second ballot, then the resolution or motion shall be lost. There shall be no limit to the number of ballots required for the election of the President, Vice-President, and all zone elect ed Directors.

ARTICLE IX. APPOINTMENT AND REMOVAL OF DIRECTORS AND OTHER OFFICERS AND THEIR DUTIES, POWER AND REMUNERATION

- (1) The Board shall consist of the President, six (6) Vice-Presidents and six (6) Directors; one (1) Vice-President and (1) Director representing each of the six (6) zones into which the Province of Alberta shall be divided as hereinafter set forth.
- (2) The Province of Alberta shall be divided into six (6) zones, the boundaries of which shall be determined by the Board and such zones shall come into force by resolution of the Board. Any changes in the boundaries of the zones so determined shall come into force only upon confirmation and ratification by the Annual Assembly.
- (3) At any election of members of the Board the retiring members of the Board shall be eligible for re-election.
- (4) The term of office of all members of the Board of Directors, including the President, Vice-Presidents and other Board members shall be for a period of three (3) years.
- (4A) The terms of office referred to above shall begin at the next General Election held by the Metis Nation where all positions for the offices of President, Vice-Presidents and Board of Directors are being contended, and further, that once the requirements contained in this section are met, this section is automatically deleted from the By-laws.
- (5) The President and six (6) Vice-Presidents may receive for their duties a remuneration in such

amount as the Board may from time to time determine.

- (6) Each zone shall be entitled to one (1) Vice-President and one (1) Director who shall be elected by the members of the respective zone, all of which shall actually reside within that zone at the time of the election.
- (7) The Secretary and Treasurer shall be elected from the Vice-Presidents by the Board of Directors at a Board Meeting held within seven (7) days directly following the election date. Such election shall be by ballot and require a majority vote of the Board.
- (8) A member of the Board shall not hold an elected position in any Local of the Metis Nation or any other Provincial native organization.
- (8A) A member of the Metis Nation of Alberta cannot run for the office of President or Vice-President in the Metis Nation of Alberta unless having at least twenty-five (25) members in good standing, residing in that zone, sign his/her nomination papers, except for the President who may be provincially nominated from any zone.
- (8B) A member of the Metis Nation of Alberta cannot run for office of zone Director in the Metis Nation unless ten (10) members in good standing residing in that zone sign his/her nomination papers.
- (9) A zone elected Vice-President or zone Director shall cease to be a Vice-President or zone Director at such a time as he no longer resides in the zone he/she represents or ceases to be a member in good standing.
- (9A) If any Vice-President resigns his/her office or without a reasonable excuse absents himself/herself from three (3) or more consecutive Board Meetings or be suspended, expelled or disqualified, the Board shall declare his/her office vacated. The office so vacated shall be filled in accordance with Article IX (10A).
- (9B) If any zone Director resigns his/her office or without reasonable excuse absents himself/herself from three (3) or more

*Constitution Board meetings
or be suspended, expelled or disqualified,
the Board shall*

11

declare his/her office vacated. The office so vacated shall be filled within three (3) months by the Regional Council from that zone in accordance with Article IX (10B).

- (9C) Prior to a resolution being passed, at the Regional Council level, for removal of the Vice-President, two-thirds (2/3) of the Metis Locals in the zone must have, in writing, a duly passed motion from a Local meeting requesting removal of the Vice-President where notice has been given to all members of the Local.
- (9D) The Vice-President shall have his office centrally located within his respective zone.
- (9E) The Regional Vice-Presidents and zone Directors may be removed from office in accordance with Article XV (6).
- (10) The President, upon being elected, shall appoint an Acting President from the Vice-Presidents of the Metis Nation of Alberta to replace him/her in the case of his/her absence, disability or death, expulsion or suspension.
- (10A) In the absence, disability or death of a Vice-President, the Board shall appoint the zone Director of that zone as acting Vice-President until the next Vice-Presidential elections for that zone or as provided in Article IX (9A).
- (10B) In the absence, disability or death of the zone Director, the Regional Council shall appoint a member in good standing to act for his/her respective zone.
- (11) The Board shall meet at least six (6) times between Annual Assemblies, at such times and in such places as the Board may determine.
- (11A) A quorum for a meeting of the Board shall consist of eight (8) members of the Board.
- (11B) A quorum for the Executive Council Meeting shall consist of four (4) members of the Executive.
- (12) The Executive Council shall have and shall exercise all the powers of the Board of Directors of the Metis Nation as may be delegated from time to time to them by the Board

~~delegated from time to time to them by the Board~~
of Directors between meetings of the Board of Directors providing that:

- (a) The Executive Council shall take no action inconsistent with any Policy established or approved by the Board;
- (b) At each meeting of the Board of Directors, the Executive Council shall report on all its actions since its previous report; and
- (c) Any action or proceedings by the Executive Council shall be subject to approval by the Board of Directors at a Board Meeting.

- (13) Subject to the By-laws and directions given to them by a majority vote at any Annual Assembly or Special Meeting of the Metis Nation properly called and constituted, the Board shall have full control and management of the business and affairs of the Metis Nation. All motions passed by the Board shall become binding on the Metis Nation, providing such motions conform to the By-laws of the Metis Nation.
- (14) The Board may appoint such persons and agents and authorize the employment of such other persons as it deems necessary to carry out the objectives of the Metis Nation. Such persons and agents and employees shall have such authority and shall perform such duties as prescribed by the Board.
- (14A) All persons, agents, and other employees referred to in Section (14) shall, where possible, be employed from within the membership of the Metis Nation. Before any person, agent, or other employee is hired from outside the Metis Nation, the Board, or such person directed by the Board, shall cause to have sent to each Local of the Metis Nation a letter outlining the requirements of the position. The position shall not be filled until thirty (30) days after the mailing of said letter.
- (15) In the absence or inability of any agent or employee to act on behalf of the Metis Nation, or for any reasonable cause that the Board may deem sufficient, the Board may terminate such

agency and employment and may delegate all or any powers of such person to any other person.

- (16) The Board may appoint such committees as it deems necessary and the Board may appoint a chairman of each committee who in consultation with the Executive Council may appoint consultants to assist him/her with his/her duties.
- (17) A motion in writing signed personally by all the members of the Board shall be valid and effectual as if it has been passed at a meeting of the Board duly called and constituted.
- (18) Matters arising at any meetings of the Board except those matters specified in Article IX (9B) and Article VI (1A) shall be decided by a majority vote. The Chairman shall vote only a case of a tie.
- (19) The President, six (6) Vice-Presidents, and employees of the Metis Nation shall be remunerated for their services in such sums as the majority of the members of the Board may determine.
- (19A) The members of the Board shall also be paid travelling expenses for attending and returning from Assemblies or meetings of the Board or the Metis Nation's business.
- (20) The President shall chair all meetings of the Board unless he/she turns the chair over to another Board member and they accept, and the President shall appoint the Chairperson or Chairpersons, not affiliated with the Metis Nation of Alberta, of any Annual Assembly or Special Meeting of the Metis Nation, provided that the person or persons so chosen shall be ratified by ordinary resolution at that meeting.
- (21) The Secretary shall keep, or cause to be kept, a record of the proceedings of all meetings or Assemblies of the Metis Nation and meetings of the Board and Executive. The Secretary shall keep or cause to be kept all books, records, and papers of the Metis Nation in proper order. He/she shall issue or cause to be issued motions for all meetings or Assemblies of the Metis Nation when directed to do so by the

Board and shall perform such duties as are incidental to the office that may be required of him/her by the Metis Nation.

- (21A) The Secretary shall have charge of the seal of the Metis Nation and whenever in use, the seal shall be authenticated by the signature of the President and one of the other members of the Executive Council.
- (22) The Treasurer shall keep, or cause to be kept, full and accurate accounts of receipts and disbursements and books belonging to the Metis Nation and shall deposit or cause to be deposited, all monies and other valuable effects in the name and to the credit of the Metis Nation, in such depositories as may be designated by the Board. The Treasurer shall also perform such other duties as may be determined by the Board.

ARTICLE X. AUDITING

- (1) The books, accounts and records of the Treasurer shall be audited at least once a year by a duly qualified chartered accountant(s).
- (2) The Annual Statements of the Metis Nation shall report individually the expenditures of the President, Vice-Presidents, Directors and staff. Each such person shall provide and submit such further particulars as may be required by the chartered accountant(s).

ARTICLE XI. BORROWING POWERS AND SIGNING AUTHORITY

- (1A) For the purpose of carrying out its objectives, the Board may borrow or raise or secure the payment of monies in such manner as it thinks fit.
- (1B) Notwithstanding Article XI (1A), the issue of debentures shall be exercised only under the authority of the Metis Nation and in no case shall debentures be issued without the sanction of a special resolution of the Metis Nation.
- (2) Deeds, transfers, licenses, contracts and engagements, on behalf of the Metis Nation shall be signed by the President and by one of

the other members of the Executive Council and they shall affix the seal of the Metis Nation on such instruments as required by the same.

- (3) Contracts in the ordinary course of the Metis Nation's operations may be entered into on behalf of the Metis Nation by the President or in the event that the President is unable to fulfil his/her responsibilities, by the Acting President, or anyone appointed by the President or by any other person authorized in writing by the Metis Nation of Alberta.

**ARTICLE XII. MANNER OF MAKING,
ALTERING AND RESCINDING BY-LAWS**

- (1) By-laws may be rescinded, altered or added to by a "Special Resolution" as defined in Article III (5).

**ARTICLE XIII. TIME AND PLACE, IF ANY, AT WHICH
THE BOOKS AND RECORDS OF THE METIS NATION MAY
BE INSPECTED BY MEMBERS**

- (1) The books of the Metis Nation may be inspected by any member or group of members upon application in writing to the Executive of the Metis Nation. "Books" shall mean those books of accounts commonly known as synoptic, journal entry and general ledger.

ARTICLE XIV. LOCALS OF THE METIS NATION

- (1) Any five (5) or more members of the Metis Nation in good standing and residing in the same locality, may request the Board to approve a Local of the Metis Nation of the said locality. The boundaries of any such Local shall be determined by the Board and may be altered from time to time. Every Local when constituted shall have a distinctive name and/or number approved and allotted to it by the Board and shall receive from the Board a letter of authority and consent under the hand of the President and Secretary and the seal of the Metis Nation.
- (2) The Board shall not approve or consent to the use of any similar or affiliated name unless

the applicants undertake to incorporate the Local pursuant to the Societies Act of Alberta. The Metis Nation will recognize no Local unless incorporated pursuant to the Societies Act of Alberta.

- (3) When constituted, the Local shall be responsible for its own leadership, membership, finances and legal obligations and in all other ways act as a legal entity distinguished from that of the Metis Nation. In particular, the Local shall not, either directly or indirectly, hold itself out as being empowered to impose legal obligations on the Metis Nation of Alberta.
- (4) A Local so approved and consented to shall acknowledge the Metis Nation of Alberta as the proper representatives of the Metis people of Alberta and shall not encroach upon their fields of endeavour, but the Local shall restrict its affairs to Local community efforts. All representatives beyond the community level must be through the Metis Nation or with its written consent.
- (5) If for any reason irreconcilable differences arise between the Metis Nation and the Local, the Metis Nation shall be entitled to demand of the Local that it withdraw any reference to the Metis Nation from its name. Upon withdrawal of consent to the use of any such reference, the Local shall change its name in accordance with the Societies Act and release the Metis Nation from any rights, obligations, or privileges it formerly held.

**ARTICLE XV. REGIONAL COUNCIL,
THEIR DUTIES, POWERS AND REMUNERATION**

- (1) REGIONAL COUNCIL shall consist of the President of each Local in their respective zone, or any member of the Board appointed by the President in each Local.
- (2) A quorum for a REGIONAL COUNCIL Meeting shall be at least fifty percent (50%) plus one (1) of the members eligible to sit on that Council.

- (3) REGIONAL COUNCIL shall meet at least four (4) times per year in their respective zones. Time and place of such meetings will be determined by the Regional Council.
- (4) The Metis Nation shall pay reasonable expenses for such meetings.
- (5) The REGIONAL COUNCIL will be responsible for keeping an accurate list of all members eligible to vote at any meeting of the Metis Nation in their respective zones.
- (6) The Board of the Metis Nation, upon receiving a letter from the REGIONAL COUNCIL certifying a duly passed resolution to remove from office the Zone Director passed by at least two-thirds (2/3) of those members eligible to sit on the REGIONAL COUNCIL, prior to a resolution being passed at the Regional Council level, for removal of the Zone Director, two-thirds (2/3) of the Metis Locals in the Zone must have in writing, a duly passed motion from a Local meeting requesting removal of the Zone Director where notice has been given to all members of the Local. The Board of the Metis Nation shall immediately notify such Zone Director of such notice and declare such office vacated. The REGIONAL COUNCIL shall, within three (3) months, appoint a new Zone Director from the membership in that zone to hold office until the next election.
- (7) The zone Vice-President and zone Director will attend REGIONAL COUNCIL quarterly meetings in their zone and shall report to that Council on all activities of the Metis Nation and receive direction from that REGIONAL COUNCIL for the next Board meeting for consideration at the Board meeting.
- (8) The REGIONAL COUNCIL is to provide direction to the zone Vice-President and zone Director in its zone with respect to the aims, goals and aspirations of the Metis Nation of Alberta.
- (9) All six (6) Regional Council Constitutions and By-laws are to be consistent with the Metis Nation of Alberta Constitution and By-laws.

ARTICLE XVI. ELECTORAL COMMISSION

- (1) The Board shall appoint by ordinary resolution, an Electoral Commission composed of members at large of the Metis Nation, but not from the Board itself, one from each zone of the Metis Nation, ratified by that zone's Regional Council.
- (2) Once appointed to the Commission, a member may only be removed by at least a two-third (2/3) vote of those members who sit on the Commission for just cause or for missing three (3) consecutive duly convened meetings of the Commission.
- (3) The members of the Committee shall appoint from their number a Chairman by ordinary resolution and who may be removed at any time by the Commission in the same manner.
- (4) The purpose of the Commission is to recommend changes of Local and Regional boundaries to the Board, who may accept or reject said boundaries, but may not vary recommendations of the Committee.
- (5) Should the Board refuse to accept any recommendation set forth by the Commission, said recommendation shall automatically be tabled at the next Annual Assembly for consideration by the membership at large.
- (6) Notwithstanding anything else in these By-laws, the Board may not make any changes in Local or Regional boundaries unless they are recommended by the Commission.
- (7) Any member of the Commission may resign his/her appointment at any time by sending a notice in writing to the Metis Nation.
- (8) The Commission may consider as part of its mandate, the By-laws of the Metis Nation and may make recommendations to the membership at the annual Assembly, who may accept, reject or vary those recommendations in accordance with these By-laws.
- (9) The Commission shall also consider as a part of its mandate the principle that all regions of the Metis Nation shall be approximately the

same size in membership population, taking into consideration their historical background and make recommendations therefrom.

- (10) Submissions may be made to the Commission by any member or group of members subject to any rules of procedure that the Commission may decide.
- (11) The Metis nation shall be responsible for the payment of all reasonable expenses incurred by the Commission, as may be determined by the Board.

ARTICLE XVII. COUNCIL OF ELDERS DUTIES POWERS AND REMUNERATION

- (1) The Council of Elders shall consist of fourteen (14) Elders, each of whom shall be appointed as follows:
- (a) Two (2) Elders shall be appointed by each Regional Council.
 - (b) Two (2) Elders shall be appointed by the President.
- (2) Upon initial appointment, each Regional Council and the President shall designate one appointee whose appointment shall continue for three (3) years and all remaining appointees shall hold office for two (2) years; thereafter, the successor of each Elder shall be appointed for a term of two (2) years.
- (3) Any Elder shall cease to be a member of the Elders Council;
- (a) if the Elder fails to attend, for any reason, meetings of the Elders Council held in three (3) consecutive months;
 - (b) if the Elder becomes ^{infirm} ~~informed~~ or is otherwise incapable of acting as a member of the Elders Council in the opinion of a qualified medical practitioner; or
 - (c) on the resolution of nine (9) members of the Elders Council that an Elder's membership on Elders Council should be suspended or terminated.

