



Constitution of the Métis Nation – Saskatchewan

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Preamble

[in development]

TITLE

Article 1: Title

1. This Constitution may be referred to as the *Métis Nation – Saskatchewan Constitution*.

CITIZENSHIP, LANGUAGE AND LAND

Article 2: Citizenship

1. Métis means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of Historic Métis Nation ancestry and who is accepted by the Métis Nation.

2. In this Article:



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(a) “Historic Métis Nation” means the Aboriginal people then known as Métis or Half-breeds who resided in the Historic Métis Nation Homeland;

(b) “Historic Métis Nation Homeland” means the area of land in the west central North America used and occupied as the traditional territory of the Métis or Half-breeds as they were known;

(c) Métis Nation” means the Aboriginal people descended from the Historic Métis Nation, which is now comprised of all Métis Nation citizens and is one of the “aboriginal peoples of Canada” within the meaning of section 35 of the *Constitution Act, 1982*;

(d) “distinct from other Aboriginal peoples” means distinct for culture and nationhood purposes.

Article 3: Language

1. Heritage Michif, Northern Michif, Cree, Dene, English and French are the recognized languages of the Métis Nation – Saskatchewan.

2. Legislation of the Métis Nation Legislative Assembly must be enacted in English, which is the authoritative version, and may be translated into other recognized languages.

Article 4: Land

1. The Métis Nation – Saskatchewan asserts a right to land on behalf of the Métis within Saskatchewan and works to preserve and protect that right as a foundation for Métis self-government within Saskatchewan and the protection of Métis language and culture.

GOVERNANCE STRUCTURE

Article 5: Locals

1. The Locals are the basic unit of the Métis Nation – Saskatchewan.

2. All Locals in existence on the effective date of this section are continued, but will be subject to and must comply with any legislation relating to Locals that is enacted by the Métis Nation Legislative Assembly including provisions relating to the establishment of new Locals or the dissolution of existing Locals.



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3. Each Local shall be governed by a council, consisting of a president, a vice-president and the number of other members determined in accordance with the constitution of the Local or as required by legislation enacted by the Métis Nation Legislative Assembly in relation to Locals, all of whom are elected by the members of the Local.

Article 6: Regions

1. The Province of Saskatchewan shall be divided into Regions, the number and boundaries of which are set out in legislation enacted by the Métis Nation Legislative Assembly.

2. Each Region shall be governed by a Regional Council that is composed of the Presidents of the Locals located within the Region and the following members who are elected in an election held every four years:

(a) a Métis woman to represent Métis women in the region;

(b) a Métis youth to represent Métis citizens in the region between the ages of 16 and 29; and

(c) a Regional Representative.

3. The Regional Representative is the chair of the Regional Council and the Region's representative on the Provincial Métis Council and is a member of the Métis Nation Legislative Assembly.

4. The Regional Council shall provide direction to its representative on the Provincial Métis Council with respect to all matters for its Region.

Article 7: Executive

1. The Executive of the Métis Nation – Saskatchewan consists of the President, a First Vice President and a Second Vice President who are elected in a province-wide election held every four years.

2. The President is the head of government and the chief political spokesperson for the Métis Nation – Saskatchewan.

3. The President shall assign portfolios to members of the Métis Nation Legislative Assembly subject to the approval of the Provincial Métis Council and ratification by the Métis Nation Legislative Assembly.



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4(1) The First Vice-president shall assume the office of President in the absence or inability of the President to act.

(2) The First Vice-president is responsible for external and inter-governmental relations.

5. The Second Vice-president is responsible for internal relationships with Locals and Regions.

6. Where a vacancy is created on the Executive for any reason, the Métis Nation Legislative Assembly shall elect from among the members of the Provincial Métis Council an interim Executive member who shall serve until a by-election has been held to fill the vacancy.

Article 8: Provincial Métis Council

1. The Provincial Métis Council is composed of:

(a) the Regional Representatives;

(b) the members of the Executive;

(c) a Métis woman to represent Métis women who is elected in a province-wide election held every four years; and

(d) a Métis youth to represent Métis citizens between the ages of 16 to 29 who is elected in a province-wide election held every four years.

2. The Provincial Métis Council is responsible to ensure that the departments, programs and services covered by portfolios are operating appropriately and are provided with the necessary resources to enable them to operate smoothly and effectively.

3. The Provincial Métis Council may appoint committees or other bodies that it considers necessary to effectively carry out the governance functions of the Métis Nation – Saskatchewan and the directions of the Métis Nation Legislative Assembly.

