



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
	<p>Contents Preamble TITLE</p> <p>Article 1: Title</p> <p>CITIZENSHIP, LANGUAGE AND LAND</p> <p>Article 2: Citizenship Article 3: Language Article 4: Land</p> <p>GOVERNANCE STRUCTURE</p> <p>Article 5: Locals Article 6: Regions Article 7: Executive Article 8: Provincial Métis Council Article 9: Métis Nation Legislative Assembly</p> <p>CONFLICT OF INTEREST</p> <p>Article 10: Conflicts Prohibited</p> <p>ADJUDICATION OF DISPUTES</p> <p>Article 11: Independent and Impartial</p>	



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
	<p style="text-align: center;">AMENDING THE CONSTITUTION Article 12: Process for Amendment</p> <p style="text-align: center;">TRANSITIONAL Article 13: Affiliates continued Article 14: Councils</p> <p style="text-align: center;">COMING INTO FORCE Article 15: Implementation</p>	
<p>PREAMBLE: The Métis Nation and People are a distinct SOCIETY within the Aboriginal Peoples of Canada.</p> <p>The Métis are distinct from the Indians and Inuit and are the descendants of the historic Métis who evolved in what is now Western Canada and part of the northern United States as a people with a common political will and consciousness.</p>	<p style="text-align: center;">Preamble [in development]</p>	



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
<p>Having experienced physical and political conflict and dispossession in the late 1800's we are still engaged in a continuing struggle to rebuild our social cause and revive our cultural heritage and pride.</p> <p>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.</p> <p>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.</p> <p>While pursuing these objectives within Saskatchewan, we are also committed to cooperating with the members of the Métis Nation in the rest of the Métis Homeland in order to develop a National Forum to</p>		



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
represent our collective interests at the national and international levels.		
Whereas, section 35 of the Constitution Act 1982 recognizes and affirms Métis as one of the three Aboriginal peoples of Canada and whereas the Métis Nation — Saskatchewan has adopted the national definition of Métis, we are further committed to promote National Registration of Métis Citizens of Canada.		
We the citizens of the Métis Nation recognize: The inherent dignity to equality and rights which can never be taken away from Métis people is the foundation of Freedom, Justice and Peace in the Métis Nation. The ideal of all Métis enjoying civil and political freedom can only be achieved if conditions are created		



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
<p>whereby every Métis may enjoy their civil, political rights, economic, social and cultural rights.</p> <p>The promotion of Universal respect for and observance of all the collective and individual rights and freedoms of all Métis.</p> <p>Realize that the Métis individual, having duties to other Métis individuals and to the Métis community to which they are a part of, is under the responsibility to strive for the promotion and observance of all Métis rights.</p>		
<p>Therefore we the citizens of the Métis Nation agree to the following articles:</p> <p>1. All Métis have the rights to self-determination. By virtue of that right we the citizens of the Métis Nation will freely determine our political status and freely</p>		



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
<p>pursue our economic, social and cultural development;</p> <p>2. The Métis Nation undertakes to respect and ensure to all individuals within the nation and subject to its jurisdiction the rights without distinction of any kind such as race, colour, sex, language, religion, political or other opinions;</p> <p>3. To ensure that any Métis person whose rights or freedoms as herein recognized are violated shall have an effective remedy;</p> <p>4. To ensure that any person claiming such a remedy shall have their right thereto determined by a competent Judicial administrative or legislative authorities of the Métis Nation of Saskatchewan;</p> <p>5. To ensure competent authorities as enacted by the Métis Nation of Saskatchewan shall enforce such remedies when granted;</p>		



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>6. The Métis Nation undertakes to ensure the equal right of men and women to enjoy all civil and political rights set forth in these articles;</p> <p>7. Every Métis citizen shall have the right to liberty of movement to choose their residence;</p> <p>8. No Métis citizen in the Métis Nation shall be deprived of the right to join a local in the community they reside;</p> <p>9. All persons shall be equal before the Métis Nation Legislative Assembly in the determination of any issue which they are charged with. Every Métis Person shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by the Métis Legislative Assembly;</p> <p>10. No Métis Person shall be subject to arbitrary or unlawful interference with their</p>		



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>privacy, family, home or correspondence, nor to unlawful attacks on their honour or reputation;</p> <p>11. Every Métis person shall have the right to freedom of thought, conscience and religion;</p> <p>12. No Métis Person shall be subject to coercion that would impair their freedom to have or adopt a belief of their choice;</p> <p>13. The Métis Nation of Saskatchewan shall have respect for the liberty of parents or guardians to ensure moral education of their children is in conformity with their own convictions;</p> <p>14. Every Métis Person has the right to hold opinions without interference;</p> <p>15. Every Métis Person shall have the right to expression. This right shall include the freedom to seek, receive and import information and ideas of all kinds either in</p>		