- (4) Elders Council shall be responsible for the following:
- (a) Subject to approval by the Metis Nation, establishment of a Code of Ethics of all members elected to office of a Local, Regional Council or Board of the Association;
 - (b) enforcement of the Code of Ethics;
 - (c) administration of the oath of office of any member elected to office of a Local, Regional Council or the Board of the Metis Nation;
 - (d) resolve disputes over any matter concerning the operation and application of the Election By-laws, disputes between the operation, application and conflict between the By-laws of the Metis Nation, By-laws of Regional Council or By-laws of a Local;
 - (e) determine all matters concerning the continuation of membership of any member, including the suspension, expulsion or cancellation, reinstatement thereof;
 - (f) make recommendations to the Metis Nation on any matter referred to the Elders Council by the President or Board of the Metis Nation.
- (5) Any resolution or decision of the Elders Council within, or purporting to be within, or for the purpose of the exercise of the responsibilities expressed in Clauses (d) and (e) of this Article shall be final and without appeal.
- (6) Subject to the identification and budget of funds, an Elder shall be paid the sum of \$50.00 for each day of attending a meeting of Elders Council, together with such reasonable expenses as are supported by invoice.

SPECIAL RESOLUTION**RECEIVED****OCT 17 1991**Corporate Registry
Province of Alberta

At a Meeting of the members of The Metis Nation of Alberta Association held on the 17th and 18th days of August, 1991 I HEREBY CERTIFY that the following Special Resolution was passed rescinding the existing bylaws in their entirety and adopting the new set of bylaws in their stead.

DATED at the City of Edmonton, in the Province of Alberta, this 7 day of October, 1991.

Larry Desmeules

L. DESMEULES, PRESIDENT

FILED**OCT 17 1991**Registrar of Corporations
Province of Alberta

BY-LAWS OF THE METIS SOCIETY OF SASKATCHEWAN.

PREAMBLE

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

Having experienced physical and political conflict and dispossession in the late 1800s, we are still engaged in a continuing struggle to rebuild our social base and revive our cultural heritage and pride. As such, we are striving for the political, legal and constitutional recognition and guarantees of the rights of our People, including the right to a land and resource base, self-government and self-government institutions.

In order to achieve these objectives we are hereby re-establishing a strong and revitalized organization within the province of Saskatchewan, which must involve all sectors within our Society. This organization shall be strengthened through a continuing collective collaborative process at the community level, whereby our internal Metis political constitution shall be developed to meet the aspirations and decisions of our People.

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

AMENDED BY-LAWS

The following By-laws were passed at the Metis Constitution Conference held February 20, 1988 at Prince Albert, Saskatchewan. By-law changes made at the Annual General Assembly in 1991 are also included in this document. The present Association of Metis and Non-status Indians of Saskatchewan By-laws as provided for in By-law No. 19 are hereby repealed and the following By-laws are substituted in their place. These amended By-laws constitute the sole By-laws governing the Metis Society of Saskatchewan, formerly known as the Association of Metis and Non-status Indians of Saskatchewan.

ART. NO. 1: NAME OF ORGANIZATION.

1. The Association of Metis and Non-status Indians of Saskatchewan shall henceforth be renamed and known as the "Metis Society of Saskatchewan".
2. In all contracts, agreements, correspondence, subsidiary organ constitutions or by-laws or any other documents, the name "Association of Metis and Non-status Indians of Saskatchewan" shall be interpreted to mean the "Metis Society of Saskatchewan" and such instruments shall be amended at the first reasonable opportunity to conform to this name change.

BY-LAW No. 2: MEMBERSHIP.

1. a) Membership is comprised of the Aboriginal People known as "Metis" and who meet the criteria in sub-section (b).
 - b) A Metis is a person of Aboriginal ancestry, who:
 1. can provide proof of his/her ancestry;
 2. declares himself/herself to be a Metis; and
 3. meets one of the following tests:
 - a) is accepted as a Metis by the Metis community,
 - b) has traditionally held himself/herself out to be a Metis,
 - c) has been recognized by the community-at-large as a Metis.
2. Any Metis who is a member in good standing of a duly registered Local is a member of the Metis Society of Saskatchewan.
3. Members shall be issued a membership card as adopted by the February, 1988 Metis Constitution Conference.
 - 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 in the Head Office. Replacement cards shall retain the original number.
 - d) Membership cards shall be issued by the President or Secretary of a duly registered Local upon completion of the designated form.
4. Where there is a dispute as to membership, a ruling shall be made by the Local, with a right of appeal to the Regional Council. A further appeal can be made to the Provincial Metis Council, with a final right of appeal to the General Assembly which decision shall be final and binding.

BY-LAW No. 3: METIS INDEPENDENCE.

1. Whereas the Metis are seeking self-government as a third order of government within Canada, the organization shall be non-sectarian and non-partisan.
2. The loyalty of the members of the Provincial Metis Council must be to the Metis 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 General Assembly, which is the Supreme Body for the Metis 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 member of the Provincial Metis Council who chooses to seek the nomination of any Provincial or Federal Political Party in any provincial or federal election shall immediately forfeit their seat on the Council, and such vacancy shall be filled through a by-election, as provided for in By-law No. 12.

BY-LAW No. 4: OFFICIAL COLOURS, FLAG AND ANTHEM.

The official colours, flag and anthem shall be determined by the membership during the on-going constitutional reform consultation process, as provided for in By-law No. 19.

BY-LAW No. 5: LOCALS

1. The Local shall be the basic unit of the Organization in each community.
2. The Local shall be made up of at least nine members.
3. Each Local shall be governed by an elected leadership as determined through the by-laws 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.
4. Any Metis who is sixteen years of age or over and is a member in good standing of the Local shall be entitled to vote or seek office.
5. Each Local shall enact by-laws which are not inconsistent with these By-laws, including the establishment of portfolios, committees or other bodies required to address

community and other issues, and such Local by-laws shall be registered with the Head Office of the Organization.

6. The Locals shall provide yearly up-dates of their membership to the Head Office, separating those members who are under sixteen years of age, from those sixteen and over.

7. The Locals shall be responsible to prepare the Communities for the assumption of Metis self-government, which includes land, where this is an objective.

8. The Locals may incorporate with the appropriate government department.

9. The Locals may seek the necessary finances and resources to carry out their programs, services and objectives, and where so requested the Provincial Metis Council shall assist in securing these necessary finances and resources.

BY-LAW No. 6: REGIONS

1. 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 Metis Council.

2. The Regional Councils shall establish regional administrative offices.

3. The Regional Councils shall be responsible for programs and services decentralized to that level.

4. The Regional Councils shall enact by-laws which are not inconsistent with these By-laws and such Regional by-laws shall be registered with the Head Office of the Organization.

5. The Regional Councils may incorporate with the appropriate government department.

6. 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 Metis Council shall assist in securing these necessary finances and resources.

7. The Regional Councils shall assist their Local Communities in preparing to assume Metis self-government, which includes land, where this is an objective.

8. The Regional Councils shall provide direction to their Representative on the Provincial Metis Council with respect to the aims, objectives and aspirations of the Organization, and for their respective Regions.

9. a). At any time, if in the opinion of the Regional Council, a Regional Representative is not carrying out his/her job or discharging his/her responsibilities, the Regional Council may call a special meeting with at least 15 days written notice to all Locals in the Region and to the Regional Representative, at which meeting a motion of non-confidence may be considered by the Regional Council.

b). At the meeting to consider a motion of non-confidence the Regional Representative shall have an opportunity to hear any complaints against him/her and shall have an opportunity to fully defend himself/herself.

c). At the meeting to consider a motion of non-confidence, any member of the Provincial Metis Council may be in attendance.

d). No motion of non-confidence is valid unless three-quarters (3/4) of all Locals in the Region as represented by their President, vote affirmatively for such a motion.

e). The effect of a vote of non-confidence is to cause immediately the termination of the responsibilities of the Regional Representative and to declare the position vacant, and such vacancy shall be filled through a by-election as provided for in By-law No. 12.

f). Where a vacancy is created by virtue of this provision, or by other cause, 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.

10. a). There shall be 12 Regions as set out in Schedule A of these By-laws.

Schedule A must include a boundary change which incorporates Local 36 - Carleton Place, Local 112 - Scott and local 55 - Willowfield into Western Region 11A.

b). Due to the geographic area covered, Northern Region II shall have an Assistant Regional Representative resident in the Far North. This Assistant Regional Representative shall form part of the Regional Council, act in the capacity of Vice-Chairperson of the Regional Council and be governed by the by-laws of the Regional Council.

c). The Assistant Regional Representative shall be elected by the Members resident in the Communities of Uranium City, Camsell Portage and Stoney Rapids.

d). The provisions of this section do not preclude the members of these Communities from voting for and seeking the position of Regional Representative.

11. Each area (Region) will have an appointee to the Provincial Metis Housing Corporation Board.

12. Anyone appointed by the Areas/Locals to our Metis Society affiliates, or the Metis Society committees, must be a card carrying member of the Metis Society of Saskatchewan.

BY-LAW No. 7: PROVINCIAL METIS COUNCIL

1. There shall be an elected Provincial Metis Council which has the authority to govern between General Assemblies.

2. The Provincial Metis Council shall be composed of the elected Regional Representatives and a President, Secretary and Treasurer elected province-wide, for a total of 15 Provincial Metis Council members.

3. a) The Provincial Metis Council shall have the authority to appoint Commissions, Committees or other subsidiary organs, where these are deemed necessary in order to effectively carry out the activities and functions of the Organization and General Assembly directives.

b) The Provincial Metis Council shall designate persons who may have signing authority for the purpose of conducting the affairs of the Organization.

4. The Provincial Metis Council shall meet at least once every two months.

5. Nine members of the Provincial Metis Council shall constitute a quorum.

6. Notice of any meeting of the Provincial Metis Council shall be given at least seven days prior to such meeting.

7. A person is disqualified from being a member of the Provincial Metis Council when:

- a) he dies or resigns
- b) he is under sixteen (16) years of age
- c) he is removed from office pursuant to By-law No. 6, section 9.

8. A member of the Provincial Metis Council also ceases to hold office when he loses the confidence of three-quarters (3/4) of the Provincial Metis Council members, provided that this decision is ratified by the Regional Council which the member represents.

and by the General Assembly or Special Meeting in the case of the President, Secretary or Treasurer.

9. The resulting vacancy is governed by By-law No. 6, subsection 9, and in the case of the President, Secretary or Treasurer by By-law No. 12 dealing with by-elections.

10. A member of the Provincial Metis Council is not prevented from holding a salaried position with the Metis Society of Saskatchewan, provided the prior approval of the Provincial Metis Council has been granted.

11. Any salaries, basic allowances, per diems, honorariums, travel expenses and other remuneration shall be determined by the Provincial Metis Council, subject to review by the General Assembly.

12. The members of the Provincial Metis Council shall form part of the Metis National Assembly of the Metis National Council, while the President shall form part of the Executive Council of the Metis National Council.

BY-LAW No. 8: EXECUTIVE

1. There shall be three (3) Executive members of the Provincial Metis Council who shall be responsible for the portfolios to be designated and assigned by the Provincial Metis Council.

2. The President of the Provincial Metis Council shall be one of the three and shall be the head of the Executive, and chief political spokesperson for the Organization.

3. The Executive of the Provincial Metis Council shall meet at least once per month and three members shall constitute a quorum.

4. The Executive shall provide written reports at the General Assembly.

5. The Executive shall be responsible for ensuring that the 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 at each meeting of the Executive and Provincial Metis Council or as requested by the President.

BY-LAW No. 9: GENERAL ASSEMBLY

1. The General Assembly, composed of delegates from the Locals and the Members of the Provincial Metis Council, shall be convened annually at such date and place as may be fixed by the Provincial Metis Council, provided at least thirty (30) days written notice be given to the President or Secretary of each Local and provided that the Assembly shall be convened as close to the "Metis Heritage Days" or "Back to Satocha" cultural event

as possible.

2. Delegates to the General Assembly shall be chosen by each Local on the following basis:
 - a) four delegates for the first one hundred members or any part thereof, and;
 - b) three delegates for each succeeding one hundred members or any part thereof.
3. Only Members of the Metis Provincial Council and delegates who are members in good standing, shall be allowed to vote at the General Assembly.
4. Expenses for delegates to the General Assembly shall be paid by the Organization, whenever such financial resources are available.
5. The General Assembly shall be the final authority of the Organization.
6. The General Assembly shall have the authority to establish Commissions, Committees or other subsidiary organs, along with their mandates for purposes deemed necessary by the Assembly.
7. The quorum for a meeting of the General Assembly, being the annual meeting of the Corporation, shall be 250 delegates of the Corporation providing at least one delegate is present from no less than fifty per cent (50%) of the Locals of the Corporation.

BY-LAW No. 10: SPECIAL MEETINGS

1. The Provincial Metis Council is enabled to call a Special Meeting of the membership upon 15 days written notice of the date and place of the meeting being given to the President or Secretary of each Local.
2. The Provincial Metis Council shall call a Special Meeting upon the written request of not less than thirty (30) registered Locals.
3. The rules governing the General Assembly in By-law No. 9 shall also apply to this By-law.

BY-LAW No. 11: LEADERS SUMMIT

1. The Provincial Metis Council shall provide a Forum whereby the Presidents of each Local, along with the members of the Council, will be enabled to review developments in areas of relevance for the purpose of formulating policy.
2. The Summit shall take place annually during the first 60 days of each year, at a location to be determined by the Council.

BY-LAW No. 12: ELECTIONS

1. Any member who is sixteen years of age or older may vote or seek elected office within the Metis Society of Saskatchewan.
2. Elections for the Provincial Metis Council shall be held at least every three years.
3. a) Regional Members of the Provincial Metis Council shall be elected within their respective Regions through the establishing of a poll in each Local.
b) A provincially elected Executive is comprised of the President, Secretary, Treasurer. The Executive can run for (2) terms of three (3) years each only.
4. a) A Metis Elections Commission composed of 3 members is empowered to oversee and conduct the general elections and by-elections of the Organization.
b) The first members of the Commission shall be selected by the delegates to the Metis Constitution Conference of February, 1988.
c) The terms of office of the members of the Commission shall cease at the General Assembly following the elections.
d) The members of the Commission shall be appointed by the General Assembly for a term of not more than three years, and are eligible for re-appointment.
e) When the election or by-election date has been set and the election called by the Provincial Metis Council, the Commission shall have sole authority and responsibility to conduct the elections and shall be independent and answerable only to the General Assembly.
f) The Commission shall ensure that the necessary election guidelines are in place, along with the Chief Electoral Officer and other required personnel.
g) The Commission shall be responsible for official recounts and appeals.
h) The decisions of the Commission shall be final and binding, subject to the right of appeal to the General Assembly, which decision shall be final and binding.
i) The Provincial Metis Council shall ensure that the Commission has the necessary financial and other resources for the fulfillment of its mandate.
j) The Provincial Metis 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.

5. Nothing in these By-laws shall be construed as preventing members of the Organization from organizing parties or slates for the purpose of participating in the elections and seeking office.

6. In the event of a vacancy on the Provincial Metis Council, a by-election shall be held within ninety (90) days from the date of the vacancy.

7. All candidates, upon the filing of their nomination papers shall take a leave of absence from any elected or salaried position with the Organization, which includes any position on the Board or staff of any of the Organization's subsidiary bodies. Such leave shall be without pay, expenses or any other form of remuneration until the day after the polls for such elections have been closed.

8. Any candidate who has been found guilty by the Metis Elections Commission of violating section 7 shall immediately forfeit such elected position and a by-election shall be called to fill such vacancy as provided for in section 6.

BY-LAW No. 13: METIS SOCIETY OF SASKATCHEWAN HEAD OFFICE

1. The Head Office shall be in a location decided upon by the General Assembly.

2. There shall be a Sub-Office located in Northern Saskatchewan in the event that the General Assembly does not locate the Head Office in Northern Saskatchewan.

3. The Sub-Office in Northern Saskatchewan shall be responsible for, amongst other purposes, policy development in areas of traditional resource-use, environmental issues, land issues and for enabling more accessibility to the Organization's leadership on a geographic basis.

BY-LAW No. 14: SENATE OF ELDERS

1. A Senate of Elders shall be established through the on-going process as provided for in By-law No. 19.

2. The Provincial Metis Council shall make this a priority agenda item, and shall involve the Elders within the Organization in the determination of the role that the Senate shall assume.

