

onihcikiskwapowin – TRIBAL CUSTOMS ELECTIONS CODE

*changes to be incorporated into the last draft code per Motion

SECTION (1):

Eligibility for Nomination:

- (A) No person can be nominated for an election if absent.
- (B) Any band member shall be eligible for nomination;
- The elections eligibility panel¹ will establish the veracity² of the claims by the nominator for a person's reliability, stability and capacity to support the collective interests of the *onihcikiskwapowin* peoples.
- (C) At the nomination meeting, a mover and seconder is required to provide supporting recommendations for their nomination/nominee. The mover and seconder must answer why they are choosing to nominate, speak on his/her behalf indicating the individual's capabilities as a potential leader.
- (D) The following checklist must be submitted to the Chief Electoral Officer one week prior to the nomination meeting;
- RCMP certified criminal record check
 - Nomination fee for nominator and nominee
 - Resume and platform³
 - All residency proof⁴
- (E) Notice of nominations will occur three (3) months in advance of the nomination meeting.⁵
- (F) No person who maintains his/her home away from the reserve shall be eligible for nomination. Those eligible members who live within a 25 mile (40 kilometres) radius from the Saddle Lake Cree Nation must provide proof of physical residence.⁶
- (G) All eligible candidates must have been resident in Saddle Lake Cree Nation for six (6) months prior to nominations-

¹ The elections eligibility panel terms of reference are attached

² Oxford Dictionary defines veracity as: conforming to facts and accuracy

³ A platform is a formal set of principle goals detailing the candidates plans and objectives in seeking the support of *onihcikiskwapowin* peoples as a member of council

⁴ Ie. Utility Bills

⁵ Application in Election year 2019 – to be determined

⁶ Ie. Legal land description/utility bills

- (H) If a person's main place of residence is within Saddle Lake Cree Nation and works away from the reserve, he/she is eligible for nomination.
- (I) No person convicted under the Criminal Code of Canada shall be eligible for nomination.⁷
- (J) No person under the age of 21, as of the day of nomination, shall be eligible to nominate or be nominated.⁸
- (K) No nomination is valid without a seconder.
- (L) Intoxication of any substance (alcohol and or drugs, including recreational cannabis) will not be tolerated at the time of nominations, which includes nominator/seconder/nominee.

SECTION (2):

Voting Regulations:

- (A) Any band member, over the age of 21 years, on the day of the election, whether living on the reserve or not, shall be eligible to cast a single vote.
- (B) Band members of Saddle Lake Cree Nation will be allowed to vote for a Chief or Councillor on the reserve in which they reside.

SECTION (3):

Election Procedural Regulations:

- (A) Chief and Councillor are elected for a three-year (3) term.
- (B) There shall be nine (9) councillors for the Saddle Lake Cree Nation #125 (SLCN).
- (C) There shall be four (4) councillors for the Whitefish Lake Reserve #128x (WFL).
- (D) The election of the Chief shall be held pursuant to the election of the councillors and the Chief shall come from among the elected councillors.
- (E) There shall be an interpreter⁹ (one for the SLCN and one for WFL) appointed at the band meeting for both the nomination and election days.
- (F) A Chief or Councillor guilty of improper conduct who has had a petition requesting his/her removal, signed by 60% of the resident members of the reserve, shall be so dismissed by the incumbent electoral officer and a by-election shall be called to fill the vacancy.
- (G) The district supervisor is the permanent electoral officer and shall be responsible for calling an election at the end of each three-year (3) term. The method of conducting nomination meetings (except for the closing of it), the secret ballot, the ballot, the opening, closing, and counting of the ballots shall be the same as set forth in the Band Election Act, section 73, of

⁷ Criminal Code reporting will be an ongoing matter in the Election Reform process

⁸ Age of voting and nomination eligibility will be an ongoing matter in the Election Reform process

⁹ Interpreter: shall be a person who can effectively interpret from the Cree language into the English language and from the English language into the Cree language. This person shall not be a member of the Saddle Lake Band. He/she is paid at a rate set by the band council.

the Indian Act, as long as they do not conflict with any regulations, rules or ordinances passed by the band. The electoral officer is authorized to appoint poll clerks, and authorized to pay the cost of the election from band funds after the count has been submitted to council and approved.

Special Nomination Meeting Procedures

No person other than an elector who resides in a section may be nominated for the office of Councillor to represent that section on the Council

*INDIAN ACT. SECTION 75, SUB, "1".

NO person may be a candidate for election as Chief or Councillor unless their name is set in nomination and seconded by persons who are themselves eligible to be nominated.

*INDIAN ACT SECTION 75, SUB "2", R.S., C 149, S 74.