Article 9: Métis Nation Legislative Assembly

1. The Métis Nation Legislative Assembly is the supreme governing authority of the Métis Nation within Saskatchewan and consists of:

(a) the members of the Provincial Métis Council;



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- (b) each Local President, or the Local Vice President if the President is unable to attend a sitting of the Métis Nation Legislative Assembly;
 - (c) four Métis women who are selected by the Métis women representatives elected in each region from among their number; and
 - (d) four Métis youth who are selected by the Métis youth representatives in each region from among their number.
2. The loyalty of the members of the Métis Nation Legislative Assembly must be to the Métis Nation within Saskatchewan, and each member shall swear an Oath of Allegiance prior to taking their seat in the Assembly.
3. The administrative and other support services required for the proper conduct of the Métis Nation Legislative Assembly are to be provided by a Clerk of the Legislative Assembly appointed by the Provincial Métis Council, whose appointment is ratified by resolution of the Métis Nation Legislative Assembly, to hold office at the pleasure of the Métis Nation Legislative Assembly.
- 4(1) The Métis Nation Legislative Assembly shall meet at least twice each year, in May and November, and at any other time, on the specific dates determined by the Provincial Métis Council, on 30 days' notice by the Clerk to the members of the Assembly, unless due to unforeseen and extenuating circumstances a sitting at a particular time is impossible or impractical.
- (2) The Clerk shall provide 30 days' notice to the members of the Métis Nation Legislative Assembly of the sitting dates determined by the Provincial Métis Council.
6. A majority of the members of the Métis Nation Legislative Assembly present constitutes a quorum.
7. The Métis Nation Legislative Assembly has the jurisdiction and authority:
- (a) to govern the affairs and conduct of the Métis within Saskatchewan by adopting resolutions, rules and directives, making proclamations, and enacting legislation in relation to any matter;
 - (b) to establish courts, tribunals or other entities, mechanisms or processes to resolve disputes relating to:
 - (i) compliance with this Constitution;



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(ii) the validity, interpretation, application or alleged violation of legislation enacted by the Métis Nation Legislative Assembly; or

(iii) disputes between Métis citizens;

(c) to establish commissions, committees or other bodies to effectively carry out the activities and functions of the Métis Nation within Saskatchewan and to delegate to them, through legislation, authority to carry out those activities and functions;

(d) when appointing persons as members of its commissions, committees or other bodies, to seek equity in terms of representation.

CONFLICT OF INTEREST

Article 10: Conflicts Prohibited

1. No elected member of a Local, a Regional Council, or the Métis Nation Legislative Assembly shall:

(a) hold any other paid position with the Métis Nation – Saskatchewan or any of its institutions or entities; or

(b) in any other manner make or participate in making a decision in the execution of the member's office where the making of the decision provides an opportunity to further the member's private interests or the private interests of relatives or other persons with whom the member is closely associated.

ADJUDICATION OF DISPUTES

Article 11: Independent and Impartial

1. Métis Government laws providing for the resolution of disputes described in Article 9-6(b) must establish entities, processes or mechanisms that are independent and impartial and result in competent and fair decisions that are appropriately enforced, based on the following principles:

(a) all Métis persons are to be treated equally and are entitled to a public hearing; and

(b) any Métis person whose rights or freedoms are violated is entitled to an effective remedy.



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AMENDING THE CONSTITUTION

Article 12: Process for Amendment

1. This Constitution may only be amended by a resolution of the Métis Nation Legislative Assembly adopted by at least 75% of its members who vote and ratified by at least 75% of the members of the General Assembly who vote.
2. The Métis Nation Legislative Assembly shall convene a General Assembly composed of all Métis citizens annually and when necessary to ratify amendments to this Constitution.
3. The members of the General Assembly are those persons who are Métis citizen registered with the Métis Nation – Saskatchewan.

TRANSITIONAL

Article 13: Affiliates continued

1. All Affiliates of the Métis Nation – Saskatchewan in existence on the coming into force of this Constitution are continued as Métis Nation – Saskatchewan institutions, but are subject to and must comply with any legislation that the Métis Nation Legislative Assembly may enact in relation to them generally or specifically.
2. The Métis Nation Legislative Assembly, on the recommendation of the Provincial Métis Council, shall exercise all voting rights, powers and duties of ownership in relation to the affiliates.
3. The Provincial Métis Council member who is assigned a portfolio shall automatically sit as Chairperson of the boards of the affiliates that fall under that portfolio.
4. An employee of an affiliate shall not be appointed to sit on the board of any affiliate.
5. The boards of all affiliates shall have representation from each of the Regions, unless otherwise decided by the Métis Nation Legislative Assembly.

Article 14: Councils

1. Until the Métis Nation Legislative Assembly adopts legislation relating to councils, the Métis



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Nation – Saskatchewan shall continue:

- (a) to initiate, assist, support, assign, recommend and facilitate the development, implementation and establishment of Métis Urban Self-Government Councils in Saskatchewan; and
- (b) assist, support, recommend and facilitate the Regions forming the North West Saskatchewan Métis Council to develop, establish and implement Métis governance for their Métis communities.

COMING INTO FORCE

Article 15: Implementation

1. This Constitution is effective when it is approved by the Métis Nation Legislative Assembly and ratified by the General Assembly.

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