BY-LAW No. 15: FINANCIAL ACCOUNTABILITY

1. An Auditor-General shall be appointed from the membership by the General Assembly for a term of two years, and such Auditor-General may be re-appointed or another selected.
2. The Auditor-General shall be independent and have complete access to all of the financial records of the Organization.
3. The Auditor-General shall make yearly reports to the General Assembly, which has sole authority over the Auditor-General.
4. The Provincial Metis Council shall cooperate with the Auditor-General and shall provide the financial and other resources necessary for the work of the Auditor-General.
5. The period of remuneration for the Auditor-General shall be determined by the Provincial Metis Council, but shall not be less than one month per fiscal year.
6. A financial committee composed of members from every Region shall be elected by the General Assembly to review and scrutinize the financial records of the Organization and may make any necessary recommendations to the General Assembly.

BY-LAW No. 16: PROGRAMS, SERVICES, INSTITUTIONS AND DEPARTMENTS

1. All existing programs, services, institutions and departments shall continue to serve the current clientele.
2. All existing programs, services, institutions and departments shall be part of the continuing collective collaborative process as provided for in By-law No. 19, particularly as they relate to Metis self-government institutions.

BY-LAW No. 17: DECENTRALIZATION

1. Nothing in these By-laws shall prevent the Organization from decentralizing funds by written contract to a duly incorporated Regional Council.

BY-LAW No. 18: REGISTRATION

1. The Regions as established by the February, 1988 Conference are of an interim measure and shall be subject to alteration through the continuing process as provided for in By-law No. 19.

BY-LAW No. 19: POLITICAL / CONSTITUTIONAL PROCESS

1. The Metis constitution reform process shall be continued.
2. The Provincial Metis Council shall be mandated to ensure that this process receives top priority and any finances and other resources necessary for this process shall be made available.
3. The primary objective of this process is to ensure the-

development of political and organizational structures consistent with Metis self-government.

4. The Provincial Metis Council shall set out the terms of reference of the Metis Constitution Commission.

5. The five members of the Metis Constitution Commission be elected from the Assembly as a whole.

6. The Commission shall report on a periodic basis to the Provincial Metis Council, or as requested by the President.

BY-LAW No. 20: IMPLEMENTATION

1. Except for By-laws No. 12 and 19, being elections and the on-going process, the provisions under these By-laws shall be implemented as requisite financial resources become available.

2. Notwithstanding sub-section 1, the General Assembly may determine which provisions in these By-laws shall receive priority.

BY-LAW No. 21: AMENDING FORMULA

1. Unless otherwise specified in these By-laws, the By-laws can only be amended at a General Assembly by the majority of three-quarters (3/4) of the delegates present.

BY-LAW No. 22: WINDING UP

1. On the winding up of the Organization, all assets remaining after the payment of any just debts and obligations shall be distributed to one or more organized charitable organizations in Canada.

**BY-LAWS
OF
THE PACIFIC METIS FEDERATION**

ARTICLE I: INTERPRETATION

1. In these By-laws, unless the context otherwise requires:
 - (a) "ASSEMBLY" means General Meeting;
 - (b) "ASSOCIATE MEMBER" means the non-Metis spouse of a Metis member;
 - (c) "BOARD" means the Board of Directors of the Federation;
 - (d) "DIRECTOR" means any person occupying the position of a Director, Officer or Member of the Executive Council;
 - (e) "EXECUTIVE COUNCIL" means the Executive and shall consist of the President, Vice-president, Secretary and Treasurer;
 - (f) "FEDERATION" means PACIFIC METIS FEDERATION;
 - (g) "HONORARY MEMBER" means any person of Metis or non-Metis ancestry who supports the objectives of the Federation but who does not otherwise qualify for membership and who has been appointed as an Honorary Member by the Board;
 - (h) "MEMBER IN GOOD STANDING" means a member of the Federation who has observed or fulfilled all the terms, duties, and obligations of membership in the Federation and who has paid in full all dues or fees payable as a member;
 - (i) "METIS" means anyone who has any mixture of North American Indian and Caucasian ancestry and who holds him or herself out to the community as being a Metis, provided that such person does not have Indian Status or Indian Treaty Rights under the Laws of Canada;

- (j) "ORDINARY RESOLUTION" means
- (i) a resolution passed in an Assembly by the members of the Society by a simple majority of the votes cast in person;
 - (ii) a resolution that has been submitted to the members of the Society and consented to in writing by 75% of the members who would have been entitled to vote on it in person at an Assembly of the Society; and a resolution so consented to shall be deemed to be an ordinary resolution passed at an Assembly of the Society; or
 - (iii) where a vote by mail is permitted under these By-laws, an ordinary resolution may be passed by 75% of the votes cast of the members who would have been entitled to vote on it in person at an Assembly of the Society; provided that the total votes cast represent at least 60% of the members entitled to vote;
- (k) "SPECIAL RESOLUTION" means
- (i) a resolution passed in an Assembly by a majority of not less than 75% of the votes of those members of a society who, being entitled to do so, vote in person or of which at least 30 days' notice specifying the intention to propose the resolution as a special resolution has been given; or
 - o if every member entitled to attend and vote at the Assembly so agrees, at a meeting of which less than 30 days' notice has been given;
 - (ii) a resolution consented to in writing by every member of a society who would have been entitled to vote on it in person and a resolution so consented to shall be deemed to be a special resolution passed at an Assembly of the society; or
 - (iii) where a vote by mail is permitted under these By-laws, a special resolution may be passed by 75% of the members who would have been entitled to vote on it in person at an Assembly of the Society, provided that the total votes cast represents at least 80% of the members entitled to vote.

2. Words importing the singular include the plural and vice versa; and words importing a male person include a female person and a corporation.

ARTICLE II: RELIGION - POLITICS

The Federation shall not be affiliated with any religious denomination or political party and no individual who holds an elected position in any political party shall be a member of the Board.

ARTICLE III: MEMBERSHIP

1. The categories of membership in the Federation shall be:
 - (a) Metis;
 - (b) Associate member;
 - (c) Honourary member.
2. Membership in the Federation as a Metis or Associate member may be obtained only by an application for membership submitted to the Board for approval.
3. The Board, or a membership committee or agency appointed by the Board, shall admit the applicant as a member of the Federation upon being satisfied that the applicant qualifies as a Metis or Associate member and meets the other conditions of membership as specified in the By-laws of the Federation.
4. The term of membership shall be for life.
5. The membership fee shall be twenty-five dollars (\$25.00) or such other sum or sums as may from time to time be determined by the Board, for each five (5) year term of membership.
6. The membership fee shall be waived for elders 65 years of age or older.
7. No member who has any unpaid dues or delinquent indebtedness outstanding shall be entitled to vote at any assembly or ballot of the members until such dues and indebtedness are paid in full.

- 8. The Board may, by a motion at a duly constituted meeting of the Board, waive the membership fee for a specific individual if in their opinion it is in the best interests of the Federation to do so.
- 9. Membership cards shall be issued to all members of the Federation in such form as the Board may direct.
- 10. The Board may appoint Honourary members but such Honourary members shall not be entitled to vote at any Assembly of the Federation or Board and such Honourary members shall not be required to pay any membership dues.
- 11. Every member shall uphold the Constitution of the Federation and comply with these By-laws.
- 12. Membership in the Federation shall not be transferrable.
- 13. All Metis or Associate members of the Federation must be permanent residents of the Province of British Columbia.
- 14. No member of the Federation shall be liable in his personal capacity for any debts or liabilities of the Federation unless he has specifically contracted for such liability or such liability arises by operation of law.

ARTICLE IV: TERMINATION OF MEMBERSHIP

- 1. Membership in the Society shall cease:
 - (a) upon the death of the member;
 - (b) if the member delivers a resignation in writing to the Secretary of the Society or mails or delivers such resignation to the address of the Society;
- 2. No member may be expelled from the Federation.

ARTICLE V: VOTING AT ASSEMBLIES

- 1. Each Metis or Associate member in good standing who is present at an Assembly is entitled to one vote.

2. All motions put for a vote shall require only an ordinary resolution unless these By-laws or the Society Act stipulate a special resolution.
3. No proxy voting is permitted.
4. Where a vote by mail is permitted under these By-laws, the following conditions apply:
 - (a) each Metis or Associate member in good standing as of the date of mailing of all ballots is entitled to one ballot representing one vote;
 - (b) the members' ballot must be returned by mail in a sealed envelope to the registered office of the Federation within thirty (30) days of the date of mailing of the ballot to that member;
 - (c) the date of the postmark on the return mailing shall be determinative of the date of return mailing;
 - (d) facsimile ballots will not be accepted;
 - (e) the Board may make further rules regarding the ballot procedure, not inconsistent with this section, to ensure that all members can exercise their vote as well as keeping the content of the ballot as secret as possible.

ARTICLE VI: ASSEMBLIES

1. The first Annual Assembly of the Federation shall be held no more than fifteen (15) months after the date of incorporation of the Federation on such date and at such place as may be determined by the Board.
2. Subsequent Annual Assemblies of the Federation shall be held within three (3) months after the end of each fiscal year of the Society on such date and at such place as may be determined by the Board.
3. An extraordinary Assembly of the Federation:
 - (a) may be called by the President or the Board at any time, but

- (b) must be called by the Board within sixty (60) days of receipt of any requisition made in writing and signed by at least 10% of the members in good standing of the Federation, for such a meeting.
4. All resolutions passed at an extraordinary Assembly must be special resolutions.
 5. Notice of the time and place of all meetings of the Federation and an Agenda of the business to be transacted shall be communicated to each member at least thirty (30) days before the holding of the Assembly.
 6. (a) whenever under the provision of these By-laws notice is required to be given, such notice must be in writing, but it may be included in a Federation newsletter;
(b) notice may be given either by personal delivery or by depositing same in a Post Office or public letter box;
(c) for the purpose of sending any notice, the address of the member shall be the address as recorded on the books of the Society.
 7. The accidental omission to give notice of an Assembly to, or the non-receipt of a notice by, any of the members entitled to receive notice does not of itself invalidate proceedings at that Assembly.
 8. Any member may waive the requirement of notice of Assemblies to him or herself provided that such waiver is in writing, either before or after that Assembly.
 9. At any Assembly of the Federation fifty (50) of the members of the Federation present in person and eligible to vote shall constitute a quorum.
 10. If within one-half hour from the time appointed for the Assembly, a quorum of members is not present, the Assembly, if convened upon the requisition of the members, shall be dissolved; in any other case, it shall stand adjourned to such time and place as a majority of the members then present shall direct and if at such adjourned meeting a quorum of members is not present, it shall be adjourned without setting a new time and place.

11. Assemblies of the Federation shall be conducted in accordance with Roberts Rules of Order except for such procedural matters as are specifically provided for in this Constitution.
12. (a) the President of the Federation shall preside at every Assembly of the Society;
(b) if there is no President or if at any Assembly the President is not present at the time of holding the same, the Vice-President shall preside;
(c) if there is no President or Vice-President or if at any Assembly neither the President nor the Vice-President is present at the holding of same, the members shall choose someone of their number to preside.
13. The presiding officer shall have no vote except in the case of an equality of votes, in which case he or she shall have a casting vote.
14. The presiding officer may, with the consent of the Assembly, adjourn any meeting from time to time and from place to place, but no business shall be transacted at any adjourned Assembly, other than the business left unfinished at the Assembly from which the adjournment took place, unless notice of such new business is given to the members.
15. At any Assembly, unless a poll is demanded by at least three (3) members, a declaration by the presiding officer that a resolution has been carried and an entry to that effect in the book of proceedings of the Federation shall be sufficient evidence of the fact, without proof of the number or proportion of the members recorded in favour of or against such resolution.
16. Business not on the agenda may be introduced and discussed but on any motion arising from such business a 75% majority of those present and entitled to vote at the Assembly shall be required to pass the motion.
17. Minutes of the business of the Assembly shall be kept by the secretary or such other person as designated by the Assembly in the Secretary's absence, and such minutes shall be signed by the secretary and kept with the books and records of the Federation.

18. The Federation shall not be responsible for the expenses incurred by any member in attending an Assembly unless the Board specifically authorizes the payment of specific expenses incurred in relation to that specific Assembly.
19. The Board may, *at the* Annual Assembly, normally requiring in person attendance, conduct the following business by mail ballot:
 - (a) election of Officers and Directors as specified in Article VII, Section 18;
 - (b) consideration of the presentation to the Federation by the Board as specified in Article XII, Section 2;
 - (c) appointment of auditors;
 - (d) amendments to these By-laws;
 - (e) authorization for the issuance of debentures.
20. Notice of intention to conduct a vote by mail must be provided to all members at least sixty (60) days prior to the proposed date for delivery of the ballots.
21. Members who wish to make nominations for Directors or Officers or resolutions as specified in Section 19 shall deliver same to the Board at least twenty-one (21) days prior to the proposed date for delivery.
22. Written copies of all proposed resolutions must be forwarded with the ballots.
23. The Board or any member may submit a brief comment supporting or opposing the resolution which must be included with the proposed resolution and ballot.

**ARTICLE VII: APPOINTMENT AND DUTIES
OF OFFICERS AND DIRECTORS**

1. Any Metis member in good standing shall be eligible to hold any position as an Officer or Director of the Federation, subject to any restrictions stipulated in these By-laws.
2. The Officers, hereafter called the Executive Council, shall be the President, Vice-President, Secretary and Treasurer.
3. Only the positions of Treasurer and Secretary may be combined.

4. The Board shall be comprised of:
 - (a) the Executive Council;
 - (b) three "Regional Directors" from each geographic region specified in these By-laws;
5. Only those Metis members in good standing who are on the executive of a recognized Metis local within their own geographic region, and who are permanent residents within that region, at the time of their election or appointment to the Board, shall be eligible to hold the position of Regional Director.
6. The term of office of the Officers and Directors shall be as follows:
 - (a) The founding Officers and Directors shall hold their respective offices for a maximum of three (3) years or until the first Annual Assembly following the Federation's third fiscal year end, whichever is later.
 - (b) All subsequent Officers and Directors shall hold office for two (2) years.
7. Any Director or Officer may be removed from Office may be removed from office before the expiration of his term by a special resolution of the members and the members may either elect or appoint by ordinary resolution a successor to fill his term of office provided that:
 - (a) the Officer or Director who is the subject of the proposed removal shall be given at least thirty (30) days written notice of the proposal and a brief written statement of the reason or reasons for the proposal, and
 - (b) the Officer or Director who is the subject of the proposal shall be given an opportunity to be heard before the proposal is voted upon.
8. Any officer and director who ceases to be a member of the Federation, whether by resignation or death, or who loses status as a member in good standing, shall be deemed to have immediately resigned his seat on the Board.

9. Should the position of President become vacant before the expiry of his term, the Board shall elect a new President from within the membership of the Board.
10. Any other vacancies before the expiration of the respective term of office shall be filled by the President from the membership of the Federation.
11. The term of office of the appointed President, other officer, or director shall not exceed the term which would otherwise have been held by the person who vacated the position.
12. At the first annual Assembly following the expiration of the term of office of the Board members, new Officers and Directors shall be elected by secret ballot.
13. The election for positions on the Board, if held during an annual Assembly not being conducted by mail, shall be held successively and in the following order:
 - (a) President;
 - (b) Vice-President;
 - (c) Secretary;
 - (d) Treasurer (unless combined with the Secretary)
 - (e) Regional Directors;
14. Only those members resident in a region may have a vote in the election for the regional director to represent that region, such regions being according to the map as attached hereto as Appendix A.
15. For election, each member of the Board shall require a majority of 50% plus one (1) vote of the members present and eligible to vote for that Officer or Director.
16. No two (2) members of the same immediate family may hold positions on the Executive Council at the same time, without approval from the Board.
17. An election may be by acclamation.
18. In the case of mail voting, the following additional provisions apply:

- (a) voting will not be successive for each position,
 - (b) a Metis member may be nominated for more than one position, but should he be elected to more than one:
 - (i) he will be deemed to have won in the highest position listed in section 14 in which he won;
 - (ii) the member acquiring the highest votes in the lower position will be declared as the winner of that lower position;
 - (c) a plurality of votes shall be sufficient to be elected.
19. Where the Secretary is absent from a Board or Federation meeting, the President may appoint a temporary substitute for the Secretary who shall, for the purposes of these By-laws, be deemed to be the Secretary.

ARTICLE VIII: MEETINGS OF THE BOARD AND EXECUTIVE COUNCIL

1. Meetings of the Board shall be held as often as the business of the Federation may require and shall be called by the President or upon the call of any five (5) members of the Board, but in any case not less than three (3) times yearly.
2. A meeting of Directors may be held at the close of every annual Assembly of the Federation without notice.
3. Notice of all other meetings of the Board, specifying the time and place thereof, shall be given either orally or in writing to each Director and Officer within a reasonable time before the meeting is to take place, but non-receipt of such notice by any Director or Officer shall not invalidate the proceedings at any meeting of the Board.
4. Meetings of the Board shall be open to any members of the Federation who may attend but such members who are not members of the Board may not take part in any of the proceedings at such meetings.