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>writing or print, in the form of art, or through any media of their choice;</p> <p>16. The right of Métis People to assemble and organize at the community level shall be recognized;</p> <p>17. Every Métis Person shall have the right of association.</p> <p style="padding-left: 40px;">a) No restrictions may be placed on the exercise of this right other than those prescribed by the Métis Legislative Assembly which are necessary to protect the interests of the Métis Nation.</p> <p>18. The family is the natural and fundamental group of the Métis Nation and is entitled to protection by the Métis Nation;</p> <p>19. Every Métis child born of a Métis man or woman is a citizen and shall be registered immediately;</p>		



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>20. Every Métis Person has the right to:</p> <ul style="list-style-type: none"> a) Take part in the conduct of public affairs, directly through freely chosen representatives. b) To vote and to be elected to the Local, Assembly of Representatives or the Métis Legislative Assembly. c) All votes shall be of equal and universal suffrage and shall be held by secret ballot which guarantees the free expression of the will of the electors. d) All Métis shall have the right to access all public services offered through the Métis Nation affiliates <p>21. All Métis persons are equal and entitled to protection by the Métis Nation of Saskatchewan.</p>		



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>Article 1: Name of Organization 1. The organization shall be known as the “Métis Nation-Saskatchewan”.</p>	<p align="center">TITLE</p> <p>Article 1: Title 1. This Constitution may be referred to as the <i>Métis Nation – Saskatchewan Constitution</i>.</p>	<p>The Constitution is the constitution for the Métis Nation – Saskatchewan and not for the non-profit organization that had been established for practical purposes under provincial legislation prior to the signing of the MN-S Self-Government Recognition and Implementation Agreement 2.0. All references to “organization” in the Constitution are removed.</p>
<p>Article 10: Citizenship 1. DEFINITION a) Métis means a person, who self identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation ancestry and is accepted by the Métis Nation. b) “Historic Métis Nation” means the Aboriginal peoples then known as Métis or Half-breeds who resided in the Historic Métis Nation Homeland.</p>	<p align="center">CITIZENSHIP, LANGUAGE AND LAND</p> <p>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: (a) “Historic Métis Nation” means the Aboriginal people then known as Métis or Half-breeds who resided in the Historic Métis Nation Homeland;</p>	<p>Article 10 of the existing constitution uses the term “membership” because provincial non-profit legislation refers to persons who are members. “Citizenship” refers to those persons who comprise the Métis Nation.</p> <p>Article 2-1 as proposed includes the list of the criteria to be met for persons to be recognized as Métis and thus entitled to be registered as citizens under the <i>Citizenship Act</i>. It is not changed from the definition currently contained in Article 10(1)(a),</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>c) “Historic Métis Nation Homeland” means the area of west central North America used and occupied as the traditional territory of the Métis or Half-breeds as they were known.</p> <p>d) Métis Nation” means the Aboriginal people descended from the Historic Métis Nation which is now comprised of all Métis Nation citizens and is one of the “aboriginal peoples of Canada” within the meaning of s 35 of the Constitution Act, 1982.</p> <p>e) “Distinct from other Aboriginal peoples” means distinct for culture and nationhood purposes.</p>	<p>(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;</p> <p>(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 <i>Constitution Act, 1982</i>;</p> <p>(d) “distinct from other Aboriginal peoples” means distinct for culture and nationhood purposes;</p>	<p>The definitions in Article 2-2 explain the key terms used in defining who is Métis.</p> <p>These rules are contained in the Constitution since they are fundamental principles that should require the consent of a special resolution of the MNLA and ratification by the General Assembly if they were to be changed.</p> <p>Details about the process of application for registration as a citizen and rights of appeal if refused are set out in the <i>Citizenship Act</i>.</p>
<p>2. Any Métis who is a member of a duly registered Local is a member of the Métis Nation Saskatchewan.</p>	<p>deleted</p>	<p>Registration as a MN-S citizen is not tied to membership in a Local. This provision is deleted to ensure that only persons who are Métis as defined above can be registered as citizens of the MN-S.</p>
<p>3. a) A member shall only belong to 1 Local.</p>	<p>moved to the <i>Locals Act</i> to be enacted by the MNLA.</p>	<p>These provisions do not relate to citizenship but rather to attachment to a Local and the</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>a) [<i>sic</i>] A person shall reside in the Local area for at least 6 months before he/she is eligible for membership in the Local. The Locals may make exceptions for educational and medicinal purposes.</p> <p>b) A member of a Local must be ordinarily resident in the community where the Local is situated in order to retain membership in the Local, otherwise, the member must transfer his/her membership within 6 months to the Local in the community to which he/she has relocated.</p> <p>c) In communities where no Locals exist, Métis persons shall apply to the Local nearest their residence.</p>		<p>ability to vote. These are details that would be included in MN-S legislation, such as a <i>Locals Act</i> or the <i>Election Act</i>.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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4. Members shall be issued a membership card. a) This card shall provide a life-time membership in the Organization b) There shall be no fee for membership cards c) repealed d) Membership cards shall be issued by the President or Secretary of a duly registered Local upon completion of the designated form.	deleted	If membership cards are issued, they would be related to membership in the Local only. This may continue to occur as Locals are continued with their current constitutions for the time being. The issuance of citizenship cards is dealt with under the <i>Citizenship Act</i> .
5. Repealed 2008		Previously repealed
6. The Métis Nation Legislative Assembly shall enact, on a priority basis, a Métis Citizenship Act.	deleted	This provision is no longer required, as a <i>Citizenship Act</i> is in place.
none	Article 3: Language 1. Heritage Michif, Northern Michif, Cree, Dene, English and French are the recognized	These are new provisions to state that Michif, Cree, Dene and English are all recognized languages of the MN-S but to clarify that