5. No business shall be transacted at any meeting of the Board, unless at least five (5) of the directors are present at the commencement of such business.
6. A quorum of the Executive Council shall be two (2) Officers.
7. The Chairman of a meeting of the Board or Executive Council shall be the President and in his or her absence the Vice-President and in the absence of both of them, the Chairman shall be elected by the members of the Board or Executive Council, as the case may be, present at such meeting.
8. The presiding officer shall be entitled to vote as a Director and, in the case of an equality of votes, the presiding Officer shall have a casting vote in addition to the vote to which he or she is entitled as a Director.
9. At each meeting of the Board or Executive Council, the members present in person shall have one vote each.
10. There shall be no proxy votes nor substitutions of non-Board members for Board members who are unable to attend Board or Executive Council meetings.
11. Unless otherwise stipulated, any motion shall be carried by a simple majority vote of the members of the Board present and entitled to vote.
12. Written minutes of each meeting of the Board shall be kept by the Secretary or other person designated by the Board to keep such minutes, and when prepared, such minutes shall be signed by the Chairman of the meeting.
13. Minutes of the meetings of the Board shall be available for inspection by any member of the Federation.
14. A motion in writing signed personally by all the members of the Board shall be as valid and effective as if it had been passed at a meeting of the Board duly called and executed.

**ARTICLE XI: POWERS AND DUTIES OF THE BOARD
AND EXECUTIVE COUNCIL**

1. The management of the activities of the Federation shall be vested in the Board who, in addition to the powers and authorities by these By-laws or otherwise expressly conferred upon them, may exercise all such powers and do all such acts and things as may be exercised or done by the Federation and are not hereby or by statute expressly directed or required to be exercised or done by the Federation in a general meeting.
2. The Board may delegate to the Executive Council any of the powers of the Board except those which by law or resolution of an Assembly must be exercised by the Board as a whole.
3. The Board or Executive Council may appoint committees of one or more of its members or members of the Federation at large to examine, investigate and report upon any matter falling within the objects of the Federation.
4. The appointment of any committee may be revoked and its power rescinded by the Board.
5. No Officer or Director shall receive any salary, honourarium or other remuneration for services nor any contract for a fee for services to the Federation unless such remuneration or contract is approved in advance by the Executive Council.
6. Any such remuneration or contract which extends past the current fiscal year end must be ratified each year at the first meeting of the Board following the fiscal year end.
7. The Board may authorize the expenditure of the funds of the Federation for any purpose which is in the furtherance of the objectives of the Federation, including payments to Board members for actual expenditures incurred in the performance of their duties.
8. The Board shall exercise all of the powers as authorized by the Society Act of British Columbia to the extent that they are not inconsistent with these By-laws.

ARTICLE X: DUTIES OF OFFICERS AND DIRECTORS

1. President

The President shall be the Chief Executive Officer of the Federation and shall supervise and have the responsibility for the management of affairs and business of the Federation and he or she shall preside at all meetings of the Federation and shall be an ex-officio member of all committees of the Federation. The President shall be responsible for the vigorous promotion by the Federation of the objects of this Constitution. The President shall call meetings of the Board or Executive Council when deemed necessary or as required elsewhere in these By-laws.

2. Vice-President

The Vice-President shall carry out duties as may be assigned to him or her by the Executive Council or the President, and the Vice-President shall preside at meetings of the Executive Council or the Board of the Federation in the absence of the President.

3. Secretary

The Secretary shall:

- (a) keep minutes of all meetings of the Federation and of the Board;
- (b) conduct the correspondence of the Federation;
- (c) issue notices of meetings of the Federation and the Board;
- (d) have custody of the common seal of the Federation;
- (e) have custody of all records and documents of the Federation;
- (f) make available the books and records of the Society for inspection at reasonable times by the members of the Federation on such conditions as prescribed by the Board or as imposed by law.

4. Treasurer

The Treasurer shall receive all monies which are the property of the Federation and shall keep an accurate record thereof required by the Federation or the Board, for an audit and shall keep such books and records open for inspection at reasonable times by the members of the Federation on such conditions as prescribed by the Board or as imposed by law.

6. Directors

Directors who may be elected or from time to time be appointed by the Executive Council or the Board or the Federation shall perform such duties assigned to them upon their appointment or election.

ARTICLE XI: LOCALS OF THE FEDERATION

1. Any fifty (50) or more members in good standing of the Federation and residing in the same locality may request the Board to approve a Local of the Federation for the same locality. The boundaries of any such Local shall be determined by the Board and may be altered from time to time. Every Local when constituted shall have a distinctive name and/or number approved and allotted to it by the Board and shall receive from the Board a letter of authority and consent under the hand of the President and Secretary and bearing the seal of the Association.
2. The Board shall not approve or consent to the use of any similar or affiliated name unless the applicants undertake to incorporate the Local pursuant to the Society Act of British Columbia.
3. When constituted, the Local shall be responsible for its own leadership, membership, finances, and legal obligations, and in all other ways act as a legal entity distinguished from that of the Federation. In particular, the Local shall not, whether directly or indirectly, hold itself out as being empowered to impose legal or financial obligations on the Federation.
4. A Local so approved and consented to shall acknowledge the Federation as the proper representative of the Metis people of British Columbia.
5. If for any reason, irreconcilable differences arise between the Federation and the Local, the Federation shall be entitled to demand of the Local that it withdraw from its name any reference to the Federation. Upon withdrawal of consent to the use of any such reference, the Local shall change its name in accordance with the Society Act.

6. **Affiliated Locals** in an area may open and operate a central office for the convenience of the Locals.

ARTICLE XII: FISCAL YEAR AND FINANCES

1. The fiscal year of the Federation shall be the twelve (12) month period ending the last day of March in each calendar year.
2. At each annual Assembly the Board shall present to the members of the Federation:
 - (a) a written report on the previous fiscal year's activities and proposed future activities;
 - (b) the audited financial statements for the previous fiscal year;
 - (c) the budget for the current fiscal year.
3. The name of the Federation may be used only with the express written consent of the Board.
4. In order to carry out the purposes of the Federation the Board may, on behalf of and in the name of the Federation, raise or secure the payment or repayment of money in the manner they decide, and, in particular but without limiting the foregoing, by the issue of debentures, provided that:
 - (a) no debenture shall be issued without the sanction of a special resolution; and
 - (b) the members may by special resolution restrict the borrowing powers of the Directors, but a restriction imposed expires at the next general meeting.

ARTICLE XIII: AUDIT OF ACCOUNTS

1. The Board shall have the books and accounts audited annually, or more often at its discretion.
2. The auditor of the Federation shall be appointed annually by the members of the Federation at the annual Assembly and, on failure of the members to appoint an auditor, the Directors may do so.

ONTARIO METIS AND ABORIGINAL ASSOCIATION

BY-LAW NO. 2

As Amended at the 20th Annual Assembly
July 18-20, 1990

BE IT ENACTED AS A BY-LAW OF THE CORPORATION AS FOLLOWS:

INDEX

<u>Article</u>		<u>Page</u>
I	- Definitions	1
II	- Name	3
III	- Head Office	3
IV	- Seal	3
V	- Membership	3
VI	- Local Associations	10
VII	- Affiliation of Local Associations	10
VIII	- Zones	13
IX	- Delegates	14
X	- Meetings	16
XI	- Board of Directors	19
XII	- Committees	22
XIII	- Officers	24
XIV	- Auditors	28
XV	- Legal Counsel	28
XVI	- Indemnity of Directors and Officers and Validity of Acts.....	28
XVII	- Notices	29
XVIII	- Cheques, Etc.....	29
XIX	- Voting Shares and Securities	30
XX	- Execution of Instruments	30
XXI	- Fiscal Year	31
XXII	- Borrowing Powers	31
XXIII	- Dissolution	31
XXIV	- Former By-Laws	31
XXV	- Interpretation	32

ARTICLE I - DEFINITIONS

IN THIS BY-LAW and the Schedules hereto the following words and phrases shall have the following meanings except where the context or subject matter otherwise requires:

- (a) "Affiliated Local" shall mean a Local Association that is affiliated with the Corporation in accordance with the provisions of Article VII.
- (b) "All Presidents' Seminar" shall mean a meeting of the Presidents of the Affiliated Locals.
- (c) "Alternate Delegate" shall mean those persons who are, from time to time, elected or appointed as alternates to the Elected Delegates in accordance with the provisions of Article IX;

- (d) "Application for Membership" shall mean an application in the form attached to this By-Law as Appendix "B";
- (e) "Assembly" shall mean a meeting of Delegates.
- (f) "Board of Directors" shall mean the Board of Directors of the Corporation.
- (g) "Corporation" shall mean the Ontario Metis and Aboriginal Association;
- (h) "Delegates" shall mean those persons who are, from time to time, Elected Delegates, ex officio Delegates, Elders and Youth Delegates of the Corporation in accordance with the provisions of Article IX;
- (i) "Elected Delegates" shall mean those persons who are, from time to time, elected or appointed as delegates by an Affiliated Local for the purpose of representing such Affiliated Local at all meetings of Delegates;
- (j) "Elected Directors" shall mean those persons who are, from time to time, elected or appointed as delegates by an Affiliated Local for the purpose of representing such Affiliated Local at all meetings of Delegates;
- (k) "Directors" shall mean those persons who are from time to time, members of the Board of Directors;
- (l) "Executive Offices" shall mean the office of President, 1st Vice-President and 2nd Vice-President of the Corporation;
- (m) "Executive Officers" shall mean those persons who hold, from time to time, the Executive Offices;
- (n) "Fiscal Year" shall mean the fiscal year of the Corporation as defined in Article XXI;
- (o) "Head Office" shall mean the head office of the Corporation as defined in Article III;
- (p) "Local Association" shall mean an unincorporated association, or a corporation without share capital incorporated pursuant to the provision of The Corporations Act (Ontario), whose constitution, if any, and by-laws conform, in all material respects, with the Constitution and By-Laws of the Corporation;
- (q) "Members" shall mean those persons who are, from time to time, Full Members, Associate Members, Honorary Life Members, Youth members or General Members of the Corporation in accordance with the

provisions of Article V;

- (r) "Officers" shall include the Executive Officers, Head of Financial Services and such other officers as are elected or appointed from time to time by resolution of the Board of Directors;
- (s) "Person residing on a reserve" shall mean a person who maintains a residence on an Indian Reserve and/or has resided on an Indian Reserve for at least 120 days of the immediately preceding twelve (12) month period but, without limitation, shall not mean a person who has ceased to reside on a Reserve and has declared his/her intention to permanently reside off Reserve;
- (t) "Subsidiaries" of the Corporation shall mean any Corporation in which the Corporation owns or controls greater than 50% of the voting shares;
- (u) "Zones" shall mean the zones of the Corporation as defined in Article VIII; and
- (v) "Zone Presidents' Seminar" shall mean a meeting of the presidents of the Affiliated Locals located within a Zone.

ARTICLE II - NAME

The name of the Corporation shall be ONTARIO METIS AND ABORIGINAL ASSOCIATION.

ARTICLE III - HEAD OFFICE

The Directors may, from time to time, fix the location of the Head Office of the Corporation, to be within the place designated therefore in the Letters Patent or such other place as determined by Special Resolution. The Head Office of the Corporation shall be at 158 Sackville Road, Sault Ste. Marie, Ontario.

ARTICLE IV - SEAL

The seal, an impression of which is stamped on the margin hereof, shall be the seal of the Corporation.

ARTICLE V - MEMBERSHIP

No person shall be a Full Member of more than one Affiliated Local.

FULL MEMBER

Any person who:

- (a) has attained the age of 18 years;
- (b) has been a resident of the Province of Ontario for a period of at least thirty (30) days prior to submitting an application for membership;
- (c) is a person of Aboriginal Descent within the meaning of s.35(2) of the Canada Act 1982 but not a band member residing on a reserve;
- (d) has made application for membership and has been admitted as a full member of an Affiliated Local by resolution of the board of directors thereof, and by resolution of the Board of Directors of the Corporation;

shall be a "Full Member" of the Corporation if he has paid into the funds of the Affiliated Local referred to in subparagraph (d) above, such annual membership fee, if any, as determined from time to time by the board of directors thereof and/or the Board of Directors of the Corporation.

ASSOCIATE MEMBER

Any person who:

- (a) in the opinion of the board of directors of an Affiliated Local supports the aims and objectives of the corporation; and
- (b) has made application for membership and has been admitted as an associate member of the Affiliated Local referred to in subparagraph (a) above, by resolution of the Board of Directors thereof;

shall be an "Associate Member" of the Corporation if he has paid into the funds of the Affiliated Local referred to in subparagraph (a) above, such annual membership fee, if any, as determined from time to time by the board of directors thereof and/or the Board of Directors of the Corporation.

HONORARY LIFE MEMBER

Any person who has, through special contribution to the advancement of the Aboriginal people, merited extraordinary recognition, may be declared an "Honorary Life Member" of the Corporation by resolution of the Delegates.

GENERAL MEMBER

Any person who:

- (a) has satisfied the requirements of subparagraphs (a) (b) and (c) of a Full Member;
- (b) Is not a Full Member of the Corporation; and
- (c) has made application for membership and has been admitted as a General Member by resolution of the Board of Directors;

shall be a "General Member" of the Corporation if he has paid into the funds of the Corporation, such annual membership fee, if any, as determined from time to time by the Board of Directors.

YOUTH MEMBER

Any person who:

- (a) has not attained the age of 18 years;
- (b) has satisfied the requirements of subparagraphs (b) and (c) of a Full Member, and
- (c) has made application for membership and has been admitted as a Youth Member of an affiliated Local by resolution of the Board of Directors thereof, and by resolution of the Board of Directors of the Corporation;

shall be a "Youth Member" of the Corporation if he has paid into the funds of the Affiliated Local referred to in subparagraph (c) above, such annual membership fee, if any, as determined from time to time by the board of directors thereof and/or the Board of Directors of the Corporation.

CANCELLATION

Any Honorary Life Member or General Member who, in the opinion of a meeting of Delegates, has abused the honour bestowed upon him, may have his Honorary Life Membership or General Membership terminated and cancelled by resolution of the Delegates.

Any Honorary Life Member or General Member whose membership is terminated by resolution of the Delegates may appeal such termination to the Board of Directors at either of the next two ensuing meetings of the Board of Directors and the Board of Directors may confirm such termination or reinstate the membership of such Honorary Life Member or General Member and such termination or reinstatement by the Board of Directors shall take effect as of the date of such resolution of the Delegates.

The interest of a Member in the Corporation is not transferable and lapses and ceases to exist upon the death of the Member, or when he ceases to be a Member by resignation or otherwise in accordance with the By-Laws of the Corporation.

A Member may resign from membership by notifying the corporation or his Affiliated Local, as the case may be, in writing, of such resignation which shall be effective upon receipt thereof by an Officer of the Corporation or an officer of his Affiliated Local, as the case may be.

DISCIPLINE OF MEMBERS

SECTION I

A deliberative assembly has the inherent right to make and enforce its own laws and punish an offender (self-government). Therefore, any member may be penalized for committing any one or more of the following offenses:

- (a) violation of any of the provisions of these By-laws or rule of the Corporation;
- (b) obtaining membership through fraudulent means or by misrepresentation;
- (c) instituting, or urging, or advocating that a member of any Local institute action outside OMAA against the Corporation, its Zones or Locals or any of its officers without first exhausting all remedies through the forms of appeal of OMAA;
- (d) advocating or attempting to bring about the withdrawal from OMAA of any Zone, Local or any member or group of members;
- (e) publishing or circulating among the membership false reports, misrepresentations or confidential information;
- (f) slandering or willfully wronging a member of OMAA;
- (g) using abusive language or disturbing the peace or harmony of any meeting in or around any office or meeting place of OMAA;
- (h) fraudulently receiving any money due the Corporation or misappropriating the monies of the organization;
- (i) using the name of the Zone or OMAA for soliciting funds advertising, etc., of any kind without the consent of the appropriate body or officer of the Corporation;

- (j) furnishing a complete or partial list of the membership of OMAA or of any Local to any person or persons other than those whose official positions entitles them to have such a list;
- (k) deliberately interfering with any official of the Corporation in the discharge of that official's duties;
- (l) deliberately engaging in conduct in violation of the responsibility of members toward the organization as an institution, and;
- (m) deliberately interfering with the performance of the Corporation's legal or contractual obligations.

SECTION II

Any member convicted of any one or more of the above offenses may be denied the right to be a candidate for or hold office or position in OMAA, declared a member not in good standing, or otherwise appropriately disciplined.

SECTION III

If any Officer of a Local, a Zone or delegate to an OMAA Assembly is convicted of any one or more of the above-named offenses, such person may be penalized as described above, and removed from office or position.

TRIALS OF MEMBERS AND OFFICERS

SECTION I

Any charges against a member or officer of OMAA must be made in writing, signed by the member making the charges, and must be submitted to OMAA Head Office by registered mail. The charges shall be sufficiently specific so as to enable the accused to prepare a defense. This means that the charges should indicate both the provision(s) of the By-laws or OMAA's other rules allegedly violated and also a brief statement of the facts (names, dates, places) constituting that violation. If there is more than one charging party, they must designate a person to be responsible for receiving and filing documents related to the charges. If the charges fail to designate such person, then the first charging member named in the charge shall be considered the representative of the others.

SECTION II

Charges must be submitted within ninety (90) days of the time the complainant becomes aware of the alleged offense.

SECTION III

A separate Trial Committee composed of five (5) members shall be appointed for each individual trial, and shall be given the responsibility of conducting such trial provided that in the case of multiple related charges the same Trial Committee may be appointed to try all such charges and may consolidate them into one hearing. Neither the accuser nor the accused shall be eligible for membership on the Trial Committee. No one shall be eligible to serve as a member of the Trial Committee who is a witness to the facts alleged to constitute a violation.

SECTION IV

Within three (3) working days after the charges have been received by OMAA Head Office the President or his alternate must notify five (5) members of the Trial Committee that are eligible pursuant to section III of this Article that they must convene to hear charges, a date must be set to convene within thirty (30) days of receipt of charges.

When a date has been set the President or his alternate shall send a copy of the charges by registered mail to the accused member at the member's last known address together with written notice of the time and place when the hearing will be held before the Trial Committee, a copy of which written notification of time and place shall also be sent to the member preferring the charges; and the accused member shall appear before the Trial Committee on said charges. A copy of the charge and notice of hearing shall also be given to the Executive Secretary of OMAA to be recorded.

SECTION V

Every effort shall be made to schedule the Trial so that it does not conflict with the working schedules of the parties. The hearing shall be conducted by the Trial Committee in an orderly manner and shall assure the full presentation to the Committee of all the facts. The accused shall be entitled to be present at all times during the hearing, investigation or argument of the case and shall be entitled to question all witnesses appearing in the matter so long as the questioning does not become insulting, unduly argumentative or repetitious. In the event that the accused fails to appear at the hearing at the time and place provided in the notice and presents no reasonable excuse for absence, the hearing shall proceed with the same force and effect as if the accused were present.

SECTION VI

A member placed on trial shall be permitted representation by a representative of the member's own choice, who shall be a member of OMAA; such representative however, shall be required to abide by the trial procedure as established by the Trial Committee and as provided by these By-laws.

SECTION VII

The Trial Committee shall record minutes of its meetings and proceedings and these minutes, together with any documents submitted, shall constitute the official record of the Trial Committee.

A secretary may be employed to take minutes.

SECTION VIII

The Trial Committee, upon completion of the hearing of the evidence and argument, shall go into closed session to determine the verdict and penalty. The Trial Committee shall prepare a report, stating the facts briefly as it found them and its conclusions and recommendations. A majority vote of the members of the Trial Committee shall be required to find the accused guilty.

SECTION IX

In case the accused is found guilty, the Trial Committee may recommend that the accused be reprimanded; suspended or removed from office or position, within the Local, Zone or OMAA, assessed a fine, assessed a fine with automatic suspension and removal from office or position in the event of the failure of the accused to pay the fine within a specified time; or suspended or expelled from membership in OMAA or other appropriate discipline.

SECTION X

The Trial Committee shall submit its written report to the OMAA President within two (2) weeks following completion of the hearing. At the same time a copy of the report shall be mailed by registered mail to the Executive Secretary to be kept on file.

SECTION XI

The Trial Committee shall present a report at the Annual General Assembly of all trials held in the preceding year, the Assembly may by a two thirds (2/3) majority vote, modify the report in any respect or order a new trial.

SECTION XII

The accused member shall be afforded full opportunity to present to the Annual Assembly the accused member's position on all matters bearing upon the trial and the report of the Trial Committee.

SECTION XIII

If the Trial Committee's report is accepted by a majority vote then the decisions of the Trial Committee shall be given full force and effect. It must be a 2/3 majority vote to over-rule the Trial Committee's decision.

TRANSFERS

Any Member may transfer his membership from one Affiliated Local to another, or from an Affiliated Local to the Corporation (as a General Member) and vice versa, subject to the approval of the Board of Directors of the Affiliated Local or the Board of Directors, as the case may be, into which such Member seeks admission, provided there shall be no interruption of payment of his annual membership fee and provided that he has first resigned his membership from his former Affiliated Local or as a General Member, as the case may be, before being admitted into the membership of any other Affiliated Local or the Corporation (as a General Member), as the case may be.

ARTICLE VI - LOCAL ASSOCIATIONS

Any 12 or more persons, each of whom has satisfied the requirements of subparagraphs(a), (b) and (c) of a Full Member and is a Full, General or Youth Member, may form a Local Association. The Board of Directors may, in its discretion, allow the affiliation of a Local Association having fewer than 12 Full Members.

ARTICLE VII - AFFILIATION OF LOCAL ASSOCIATIONS

Any Local Association that has made application to the Corporation for affiliated status and which application has been approved by resolution of the Board of Directors shall be an Affiliated Local of the Corporation if it has paid into the funds of the Corporation, such annual affiliation fee, if any, as determined from time to time by resolution of the Board of Directors of the Corporation.

All affiliated Locals must also affiliate with the Zone or Zonal Corporation of the Ontario Metis and aboriginal Association in which they are located.

In any town, city, village or community, only one Local Association may be affiliated with the Corporation. The Board of Directors may, without limitation, allow, in its discretion, the affiliation of additional Locals, having regard to the population and demographic makeup of the Local and the community.

Authority, Duties and Obligations of Affiliated Locals

The authority, duties and obligations of Affiliated Locals, their officers and members, in addition to those otherwise set forth in this By-Law or in their own respective constitution or by-laws, shall be to:

- (a) represent the Members in their respective Jurisdiction relating to local community matters;
- (b) actively implement all of the Affiliated Local's programmes and policies;
- (c) abide by this By-Law, the decisions of the Board of Directors, the Executive Committee, Trial Committee and the decisions resulting from all Assemblies;
- (d) adopt a constitution, if the Board of Directors of the Affiliated Local considers it appropriate to do so, and adopt by-laws consistent with this By-Law and to repeal, amend or modify all or any part of such constitution or by-law as may be inconsistent with this By-Law or the Constitution of the Corporation, voluntarily, or at the discretion of the Board of Directors;
- (e) participate actively in the political and legislative processes at the municipal, provincial and federal level, with special regard to legislation affecting the welfare of the Members, and do all things reasonable and necessary to promote the adoption of laws which may be beneficial, and to encourage defeat or cause the repeal of laws which may be detrimental to persons of aboriginal descent;
- (f) hold meetings at such time, place and as frequently as its board of directors or executives may decide; provided always that each Affiliated Local shall hold at least one General Meeting of Members per year at which all Full and Youth Members and Elders shall be entitled to vote in an election of the Local's Executive Officers and/or Board of Directors. An Affiliated Local may, without limitation, resolve, by a 2/3rd's majority vote at a general meeting of members, to elect its executive officers and/or board of directors for up to a two (2) year term;
- (g) set a quorum for meetings and establish other rules of conduct for meetings of the Affiliated Local;
- (h) elect Delegates and Alternate Delegates as provided by this By-Law and to designate the chairman of such delegation;
- (i) forthwith furnish the 1st Vice-President of the Corporation with copies of the constitution, if any, and by-laws of the Affiliated Local and copies of all revisions as they may be made;
- (j) maintain an active internal membership development programme; and

notice that the Board will consider termination at the next meeting of the Board of Directors. Such notice shall include the reasons to be put forward in favour of termination and shall state that the Local President may respond to any such allegations either in writing or by attending and addressing the Board meeting at which termination is to be considered.

ARTICLE VIII - ZONES

For administrative and organizational purposes, the Province of Ontario shall be divided into five Zones. The geographical boundaries of the Zones shall be those set out in Schedule "A" annexed hereto.

All members of an Affiliated Local that has its head office located within a Zone shall be deemed, for all purposes, to be a Member of that Zone.

AUTHORITY, DUTIES AND OBLIGATIONS OF AFFILIATED ZONES

The authority, duties and obligations of Affiliated Zones, their officers and members, in addition to those otherwise set forth in this By-Law or in their own respective Constitution or By-Laws, shall be to:

- (a) represent the Members in their respective jurisdiction relating to Zone community matters;
- (b) actively implement all of the Affiliated Zone's programmes and policies;
- (c) abide by this By-Law, the decision of the Board of Directors, the Executive Committee and the decisions resulting from all Assemblies;
- (d) adopt a constitution, if the Board of Directors of the Affiliated Zone considers it appropriate to do so, and adopt by-laws consistent with this By-Law and to repeal, amend or modify all or any part of such constitution or by-law as may be inconsistent with this By-law or the Constitution of the Corporation, voluntarily, or at the direction of the Board of Directors or the Executive committee;
- (e) participate actively in the political and legislative processes at the city, provincial and federal level, with special regard to legislation affecting the welfare of the Members, and do all things reasonable and necessary to promote the adoption of laws which may be beneficial, and to encourage defeat or cause the repeal of laws which may be detrimental to persons of aboriginal descent;

- (f) hold meetings at such time, place and as frequently as its board of directors or executives may decide, provided always that each Affiliated Zone shall hold at least one General Meeting of Delegates (Assembly) per year at which all Full and Youth members chosen as delegates to represent affiliated locals of that Zone, shall be entitled to vote in an election of the zone's executive officers and board of directors; subject to the By-Laws of the Zone Corporation. An Affiliated Zone may, without limitation, resolve by a 2/3rd's majority vote of the delegates at a Zone Assembly, to elect its executive officers and/or board of directors for a three (3) year term;
- (g) elect Delegates and Alternate Delegates as provided by this By-Law and to designate the chairman of such delegation;
- (h) forthwith furnish the 1st Vice-President of the Corporation with copies of the constitution, if any, and by-laws of the Affiliated Zone and copies of all revisions as they may be made;
- (i) maintain an active internal membership development programme; and
- (j) do all other things necessary for the proper disposition of matters which may come before the Affiliated Zone for consideration.

BY-LAWS OF CORPORATION PARAMOUNT

If any conflict should arise between the constitution, if any, or by-laws of an Affiliated Zone and the Constitution and/or By-Laws of the Corporation, as each may be amended from time to time, the Constitution and By-Laws of the Corporation shall govern.

ARTICLE IX - DELEGATES

At each meeting of Delegates (hereinafter referred to as "Assembly"), each Local shall be represented by those Delegates elected or appointed in accordance with the provisions of this Article and Article X.

Each Delegate and alternate delegate must be a Full, Youth or General Member of the Corporation and, except for the Executive Officers, no employee of the Corporation (or its subsidiaries) may be an elected Delegate or alternate delegate.

Elected Delegates

Each Affiliated Local complying with this By-Law shall be entitled to elect or appoint the number of Elected delegates and Alternate delegates that may be determined by reference to this Article.

Each affiliated local shall be entitled to elect delegates based upon the number of Full members as follows:

<u>Number of Full Members</u>	<u>Number of Delegates</u>
12 - 25	1
26 - 50	2
51 - 75	3
76 - 100	4
101 - 200	5
201 - 300	6
300 - 400	7
400 - 500	8
600 - 700	9
701 - 800	10
801 - 900	11
901 - 1000	12

An Alternate Delegate shall serve in the place of any Elected Delegate of the same Affiliated Local who is unable or unwilling to act.

The Elected Delegate and Alternate Delegates of an affiliated Local shall be elected or appointed by the Members of the Local, in a manner prescribed by the Board of Directors of such Affiliated Local and they shall represent the Zone in which such Affiliated Local is located. No Elected Delegate or Alternate Delegate shall be permitted to represent more than one Affiliated Local at any Assembly.

All Elected Delegates and Alternate Delegates shall be Full or General Members of the Corporation.

EX OFFICIO DELEGATES

The Executive Officers and Elected Directors of the Corporation and the Executive Officers and Directors of each Zone Corporation shall be deemed to be "ex officio Delegates" to each Annual Assembly.

ELDERS

Each Zone shall be entitled to elect or appoint three "Elders" at a Zone Presidents' Seminar held prior to an Assembly who shall represent the Zone from which they were elected.

YOUTH DELEGATES

The Youth Members from each of the five Zones shall be entitled to elect or appoint three "Youth Delegates" who shall have attained the age of 15 years, at a meeting of such Youth Members held immediately prior to an Assembly. The Youth Delegates shall represent the Zones from which they were elected.

DEEMED MEETING OF MEMBERS

All Assemblies shall, for all purposes, be deemed to be and to have all of the powers of a meeting of the Members.

ARTICLE X - MEETINGS

Annual and General Meeting of Delegates (Assembly)

An Annual and General Meeting of Delegates (an "Assembly") shall be held at least once a year at such time and place in Ontario as shall be determined by resolution of the Delegates, at the preceding Assembly, by majority vote. However, the Board of Directors may, by resolution, change the location for the next ensuing Assembly to an alternate site suggested by the preceding Assembly, if in the opinion of the Board of Directors, such change is necessary or expedient.

General Meeting of Delegates

Other Assemblies may be formally called by order of the President, by the 1st Vice-President on direction from the President or by the 1st Voce-President on direction in writing from any nine (9) Elected Directors, which direction shall state the purpose of which the meeting is to be held and the date and time and place of such meeting within Ontario.

General Meeting of Members

The Board of Directors may, at any time call a general meeting of members for the transaction of any business, the general nature of which is specified in the notice calling the meeting.

All Presidents' Seminar

An All Presidents' Seminar may be held once per year at such time and place in Ontario as may be determined by resolution of the Board of Directors. The Members of each Local affiliated as at 60 days prior to the All Presidents' Seminar shall be entitled to elect or appoint one delegate to represent that Local at each All Presidents' Seminar.

Zone Presidents' Seminars and Meetings of Youth Members

Each of the Zone Presidents' Seminars, together with the Elected Directors from such Zone may, from time to time, pass one or more resolutions which prescribe the date, time, location, quorum and/or procedures for the conduct of meetings of Zone Presidents' Seminars and meetings of Youth Members within such Zone and notwithstanding the foregoing, it is mandatory that any such zone presidents' seminars be held by the end of the calendar year following the general annual Assembly.

Notice

Notice of meetings of Members and Assemblies and All Presidents' Seminars (hereinafter collectively called a "Meeting") shall be given to the auditors of the Corporation and to the Secretary or President of each Affiliated Local at least 21 days before the time fixed for the holding of such meeting. Public notice of every meeting may be given by publication, at least once a week, for two consecutive weeks next preceding the meeting, in one or more newspapers circulated in the Municipality or Municipalities in which the majority of the Members of the Corporation reside as shown by their addresses on the books of the Corporation. However, any meeting may be held at any time and place without any such notice if all of the Delegates or Members, as the case may be, and the auditors of the Corporation are present there at or represented by proxy duly appointed (at a meeting of Members only) and none of them objects to the holding of such meeting.

Omission of Notice

No error or omission to give notice of any Meeting or the non-receipt of any notice of any Meeting by any Delegate or Member, as the case may be, or by the auditors of the Corporation, shall invalidate or make void any resolution passed or any proceedings taken or had at such Meetings. No Delegate or Member shall be entitled to notice of any Meeting unless entitled to vote thereat.

Chairperson

The Delegates or Members, as the case may be, present and entitled to vote at a Meeting shall choose a chairperson of such Meeting by majority vote.

Every Assembly has the right to decide who may be present during its session; and when the Assembly, either by a rule or by a vote, decides that a certain person shall not remain in the room, it is the duty of the Chairman to enforce the rule or order, using whatever force is necessary to eject the party.