Constitution of the Métis Nation – Saskatchewan

DRAFT

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	<p>languages of the Métis Nation – Saskatchewan.</p> <p>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.</p>	<p>legislation must be enacted in English since not all Métis are fluent in other languages.</p>
none	<p>Article 4: Land</p> <p>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.</p>	<p>This provision is added to stress the right of MN-S citizens to land and its importance to strengthening self-government and the protection of Métis language and culture. It is not a statement related to specific land claims, but rather is a general statement about the importance of land to self-government.</p>
<p>Article 7: Locals</p> <p>1. The Locals shall be the basic unit of the Organization in each community.</p>	<p align="center">GOVERNANCE STRUCTURE</p> <p>Article 5: Locals</p> <p>1. The Locals are the basic unit of the Métis Nation – Saskatchewan.</p>	<p>Because the Local is described as the basic unit of the MN-S it is placed first in the Constitution and represents a visual “bottom</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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		up” description of governance, rather than starting with the MNLA, which looks more like “top down”.
none	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.	Existing Locals will be continued on the coming into force of the proposed changes to the Constitution but will be subject to any legislation enacted by the MNLA relating to Locals. The proposed <i>Locals Act</i> contains provisions to allow for the establishment of new Locals and to the dissolution of existing Locals.
8. Each Local shall be [sic] enact a Constitution which is not inconsistent with this Constitution, including the establishment of portfolios, committees or other bodies required to address community and other issues, and such Local Constitution shall be registered with the Regional and Head Office of the Organization.	Moved to <i>Locals Act</i> .	The <i>Locals Act</i> will require Locals to file their constitution with the Clerk, if they have one. If they don’t have a constitution, the provisions of the <i>Locals Act</i> relating to matters that could have been included in a Locals constitution will apply to them.



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
2. The Locals shall be made up of at least nine members.	Moved to <i>Locals Act</i> .	Details such as number of members necessary to establish a Local and other criteria, if any, will be enacted in a <i>Locals Act</i> .
3. New Locals can be admitted by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are met.	Moved to <i>Locals Act</i> .	The role of Regions in relation to admission of Locals will be included in the <i>Locals Act</i> .
4. Locals can be dissolved by the Regional Councils provided this decision is ratified by the Métis Nation Legislative Assembly and the requirements herein are no longer met.	Moved to <i>Locals Act</i> .	The role of Regions in relation to dissolution of Locals will be included in the <i>Locals Act</i> .
5. The Métis Nation Legislative Assembly shall adopt rules pertaining to the admission and dissolution of locals.	Moved to <i>Locals Act</i> .	The MNLA has never established any rules relating to admission or dissolution of Locals. Any criteria required for these purposes will be included in the <i>Locals Act</i> .
6. Each Local shall be governed by an elected leadership as determined through the	3. Each Local shall be governed by a council, consisting of a president, a vice-president and	The President, or the Vice-president as alternate, is a member of the MNLA.