The Chairman can detail members to remove the person, without calling upon the police. However, those enforcing the order, shall use no harsher treatment than is necessary to remove the person.

The person ordered removed if a member of OMAA, shall be subject to charges under Article V of these By-laws.

Voting Privileges

Each Full Member and General Member in good standing, shall be entitled to one vote, either personally or by proxy, on each question or matter arising at any meeting of Members. Associate Members shall not have any voting rights. Honorary Members shall be entitled to one vote on each question or matter arising at any meeting of Members if such Honorary Member was a Full Member or General Member, in good standing, at the time of his appointment as an Honorary member.

Each Elected Delegate who is a Full or General Member duly elected or appointed by an affiliated Local that is eligible to send Delegates to an Assembly and each Elder and Youth Delegate duly elected or appointed in accordance with the provisions of Articles IX and X hereof, and each ex officio Delegate, shall be entitled to one vote on each question or matter arising at any Assembly. No Delegate may vote by proxy at any Assembly.

Attendance at Meetings

All Members in good standing shall be entitled to attend and address all Meetings.

Eligible to Send Delegates

To be eligible to send Delegates to an Assembly an Affiliated Local must have been affiliated with the Corporation at least sixty (60) days prior to the holding of such Assembly and must not be in default of payment of its annual affiliation fee or of any other of its obligations set out in this By-Law.

Voting Procedures

Every question or matter submitted to any Meeting, except for the election of Directors and the Executive Officers, shall be decided in the first instance by a show of hands. The method of election of the Directors and the Executive Officers shall be by poll.

In the case of an equality of votes, the chairperson shall not have a second or casting vote. At any Meeting unless a poll is demanded, a declaration by the chairperson that a resolution has been carried or carried unanimously or carried by a particular majority shall be conclusive evidence of the fact.

If at any meeting a poll is demanded on the election of a chairperson or on the question of an adjournment, it shall be taken forthwith without adjournment. If a poll is demanded on any other question it shall be taken in such manner and either at once, later in the meeting or after adjournment as the chairperson directs. The result of a poll shall be deemed to be the resolution of the meeting at which the poll was demanded.

A demand for a poll may be withdrawn with the consent of a majority of the Delegates or Members, as the case may be.

Adjournment

The chairperson of any Meeting may, with the consent of a simple majority of such Meeting, adjourn the same from time to time and no notice of such adjournment need be given to the auditors, Members, Delegates, Directors or Officers. Any business may be brought before and dealt with at any adjourned Meeting which might have been brought before and dealt with at the original Meeting in accordance with the notice calling such original meeting.

Quorum

A quorum for the conduct of any business at an Assembly shall be a simple majority of the registered Delegates entitled to vote at such meeting present in person.

A quorum for the conduct of any business at any meeting of Local Members shall be a total of ten percent 10% of Full Members and/or General Members entitled to vote at such meeting present in person.

No business shall be transacted at any Meeting unless the requisite quorum is present at the time of the transaction of such business.

Requisite Majority

Except where otherwise provided in this By-Law, all matters requiring the decision of an Assembly or meeting of Members, as the case may be, shall require the consent of at least two-thirds of the Delegates or Members who are present in person or Members represented by proxy entitled to vote at such meeting at the time such business was trans-acted.

ARTICLE XI - BOARD OF DIRECTORS

The affairs of the Corporation shall be managed by the Board of Directors. The Board of Directors shall ensure that the general policy of the Corporation, as determined from time to time by resolution of the Delegates is implemented. The Directors shall serve without remuneration for their services rendered to the Corporation as Directors.

Composition

The Board of Directors shall consist of (18) persons. Made up of the 3 Executive Officers and the 3 representatives from each of the five zones or zone corporations; one of the three zonal representatives being the President or Senior elected officer of the Zone or Zonal Corporation. The three Executive Officers of the Corporation shall be deemed to be "ex officio Directors" with full voting rights at all Board meetings.

At least one Elder shall be present in an advisory capacity with voice but no vote at each Board meeting. The Elder shall be chosen on the recommendation of the Board representatives from the Zone in which the Board Meeting is being held or as otherwise selected by the Board. The absence of an Elder at a Board Meeting shall not affect the constitution of a Board meeting.

Qualifications

Any Full Member, in good standing, who has been a member of an Affiliated Local for at least sixty (60) days and which Affiliated Local has been Affiliated with the Corporation for at least sixty (60) days prior to the annual Assembly, and any General Member, in good standing, who has been a General Member of the Corporation for at least sixty (60) days prior to the Annual Assembly, is eligible to be elected as a Director.

Election

Three (3) Directors shall be elected from each Affiliated Zone by secret ballot at a Zone Assembly.

Each Local affiliated with a Zone Corporation or with OMAA, provided that the Local is situated within the Zone, at least 60 days prior to said Zone Assembly shall be entitled to elect or appoint two delegates and two Alternate Delegates to the Zone Assembly of the Zone in which that Local is situated. An Alternate Delegate shall serve in the place of any Elected Delegate who is unable to unwilling to act.

The three Executive Officers of the Zone Corporation shall, in addition to their status as Directors of the Zone Corporation, be the representatives of that zone on the Board of Directors of the Corporation.

Vacancy on the Board of Directors

Any Elected Director who is absent from two consecutive meetings of the Board of Directors without valid reason shall be deemed to have resigned therefrom.

If an Elected Director is elected or appointed by the Board of Directors to fill a vacancy in the office of 1st Vice-President or 2nd Vice-President, there shall be deemed to be a vacancy from among the Elected Directors.

In the event of a vacancy or deemed vacancy occurring among the Elected Directors, however caused, such vacancy shall be filled as follows:

- (a) By the first runner-up at the last zone election for Directors of the Corporation, or
- (b) By such other person as the Zone Board of Directors may resolve to appoint.

If no quorum exists, the President shall call a special Assembly to fill each vacancy on the Board of Directors. Only those Delegates who represent the Zone from which the Retired Director was elected may vote for the new Director to fill such vacancy.

Quorum

A quorum at a meeting of the Board of Directors shall be ten (10) Directors, including at least one Executive Officer present in person.

Responsibilities

The responsibilities of the Directors are to the entire Corporation rather than to the Zone from which they were elected.

Meetings

Meetings of the Board of Directors may be held at such place in Ontario as the Directors may from time to time determine and may be formally called by order of the President or by the 1st Vice-President on direction from the President, by the 1st Vice-President on direction in writing from any nine Elected Directors, which direction shall state the purpose for which the meeting is to be held.

Notice

Notice of meetings of the Board of Directors shall be delivered in person, telephoned or telegraphed to each Director not less than seven days before the meeting is to take place and shall be confirmed by ordinary mail, postage prepaid, which shall be posted not less than six days before the meeting is to take place. The certificate of any of the Executive Officers that notice has been given pursuant to this By-Law shall be sufficient and conclusive evidence of the giving of such notice. The Board of Directors may appoint a day or days in any month or months for regular meetings no notice need be sent. A meeting of the Board of Directors may also be held, without notice, during an adjournment of and/or immediately following the annual

Assembly and any meeting of Members of the Corporation. The Directors may consider or transact any business, either special or general, at any meeting of the Board of Directors.

Error In Notice

No error or omission to give notice of any meeting of the Board of Directors or the non-receipt of any notice by any Director shall invalidate or make void any resolution passed or any proceedings taken or had at such meeting and may ratify, approve and confirm any or all proceedings taken or had thereat.

Voting

Questions arising at any meeting of the Directors shall be decided by a majority of votes. In case of an equality of votes, the chairperson shall not have a second or casting vote. All votes at any such meeting shall be taken by poll if so demanded by any Director present, but if no demand is made, the vote shall be taken in the usual way by assent or dissent. A declaration by the chairperson that a resolution has been carried and an entry to that effect in the minutes shall be admissible in evidence as prima facie proof of the fact without proof of the number or proportion of the votes recorded in favour of or against such resolution.

Chairperson

The President, when present, shall preside at all meetings of the Board of Directors. In the absence of the President, his duties as chairperson shall be performed by the 1st Vice President and in the absence of the 1st Vice President, by such other Director as the Board of Directors may from time to time appoint for that purpose.

ARTICLE XII - COMMITTEES

Composition of Executive Committee

The Executive Committee shall consist of the three Executive Officers.

Power of Executive Committee

During the intervals between the meetings of the Board of Directors, the Executive Committee shall possess and may exercise (subject to any regulations which the Board of Directors may from time to time impose) all of the powers of the Board of Directors and the management and direction of the affairs and business of the Corporation (save and except only such acts as must by law be performed by the Board of Directors itself) in such manner as the Executive Committee shall deem best for the interests of the Corporation in all cases which specific direction shall not have been given by the Board of Directors.

The Executive Committee shall, in addition and without limiting the generality of the foregoing, be empowered to:

- (a) formulate policies and present these to the Board of Directors for ratification;
- (b) authorize expenditures other than budget expenditures;
- (c) recommend any change in the Letters Patent, Constitution, By-Laws or structure of the Corporation; and

The Executive Committee shall, in addition to and without limiting the generality of the foregoing, meet at least once a month, prepare a record of the proceedings of the meetings and circulate these minutes to the Board of Directors at the next following meeting of the Board of Directors.

The Executive Committee shall not be empowered to:

- (a) authorize any budgetary expenditures in excess of \$5,000.00 without Board approval; or
- (b) represent the Corporation outside of Canada without Board approval.

The members of the Executive Committee shall be available as resource personnel to all Standing Committees and Special Committees of the Board.

Standing Committees

At the first meeting of the Board of Directors immediately following each annual Assembly, the Board of Directors may appoint from among its number, one chairperson and four Members for each of the following committees:

1. Administration and Policy
-responsible for: Personnel, finances
2. Social & Economic Development
-responsible for: housing, economic development
education
3. Canada's Constitution & Aboriginal Rights
-responsible for: Canadian Constitution, hunting,
fishing, trapping rights, land claims, land base,
Bill C-31, Self-Government
4. Prevention & Justice
-responsible for: crime & justice, Child Welfare, Young
Offenders, Drug and Alcohol, health and welfare
5. Aboriginal Women's Advisory Committee
-responsible for: women's issues

6. **Priorities and Planning Committee**

-responsible for approving policy recommendations of executive council, approving recommendations of standing committees or special committees for presentation to the Board for authorizing budgetary expenditures in excess of \$5,000.

The Board of Directors may from time to time change the membership, but not the chairpersons, of the Standing Committees.

7. **Trial Committee**

Special Committees

The Board of Directors may, from time to time, appoint such Special Committees, for the purposes of carrying out the work of the Corporation, as in the opinion of the Board of Directors is necessary or advisable. The Board of Directors may appoint, from time to time, one or more Directors and/or other persons to any one or more of the Special Committees.

Rules of Procedures

Subject to any regulations imposed, from time to time, by the Board of Directors, the Executive Committee and each Standing Committee and Special Committee (hereinafter collectively called a "Committee") shall have the power, from time to time, to fix its quorum at not less than a majority of its members and to fix its own rules of procedure.

The activities and decisions of each Committee shall be monitored by the Board of Directors to ensure that the policies of the Corporation are being implemented.

Meetings

No business may be transacted by any Committee except at a meeting of its members at which a quorum is present. If and whenever a vacancy shall exist on a Committee, the remaining members may exercise all of its powers so long as a quorum remains in office.

Meetings of all Committees may be held at such place in Ontario as each may from time to time determined. Each Committee shall keep minutes of its meetings in which shall be recorded all action taken by it, which minutes shall be submitted as soon as practicable to the Board of Directors.

ARTICLE XIII - OFFICERS

The Corporation shall have three (3) Executive Officers, being the President, 1st Vice President and 2nd Vice-President, who shall perform their respective duties on a full-time basis.

Qualifications of Executive Officers

Any Full Member in good standing and who has been a Full Member of an Affiliated Local for at least sixty (60) days prior to the annual Assembly, and any General Member, in good standing, who has been a General Member of the Corporation for at least 60 days prior to the Annual Assembly is eligible to be elected as an Executive Officer.

No Executive Officer may hold more than one of the Executive Offices at the same time.

Election or Appointment of Executive Officers

The Election of Executive Officers shall be held every three (3) years at the Annual Assembly, the next such election to be held in 1992.

Each of the Executive Officers shall be elected at the Annual Assembly, by those Delegates entitled to vote thereafter or until his successor has been duly elected. Each nominee who receives a majority vote of fifty percent plus 1 (50%+1) for the office of President, 1st Vice-President and 2nd Vice-President, respectively, shall be declared by the Chairperson of the Annual Assembly to have been duly elected to such Executive Office.

At any Assembly at which the election of Executive Officers is to be held, all Executive Officers shall be elected or re-elected prior to the election or re-election of any of the Elected Directors.

Election or Appointment of Other Officers

The Board of Directors may, from time to time, by resolution, appoint or elect such other Officers, each of whom must be a member of the Corporation, to perform such duties not herein specifically reserved for the Executive Officers as the Board of Directors in its sole discretion determines advisable.

Remuneration

The remuneration of all Officers elected or appointed by the Delegates or the Board of Directors shall be determined from time to time by resolution of the Board of Directors. The fact that any Officer is a director and/or Member of the Corporation shall not disqualify him from receiving such remuneration as may be determined.

Duties of the President

The President shall be the Chief Executive Officer of the Corporation and shall sign such contracts, documents or instruments in writing as require his signature. The President shall have all powers and perform all duties incident to his office and such other powers and duties as

may, from time to time, be assigned to him by resolution of the Board of Directors. The President should make the utmost effort to be involved in every area possible. He should not just be a political figure.

Duties of the 2nd Vice-President

The 2nd Vice-President shall be vested with all the powers and shall perform all the duties of the President in the absence of the President. In cases where the President deems it inadvisable to act, the matter is to be taken to the Board of Directors for a decision rather than have the 2nd Vice President step in. The 2nd Vice President shall sign such contracts, documents or instruments in writing as require his signature and shall have and perform all powers and duties incident to his office and such other powers and duties as may, from time to time, be assigned to him by resolution of the Board of Directors. Without limitation, the 2nd Vice-President is also responsible for the management and administration of the Association. Some of those responsibilities would be the assurance that all travel, accommodations, notice of meetings, etc., are effectively and efficiently carried out.

Duties of the 1st Vice-President

The 1st Vice-President shall be responsible for overseeing the financial operations of the Association.

The 1st Vice-President shall be ex officio clerk of the Board of Directors. He shall attend all meetings of the Board of Directors and record all facts and minutes of all proceedings in the books kept for that purpose and shall send copies of such facts and minutes to the President of each Affiliated Local. He shall give all notices required to be given to the Members, Delegates, Directors, Officers and auditors. He shall be the custodian of the seal of the Corporation and of all books, papers, records, correspondences, contracts and other documents belonging to the Corporation, which he shall deliver up, in his sole discretion, to the legal counsel of the Corporation and/or when authorized to do so by resolution of the Board of Directors and to such person or persons as may be named in the resolution, and he shall perform such other duties as may, from time to time, be determined by the Board of Directors.

The 1st Vice-President shall also keep full and accurate accounts of all receipts and disbursements of the Corporation in proper books of account and shall deposit or cause to be deposited all monies or other valuable effects in such bank or banks as may, from time to time, be designated by the Board of Directors. The 1st Vice-President shall be one of the signing officers of the Corporation. He shall disburse the funds of the Corporation under the direction of the Board of Directors taking proper vouchers therefore and shall render to the Board of Directors at the regular meetings

thereof, or whenever required of him, an account of all of his transactions as 1st Vice-President and of the financial position of the Corporation.

Removal of the Officers of the Executive Committee

At any time during the term of office, any of the Officers of the Executive Committee may be removed from that office by the Board of Directors for "cause".

An Officer may only be removed for "cause" by a majority vote of the Board of Directors at a meeting duly called for that purpose.

The Terms of "cause" must be agreed to by a majority in writing by the Board of Directors. A particular officer may only be removed for "cause" by a majority vote of the Board of Directors by secret ballot at a meeting duly called for that purpose.

The particulars of "cause" shall be in writing and served on the subject officer at least 20 days prior to the meeting of the Board of Directors by personal service or by registered mail with attached A/R card addressed to the head office of the Association. If mail service is utilized the effective date of service is the date of mailing.

The particular officer upon being served with notice herein, may respond in writing if he/she desires to do so within 5 days prior to the meeting of the Board of Directors.

The particular officer is entitled to attend a meeting of the Board of Directors concerning the removal for "cause" and to respond to questions from the Board of Directors, if she/she desires to do so.

The Officers forming the Executive Committee are deemed to accept that if they are removed from office for "cause" such removal is final and non-reviewable by any Board or Tribunal saving and excepting by an Annual Assembly.

Delegation of Duties

In the case of the absence or inability to act of the 1st Vice President or 2nd Vice-President, the Board of Directors may, by resolution, delegate all or any of the powers of such Executive Officer to any one of the Directors or Officers for the time being.

Vacancies

If the Office of 2nd Vice President or 1st Vice-President shall be or become or be deemed to be vacant for any reason, the Directors shall, by resolution, elect or appoint one of the Elected Directors to fill such vacancy. If the office of President shall be or become vacant for any reason, the 2nd Vice President shall fill such vacancy and perform the duties

of President in his stead and the office of 2nd Vice President shall, for all purposes, be deemed to be vacant.

Honorary President

The Delegates may by resolution passed at an Assembly grant the title of Honorary President to any Full Member or General Member who, in their opinion, has merited such recognition.

Any Honorary President who, in the opinion of an Assembly has abused the honour bestowed upon him may have the title of Honorary President terminated and cancelled by resolution of the Delegates.

ARTICLE XIV - AUDITORS

The Delegates shall ratify, at the Annual Assembly, such auditors as they, in their discretion, determine advisable, whose duties shall be to serve the Corporation. The auditors shall be required to audit the financial records, ledgers and bank statements of the Corporation at least once a year or as otherwise required by law.

ARTICLE XV - LEGAL COUNSEL

The Board of Directors shall appoint such legal counsel as they, in their discretion, determine advisable.

ARTICLE XVI - INDEMNITY OF DIRECTORS AND OFFICERS AND VALIDITY OF ACTS

Every Director and Officer of the Corporation and his heirs, executors, administrators, estate and effects, respectively, shall, from time to time, and at all times be indemnified and saved harmless out of the funds of the Corporation, from and against:

- (a) all costs, charges and expenses whatsoever which such Director or Officer sustains or incurs in or about any action, suit or proceedings which is brought, commenced or prosecuted against him, for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him, in or about the execution of the duties of his office; and
- (b) all costs, charges and expenses whatsoever which he sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his own willful neglect or default.

The acts of a Director or of an Officer are valid notwithstanding any defect that may afterwards be discovered in his appointment or qualification.

ARTICLE XVII - NOTICES

Service

Any notice or demand to be given to or made on any Member, Delegate, Officer, Director or auditor may be served either personally or by sending it through the post in a prepaid envelope or by telegram or cable addressed to such Member, Delegate, Officer or Director at his address as the same appears in the books of the Corporation, or if no address be given therein to the last address of such Member, Delegate, Officer or Director known to the 1st Vice-President, and to the auditor at his business address. With respect to every notice or demand sent by mail, it shall be sufficient to prove that the envelope containing the notice or demand was properly addressed and posted.

Signature to Notice

The signature to any notice to be given by the Corporation may be written, stamped, typewritten or printed or partly written, stamped, typewritten or printed.

Computation of Time

Where a given number of day's notice or notice extending over a period is required to be given, the day of service or posting of the notice shall, unless it is otherwise provided, be counted in such number of days or other period.

Proof of Service

A certificate of an Officer in office at the time of the making of the certificate as to the facts in relation to the mailing or delivery of any notice to any Member, Delegate, Director, Officer or auditor or publication of any notice shall be conclusive evidence thereof and shall be binding on every Member, Delegate, Director, Officer or auditor of the Corporation as the case may be.

ARTICLE XVIII - CHEQUES, ETC.

All cheques, bills of exchange or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation in the principal amount of \$5,000 or less shall be signed by the 1st Vice President along with any one of the President, the 2nd Vice-President, acting together or in such other manner as may from time to time be determined by resolution of the Board of Directors. All cheques, bills of exchange or other orders for the payment of money, notes or other evidence of indebtedness issued in the name of the Corporation in the principal amount

of more than \$5,000 (hereinafter called "Major Expenditure") shall be signed by any one of the Executive Officers acting together with any one Director who is specifically appointed, from time to time, by resolution of the Board of Directors to approve such Major Expenditure.

Any one of the Executive Officers may:

- (a) endorse notes and cheques for deposit with the Corporation's bankers for the credit of the Corporation, or, the same may be endorsed "for collection" or "for deposit" with the bankers of the Corporation by using the Corporation's rubber stamp for such purpose; and
- (b) arrange, settle, balance and certify all books and accounts between the Corporation and the Corporation's bankers and may receive all paid cheques and vouchers and sign all the bank's forms or settlement of balances and release or verification slips.

ARTICLE XIX - VOTING SHARES AND SECURITIES

All of the shares or other securities carrying voting rights of any company or corporation held, from time to time, by the Corporation may be voted at any and all meetings of the shareholders, bond holders, debenture holders or holders of other securities (as the case may be) of such company or corporation and in such manner and by such person or persons as the Board of Directors shall, from time to time, determine by resolution.

ARTICLE XX - EXECUTION OF INSTRUMENTS

Contracts, documents or instruments in writing requiring the signature of the Corporation may be signed by any two of the Executive Officers, one of which shall be the 1st Vice President, acting together or in such other manner as may, from time to time, be determined by resolution of the Board of Directors and all contracts or documents in writing so signed shall be binding upon the Corporation without any further authorization or formality.

The seal of the Corporation may, when required, be affixed to contracts, documents or instruments in writing by the 1st Vice-President of the Corporation.

The term "contracts, documents or instruments in writing" as used in this By-Law shall include deeds, mortgages, hypothecs, charges, conveyances, transfers and assignments of property, real or personal, immovable or movable, agreements, releases, receipts and discharges for the payment of money or other obligations, conveyances, transfers, and assignments of

shares, share warrants, stocks, bonds, debentures or other securities and all paper writing.

ARTICLE XXI - FISCAL YEAR

The financial or fiscal year of the Corporation shall terminate on the 31st day of March in each year or on such other date as the Board of Directors may, from time to time, by resolution determine.

ARTICLE XXII - BORROWING POWERS

The Board of Directors, may, from time to time:

- (a) borrow money on the credit of the Corporation
- (b) Issue, sell or pledge debt obligations of the Corporation
- (c) charge, mortgage, hypothecate or pledge all or any currently owned or subsequently acquired real or personal, movable or immovable property of the Corporation, including book debts and unpaid calls, rights, powers, franchises and undertakings to secure any debt obligations or any money borrowed, or other debt or liability of the Corporation.

The words "debt obligations" as used in this paragraph means bonds, debentures, notes or other similar obligations of the Corporation whether secured or unsecured.

The powers hereby conferred shall be deemed to be in supplement of and not in substitution for any powers to borrow money for the purposes of the Corporation possessed by its Directors or Officers independently of a borrowing by-law.

ARTICLE XXIII - DISSOLUTION

In the event of the dissolution of the Corporation, any assets remaining after the just debts, obligations and liabilities are paid shall be distributed or disposed of to one or more Aboriginal charitable organizations registered under the Income Tax Act (Canada) which carries on its work solely in Ontario.

ARTICLE XXIV - FORMER BY-LAWS

All former By-laws of the Corporation are hereby repealed without prejudice to any action heretofore taken thereunder and all business of the Corporation transacted under the

provisions of any By-Law which is repealed by this By-Law is hereby ratified, consented to, approved and confirmed.

No business of the Corporation transacted under the provisions of any By-Law which is repealed by this By-Law shall be invalidated.

ARTICLE XXV - INTERPRETATION

When the context in which words are used in this and all other By-Laws of the Corporation indicate that such is the intent, words in the singular shall include the plural and vice versa, and references to any gender shall include any other gender as may be applicable under the circumstances.

Wherever reference is made in this By-Law to any statute or section thereof, such reference shall be deemed to extend and apply to any amendment to or re-enactment of such statute or section, as the case may be.



REGISTERED
NOV 10 1992
<i>[Signature]</i>
DEPUTY REGISTRAR OF SOCIETIES GOVERNMENT OF THE NORTHWEST TERRITORIES
SOC. 204

NORTHWEST TERRITORIES

**BOX 1375, YELLOWKNIFE, N.W.T. PHONE (403) 873-3505 FAX 873-3395
X1A 2P1**

CONSOLIDATED CONSTITUTION & BY LAWS

METIS NATION - NORTHWEST TERRITORIES

The undersigned, being a director or authorized officer of the above noted society, hereby certifies that the attached is a true and correct copy of the Constitution and By Laws of the said society as amended to August 9, 1992.

DATED THIS 6TH DAY OF NOVEMBER, 1992.

Gordon Lennie
Signature

GORDON LENNIE, VICE PRESIDENT
Name of Director or Officer

SCHEDULE "A"

RESOLVED AS AN EXTRAORDINARY RESOLUTION THAT Article 2 of the Constitution of the Metis Nation - Northwest Territories be amended by adding immediately following paragraph (h) the following paragraph:

"(i) To recognize and respect the goals and objectives of those Regions that have entered into negotiations for land claims or have finalized land claims."

CONSTITUTION AND BY-LAWS
OF THE
METIS NATION - NORTHWEST TERRITORIES

CONSOLIDATION

As authorized by the 20th Annual General Assembly held at Fort Providence, Northwest Territories, August 7, 8, & 9th, 1992.

PART 1 CONSTITUTION

ARTICLE 1

The name of the Society shall be 'The Metis Nation - Northwest Territories', (hereinafter called 'the Nation').

ARTICLE 2

The objectives of the Nation are:

- a. To unite its membership throughout the Northwest Territories.
- b. To promote the identity, and recognition of its membership.
- c. To promote the participation of its membership in all areas of settlement, municipal and territorial organizations.
- d. To ensure that all its membership are aware of and provided with their legal, social and political rights.

- e. To promote the history, culture and role of its membership in the development of the Northwest Territories.
- f. To co-operate with other organizations of similar or friendly purpose.
- g. To seek re-affirmation by the Government of Canada and the Government of the Northwest Territories of the aboriginal rights of its membership.
- h. To promote the participation of its membership in all spheres of economic activity in the Northwest Territories.
- i. To recognize and respect the goals and objectives of those Regions that have entered into negotiations for land claims or have finalized land claims.

ARTICLE 3

The operations of the Nation are to be carried on throughout the Northwest Territories and elsewhere with headquarters in the City of Yellowknife.

PART II - BY LAWS

INTERPRETATION:

In these By Laws,

"Annual General Assembly" may also be referred to as the Annual General Meeting or the Annual Assembly.

"Board" means the Board of Directors of the Metis Nation - Northwest Territories;

"Community Member" means a member whose name appears on the membership list of a specific Metis Nation Community and who has voting privileges in that Community and who, by virtue of membership in the Community, is also a member of the Metis Nation - Northwest Territories;

"Extraordinary Resolution" may also be referred to as a Special Resolution and means a resolution passed by a majority of not less than 3/4 of those members of a society who are entitled to vote as

are present in person, or where proxies are allowed, by proxy, at a general meeting of which notice specifying the intention to propose the resolution as an extraordinary resolution has been given in the manner provided by the by-laws;

"General Meeting" may also be referred to as a General Assembly, and means any meeting held by the members at any time during the calendar year and includes the Annual General Assembly;

"General Member" means a member who has chosen not to be a member of any specific Metis Nation Community but whose name is on the General Membership list of the Metis Nation - Northwest Territories but who has no voting privileges either in a Community or in the Metis Nation - Northwest Territories;

"Honourary Member" means an individual who is recognized by either a Metis Nation Community or by the Metis Nation - Northwest Territories for his or her contribution to the Metis people of the Northwest Territories but who has no voting privileges;

"Metis Nation Community" means an organization which is affiliated with the Metis Nation - Northwest Territories in accordance with Article 3 of these By Laws and which may have formerly been known as a Metis Local and whose official name may still contain the word "Local";

"Special Assembly" may also be referred to as a Special General Assembly or Meeting and means a meeting called by the Board of Directors of the Metis Nation - Northwest Territories for any special purpose;

ARTICLE 1 - MEMBERSHIP

1. Membership in the Metis Nation of the Northwest Territories (hereinafter referred to as "the Nation") shall be restricted to the following:

a) individuals who have submitted an application for Community Membership to a Metis Nation Community (hereinafter referred to as a "Community" or "Communities") in the form prescribed by that Community and who have satisfied the criteria set forth therein and whose application has been approved by that Community's Board of Directors or;

b) individuals who do not wish to belong to any one Community but who have instead submitted an application for General Membership to the Nation in the form attached to these by laws as Schedule One and who have satisfied the criteria set forth therein and whose application has been approved by the Board;

2. (a) An individual whose application for Community Membership has been refused by that Community's Board of Directors may appeal that decision to the Nation's Board of Directors. A decision on such an appeal shall be final.

(b) An individual whose application for General Membership in the Nation has been refused by the Nation's Board of Directors may appeal that decision at the next Annual General Assembly. A decision shall be made by a majority vote of the delegates and their decision on such an appeal shall be final.

3. (a) A Community may confer an Honourary Membership on any individual by way of Extraordinary Resolution passed at a General Meeting of that Community. Such individuals will be issued an Honourary Membership Certificate by that Community.

(b) The Nation may confer an Honourary Membership on any individual by way of Extraordinary Resolution passed at a General Meeting of the Nation. Such individuals will be issued an Honourary Membership Certificate by the Nation.

4. Every member, sixteen (16) years of age and older, shall hold a membership card and the form of the membership card shall be prescribed by the Nation.

5. (a) Membership cards for both Community and General membership shall be issued only by the Nation. No member shall hold more than one membership card.

(b) Each Community shall, as soon as possible after accepting them as members, submit to the Nation the names of new members on that Community membership list;

(c) The Nation shall maintain a central registry of members specifying:

- i) the full name of the member;
- ii) the birth place of the member;
- iii) the birth date of the member;
- iv) the mailing address of the member;
- v) the Community, if any, to which the member belongs;
- vi) such other information as the Board of Directors may prescribe.

6. Notwithstanding paragraph 1 of this Article, affiliated Communities may impose, as a condition of membership, that an individual must be ordinarily resident within the geographical area of that Community for a period not to exceed one year, prior to that individual being allowed to hold elected office in that Community.

7. Each affiliated Community shall, upon notice duly given by the Nation, be required to amend its By Laws from time to time to comply with amendments made to this Article.

8. The Board may prescribe the rules under which a member may transfer his membership from one Community to another.

9. (a) Members may withdraw as members of the Nation by providing 30 days written notice to the Headquarters of the Nation;

(b) Communities shall notify the Nation that a member has withdrawn membership in the Community within 30 days of that member's withdrawal from the Community.

ARTICLE 2 - FORM OF THE NATION

The Nation shall be composed of all Communities established as provided by Article 3 of these By-laws.

ARTICLE 3 - COMMUNITIES

(1) Any 10 or more persons who are eligible for membership in the Nation as members and who reside in the same geographical area, provided that area is situated in the new Western Territory as defined by the boundary plebiscite held on May 4, 1992, may organize themselves into a Community and apply to the Board of Directors for affiliation with the Nation.

(2) Requests for affiliation of a Community shall be sent in a form prescribed by the Nation to the Board of Directors and shall include the following:

- (a) The Certificate of Incorporation of the Community;
- (b) Names of the 10 eligible persons and their signatures.
- (c) Names of the Executive and Board Members.
- (d) Names of all persons who have obtained membership cards.
- (e) A copy of the By-laws which has been subscribed to by the 10 eligible persons requesting affiliation.
- (f) Proposed boundary of the Community.
- (g) The name, occupation and address of the Member appointed to the Nation's Board of Directors and of one alternate.

- (3) The Board of Directors shall advise the persons requesting affiliation as a Community of its decision in writing within 30 days of receipt of the request. In the event that the affiliation application has been accepted a certificate shall be issued to the Community
- (4) Any Community that has been refused affiliation may appeal the decision to the next Annual or Special Assembly. The decision of the Annual or Special Assembly shall be final.
- (5) (a) Every Community, once affiliated, shall continue to be affiliated with the Nation unless it is expelled by the Nation or withdraws in accordance with the provisions as set out in these by laws.
- (b) Prior to June 30th of each year each Community shall provide to the Nation the following:
- (i) an updated list of all Community members;
 - (ii) an updated list of the Executive and Board Members of the Community;
 - (iii) an updated copy of the By-Laws;
 - (iv) the name, occupation and address of the Community Member appointed to the Nation's Board of Directors and of one alternate;
 - (v) such other information as the Board of Directors may prescribe.
- (6) No more than one Community shall be established in any geographic area, unless it is so approved by the Board of Directors.
- (7) For the purposes of paragraph (5) above, every charter community, hamlet, town, village and city, shall be considered to be a geographic area.
- (8) Every Community shall incorporate either territorially under the Societies Act or federally under the Canada Corporations Act, provided it fulfils all the conditions required in this Article.
- (9) Affiliated Communities may withdraw from the Nation by providing 30 days written notice to the Headquarters of the Nation provided that the decision to withdraw has been approved by a special resolution passed at either a Special General Assembly of the Community or an Annual General Assembly.

ARTICLE 4 EXECUTIVE COMMITTEE

- (1) The Executive shall consist of:
 - (a) a President;
 - (b) a Vice President; and
 - (c) a Secretary/Treasurer.
- (2) The position of Secretary/Treasurer shall be made by appointment of the Board of Directors and the Secretary/Treasurer shall report directly to the Board of Directors.
- (3)
 - (a) The President and the Vice President of the Nation shall be elected for a term of two years by secret ballot at the Annual Assembly in 1989 and every second year thereafter.
 - (b) All registered delegates to the Annual Assembly shall be entitled to vote in the election. There shall be no proxy votes.
 - (c) The election shall be run by an Elections Committee selected by the Annual Assembly. The committee shall recommend to the Assembly a set of written rules which shall include but not be limited to:
 - (i) the opening and closing times for nominations and the method of nominations and acceptance;
 - (ii) the time, date and place of election speeches and of voting;
 - (iii) the form of ballots.
 - (iv) the number and duties of scrutineers.
 - (d) Any dispute regarding elections shall be put to the Elections Committee, which shall report its recommendation to the Assembly or to the Board of Directors if the Assembly is not in session.
- (4) In the event of the death, resignation, suspension, expulsion or incapacity of the President, the Board of Directors shall appoint the Vice President as interim President for the remainder of the President's term of office.

- (5) In the event of the death, resignation, suspension, expulsion, or incapacity of the Vice President, the Board of Directors shall appoint a Vice President from among the Active Members of the Nation for the remainder of the Vice President's term of office.
- (6) The President or Interim President shall be ex-officio member of all committees, excepting the Elections Committee described in paragraph 3 of this Article.
- (7) No person shall be eligible for election as President or as Vice President unless he is a member of the Nation.

ARTICLE 5 - EXECUTIVE COMMITTEE - DUTIES AND POWERS

- (1) The Executive Committee shall consist of the President, the Vice President, one other member of the Board of Directors to be named by the Board of Directors and the Secretary/Treasurer. The Secretary/Treasurer shall act as a non voting advisory member of the Committee.
- (2) The Executive Committee shall be responsible for the daily management of the business, funds, and property of the Nation and will establish operating policies and regulations for approval by the Board of Directors.
- (3) The Executive Committee shall meet not less than once every two months, or as often as the President may determine is necessary to complete business of the Nation. Members of the Executive Committee shall be advised at least two days prior to the regular meetings.
- (4) Two voting members of the Executive Committee shall form a quorum.
- (5) No act or proceedings of the Executive Committee shall be invalidated by any absence of an Executive Committee Member.
- (6) The Executive Committee shall provide a financial statement to the Board of Directors quarterly.
- (7) Members of the Executive may be paid a salary by the Nation and the amount of such salary shall be decided by the Board.

ARTICLE 6 - BOARD OF DIRECTORS

- (1) The Board of Directors shall consist of:
 - (a) The President and the Vice President of the Nation.
 - (b) One person appointed by the Board of Directors of each Community.
- (2) The Board of Directors shall be the governing body of the Nation between Annual Assemblies. The Board of Directors shall establish the general policies for the management and operation of the business of the Nation in accordance with the decision made by delegates at the Annual General Assembly.
- (3) The President, and in his absence or inability to act, the Vice President, or in his or her absence or inability to act, a member chosen from amongst the Board of Directors shall be the chairperson of meetings of the Board of Directors.
- (4) The Board of Directors shall meet four times a year, and on other occasions at the request of the Executive Committee, at such times and such place as the Board may decide. Not less than three (3) days notice of a meeting shall be given to each member of the Board of Directors provided always that such notice may be dispensed with by the unanimous consent of all the Directors; and provided further that where there has been substantial compliance with this paragraph, no error or omission in giving notice of any meeting of the Board shall invalidate such meeting or make void any proceedings taken at such meeting, and any member of the Board may at any time, either before or after the meeting, waive notice of any such meeting and may ratify and approve any or all proceedings taken at the meeting.
- (5) At all meetings of the Board, two-thirds of the Board shall constitute a quorum.
- (6) The Board shall have the authority to set up such standing committees as it considers necessary. All such committees shall be accountable to the Board.
- (7) At any meeting of the Board, votes may be cast either personally or by proxy.
- (8) An instrument appointing a proxy shall be in writing and signed by the appointor, and the person so named in the

proxy shall be a voting member of the Board member's Community and he/she will be entitled to vote and take part in the said meeting and shall have the same rights and duties as his/her appointor would have been entitled to.

- (9) A member of the Board of Directors shall be remunerated by the Nation for expenses properly incurred in the course of his duties.

ARTICLE 7 - INFORMAL BOARD MEETINGS

- (1) A resolution in writing, signed by all members of the Board shall be valid and effectual as if it had been passed at a meeting of the Board duly convened and held.
- (2) In all matters requiring action by the Board of Directors, and when the Board of Directors is not in formal session, the Board of Directors may act by telegram, letter or long distance telephone confirmed in writing. When the President requires action by the Board of Directors, he may obtain the same by telegraphing, writing or telephoning to the members of the Board of Directors, and such members may take action on the matter brought to their attention in the same manner, provided however, that whenever action is sought by any of the foregoing methods, all members of the Board of Directors shall be polled. Such action so taken by the majority of the members of the Board of Directors as though the Board of Directors were in formal session, provided however, that any such action shall be confirmed at the next formal session of the Board of Directors.
- (3) Meetings of the Board of Directors may be conducted by conference telephone or radio-telephone hook-up simultaneously linking all members of the Board of Directors being polled, provided that any action or resolution passed shall be confirmed at the next formal session of the Board of Directors.
- (4) It shall not invalidate any action of the Board of Directors taken in informal session by the method referred to in paragraph 3, if for any reason the President is unable to poll any member of the Board of Directors provided that the members of the Board of Directors being polled are satisfied that due efforts have been made to poll all members and consent to act without the participation of the member or members who have not been polled for that reason.

ARTICLE 8 - AUDIT AND RECORDS

- (1) The books and records of the Nation shall be open to inspection by members of the Nation at the Head Office of the Nation upon written request to the Secretary/Treasurer or otherwise as the Directors may determine or direct.
- (2) The accounts of the Nation shall be audited annually by a firm of professional auditors as designated by the Board of Directors, and such audit shall be presented to the Board within four (4) months of March 31st of each year.
- (3) The audited financial statement shall be presented at the Annual General Assembly.

ARTICLE 9 - GENERAL, ANNUAL AND SPECIAL ASSEMBLIES

- (1) The Annual Assembly of the Nation shall be held once in every calendar year to transact the following business
 - (a) Every second year to nominate and elect persons for the offices of President and Vice President of the Nation.
 - (b) To authorize revisions to the Constitution and By-laws when required.
 - (c) To deal with any special matters which the Board of Directors desires to bring before the delegates and to receive and consider suggestions from the delegates and members.
- (2) An Annual Assembly shall be held once in every calendar year, at a place and a time and date chosen by the Board of Directors.
- (3) A Special Assembly of the Nation may be called at any time by the Board of Directors. The notice for such Assembly shall state the business which the Board of Directors propose to consider at such an Assembly.
- (4) The notice convening any Annual or Special Assembly shall be sent by registered mail to all Communities not less than 45 days before such Annual or Special Assembly. The

notice shall state the time and place of such Assembly, the purpose and the business proposed to be dealt with at such Assembly.

- (5) An Annual or Special Assembly shall be attended by delegates chosen under the following formula:
- Each Community will be allowed:
- (a) two members as delegates for the first one hundred or portion thereof members;
 - (b) one or more members as delegates for every additional one hundred or portion thereof members. As soon as delegates are chosen the Community will inform the Nation's Head Office of their names.
- (6) In the event that a Community has not chosen delegates to attend an Annual or Special Assembly 5 days prior to the date of the Annual or Special Assembly, the Executive of the Community may select delegates from the members of the Community to attend the Annual or Special Assembly according to the formula in Clause 5.
- (7) Only delegates chosen under paragraph 5 or 6 may vote at any Annual or Special Assembly and no delegate shall be registered or vote unless he/she holds a current membership in the Community he/she represents.
- (8) A quorum at any Annual or Special Assembly shall be fifty percent (50%) plus one of the registered voting delegates.
- (9) An Annual or Special Assembly shall have the authority, by Special Resolution, to bar any registered delegate or member of the Nation from being present at such Assembly, if in the opinion of the Assembly, the registered delegate or member is carrying on in such a manner that is detrimental to the reputation of the Nation. Such a resolution may be put to the floor at any time and is non-debatable.
- (10) (a) General Meetings of the Nation shall be held at the call of the President;
- (b) The notice and quorum provisions for such meetings shall be the same as those for Annual and Special Assemblies.

ARTICLE 10 - SUSPENSION OR EXPULSION

- (1) If the Board of Directors considers that any officer, affiliated body, or other member had conducted himself/herself in a manner gravely detrimental to the interests or reputation of the Nation, it may, by a resolution for which at least three-quarters of the members of the Board actually present at the meeting shall vote, and suspend or remove him/her from office or membership provided that any such officer, or affiliated body, or member is first advised in writing at least fourteen (14) days prior to the meeting of the Board of Directors with a concise statement of grounds for his/her dismissal and shall be entitled at that meeting to make a statement in explanation and defence of his/her conduct.
- (2) Any employee whose services have been terminated or suspended or who claims serious maltreatment may appeal in writing to the Board of Directors and ask for a hearing in his/her case. The Executive Committee will advise the employee in writing of the date, time, and place where his/her appeal will be heard. The decision of the Board of Directors shall be final.

ARTICLE 11 - PUBLIC ANNOUNCEMENT

- (1) No individual member or affiliated Community shall take any public action or make any public announcement in the name of the Nation on major matters concerning all members of the Nation without the approval of the Executive.
- (2) Notwithstanding Clause 1, a member or a Community may take public action or make a public statement if it is clearly stated to be a Community matter or the personal view of a member.

ARTICLE 12 - MAJORITY VOTE

All questions arising at a meeting of the Nation, or in the Executive Committee or Sub-Committee, which have to be decided by a vote shall, with the exception of those for which a special majority is required by the By-laws, be decided by a simple majority of those present and voting at such meeting.

ARTICLE 13 - COMMITTEES

- (1) The Board of Directors may appoint such committees as it considers necessary and establish the terms of reference for such committees.
- (2) No committee shall at any time act on behalf of the Nation or the Board other than to report to the Board of Directors.
- (3) Members of committees may be paid such remuneration as is agreed upon by the Board of Directors.

ARTICLE 14 - AMENDMENTS

- (1) (a) The Constitution of the Nation may be amended by an Extraordinary Resolution at any General Meeting and not otherwise.

(b) The By Laws of the Nation may be rescinded, altered or added to by a majority vote of the members at an Annual General Assembly or by an Extraordinary Resolution at any General Meeting and not otherwise.
- (2) No rescission, alteration or addition shall have any effect until it has been registered by the Registrar of Societies.
- (3) Notice of a proposed rescission, alteration or addition to the Constitution or By-laws shall be given at least 45 days prior to a General, Annual General or Special Assembly.
- (4) Notwithstanding (3) above notice of a rescission, alteration or addition may be waived partly or completely by a three-quarters vote of a General, Annual General or Special Assembly.

ARTICLE 15 - RECORDS AND MINUTES

Records shall be kept of Nation Board Meetings, Annual Assemblies and Special Assemblies.

Minutes of Board Meetings shall be confirmed and signed by the Board Chairman as being accurate. Minutes of Assemblies shall be confirmed and approved by the next Annual General Assembly.

ARTICLE 16 - FINANCE

- (1) The financial year shall end on March 31st of each year.
- (2) All money payable to the Nation shall be deposited in the Nation's name in a Bank or Banks selected by the Nation's Board and no money shall be withdrawn except on the written authorization of persons appointed by the Nation's Board.

ARTICLE 17 - BORROWING

The Board of Directors, by a resolution passed by not less than two-thirds of the Directors, may authorize the borrowing or otherwise raising of money for any purpose of the Nation or the securing of payment of any indebtedness created in the name and on behalf of the Nation, by the sale, mortgage, pledge or other disposal of any property or assets of the Nation, and may likewise authorize such officers and Directors as may be designated for the purpose to sign any required documents or papers in connection therewith in the name and on behalf of the Nation.

ARTICLE 18 - CUSTODY AND USE OF THE SEAL

The seal of the Nation shall be in the custody of the office of the Secretary Treasurer and used only as directed by the written resolution of the Nation's Board of Directors or the Executive Committee.

ARTICLE 19 - INTERPRETATION

- (1) Any dispute concerning:
 - (a) the interpretation of the Nation's Constitution and By-laws,
 - (b) eligibility of an individual for membership,
 - (c) the selection of delegates to an Annual or Special Assembly,
 - (d) the election of the Executive of a Community,
 - (e) the compliance of a Community or of the Executive or of the Nation Board with the Nation Constitution or By-laws or, of a Community with that Community's Constitution or By-laws,

16

- (f) or any other matter of an internal nature, shall be referred, in writing, to the Executive Committee who shall provide a written decision within 30 days of such reference.
- (2) The decision of the Executive may be appealed in writing, to the Nation's Board, who shall provide a written decision within 30 days of such reference and whose decision shall be final.
- (3) A reference may be initiated by individual members or by a Community, and shall be signed by not fewer than two members.

ARTICLE 20 - NON-PROFIT ORGANIZATION

The operations of the Nation shall be conducted on a non-profit basis, and any profits or other accretions to the Nation shall be used in promoting its objects.

ARTICLE 21 - WINDING UP CLAUSE

Upon dissolution or winding-up of the Nation, assets, after payment of liabilities, shall be distributed to one or more recognized charitable organizations in Canada.



NORTHWEST TERRITORIES

BOX 1375, YELLOWKNIFE, N.W.T. PHONE (403) 873-3505 FAX 873-3395

APPLICATION FOR MEMBERSHIP

I, _____, of _____

(Full address)

hereby apply to become a member of **METIS NATION - NORTHWEST TERRITORIES** and do solemnly declare as follows:

1. I am a **METIS** and I was born on:

_____ at _____
(Date) (Place)

2. I am a descendant of Metis or one of the the following Indian Tribes: Cree _____ Chipewyan _____ Hare _____

Dogrib _____ Beaver _____ Slavey _____
Gwichin _____ Other _____

(Specify)

3. I am ordinarily resident in the Northwest Territories and as proof of such residency I voluntarily offer you my N.W.T. Health Card Number and authorize you to verify it with the Government of the Northwest Territories.

I qualify as a Land Claims beneficiary in the: (Health Card Number) _____

Gwichin Region _____ South Slave Region _____
Sahtu Region _____ North Slave Region _____
Deh Cho Region _____

4. I also apply to register the following minor children as members of the Nation:

NAMES	DATE OF BIRTH	HEALTH CARD #
_____	_____	_____
_____	_____	_____
_____	_____	_____

5. I wish to have myself and my children entered as members of:
 Community _____
 (Specify which Community)
 General Membership _____

6. I agree to be bound by the rules of the Nation as they may be established from time to time.

7. And, I make a solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act.

Declared at _____ in _____
 (Name of city, town, etc.) (Territory/Province)
 this _____ day of _____, 199 _____

 (Witness)

 (Applicant)

 (Print name of witness)

 (Applicants SIN)

 (Address of Witness)

 (Applicants Telephone #)

APPLICANTS MAY BE REQUIRED TO PROVIDE PROOF OF ANCESTRY AT THE
 DISCRETION OF THE COMMUNITIES/METIS NATION - NORTHWEST TERRITORIES

APPLICATION APPROVED BY:

 Community Board of Directors

 Date

 Metis Nation-Board of Directors