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>Constitution of the Local, which may include terms of one to three years and elections may be by ballot box or conducted at a General Assembly of the Local membership.</p> <p>a) Each Local shall submit the names of their elected leadership to the Métis Nation - Saskatchewan Head Office within 30 days of their election.</p>	<p>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.</p>	<p>Article 9-2 of the Constitution requires each member of the MNLA to take an oath of office before taking their seat in the MNLA. The process of notifying the “head office” of who is elected is addressed as a procedure to be followed to enable the Local President to take their seat. In practical terms, the President of a Local that doesn’t notify will not be able to take the oath or therefore take their seat in the MNLA.</p>
<p>7. Any Métis who is 16 years of age or over and is a member of the Local shall be entitled to vote or seek office.</p>	<p>Eventually to be moved to <i>Election Act</i>.</p>	<p>At present, and immediately after Locals are continued as above, voting for the Local council will be governed by the Local constitution. Eventually, entitlement to vote or seek office will be contained in the <i>Election Act</i>.</p>
<p>9. The Locals shall provide yearly updates of their membership to the Regional and Head Office, separating those members who are under 16 years of age from those 16 and over.</p>	<p>Moved to <i>Locals Act</i></p>	<p>The requirement for Locals to submit membership lists predates the central registration of Métis citizens and is no longer required for the purposes of establishing citizenship. However, the information about</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
		who is a member of each Local will be useful for ensuring members of Locals are Métis citizens and for determining how my citizens are not members of a Local
10. The Locals shall be responsible to prepare the Communities for the assumption of Métis self-government, which includes land, where this is an objective.	deleted	This Constitution is part of the process of the implementation of self-government. Going forward, the function of the Locals is not to <u>prepare</u> communities for self-government but to actually <u>implement</u> self-government.
11. The Locals may incorporate with the appropriate government department.	Moved to <i>Locals Act</i> .	Locals that are provincially incorporated will be allowed to continue that status but ultimately, as institutions within the structure of Métis government, the goal is that they would be incorporated under Métis law.
12. The Locals may seek necessary finances and resources to carry out their programs, services and objectives and where so requested the Provincial Métis Council of the Métis Nation Legislative Assembly shall assist in securing these necessary finances and resources.	Moved to <i>Locals Act</i> .	The specific authority of Locals to seek funding will be contained in the <i>Locals Act</i> .



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>Article 5: Regions 1. There shall be 12 Regions as set out in Schedule A of this Constitution.</p>	<p>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.</p>	<p>The Constitution will require that Regions be established but the number of them and their boundaries will be set out in a <i>Regions Act</i>. The existing 12 Regions will be maintained until a review is completed under the direction of the MNLA.</p>
<p>6. The Regional Council shall enact a Constitution which is not inconsistent with this constitution and such Regional Constitutions shall be registered with the Head Office.</p>	<p>Moved to the <i>Regions Act</i>.</p>	<p>The Constitution will not mandate the adoption of constitutions by Regions, as there needs to be flexibility provided to the MNLA in enacting a proposed <i>Regions Act</i> and providing for consistent rules to be applicable.</p>
<p>2. The Regions shall be governed by a Regional Council composed of the Presidents of the Locals within the respective Regions along with a regionally elected representative who shall be the Chairperson of the Regional Council, as well as the Region’s</p>	<p>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:</p>	<p>The Regional Representative is elected by all citizens of voting age in the Region at each Métis general election held every four years. These elections are addressed in the <i>Election Act</i>. The role of the Regional Representative is outlined in a separate provision below.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>representative on the Provincial Métis Council of the Métis Nation Legislative Assembly.</p>	<p>(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.</p> <p>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.</p>	<p>In addition, a woman and a youth representative in each region, who are to be elected only by the women and youth in the region, would also be elected every four years. Election details about who is eligible to vote and run for office are contained in the <i>Election Act</i>.</p>
<p>11. Where a vacancy is created for any reason, including death or resignation, the Regional Council shall elect from the members of the Council an interim Regional representative who shall serve until a by-election has been held and the vacancy filled.</p>	<p>Moved to <i>Regions Act</i>.</p>	<p>The proposed <i>Regions Act</i> will provide for interim appointments and by-elections to fill vacancies.</p>
<p>4. The Regional Council shall establish regional administrative offices.</p>	<p>Moved to <i>Regions Act</i>.</p>	<p>Details relating to regional administrative offices, when and if required, would be contained in the <i>Regions Act</i>.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>3. The Regional Council shall have the responsibility of making all appointments to the Institutions and Affiliates at the Regional and Provincial levels. In the event that the Regional Representative is not so appointed, he/she shall be an ex-officio member of all Regional Institutions and Affiliates.</p> <p>5. The Regional Council shall be responsible for programs and services decentralized to that level.</p>	<p>Moved to <i>Regions Act</i>.</p>	<p>Specifics of appointments to MN-S institutions and details about the role of Regions in delivering specific programs will be governed by legislation enacted by the MNLA and defined more clearly in the proposed <i>Regions Act</i>.</p>
<p>7. The Regional Council may incorporate with the appropriate government department.</p>	<p>Moved to <i>Regions Act</i>.</p>	<p>Regions that are provincially incorporated will be allowed to continue that status but ultimately, as institutions within the structure of Métis government, the goal is that they would be incorporated under Métis law.</p>
<p>8. The Regional Council may seek the necessary finances and resources to carry out their programs, services, objectives and duties, and where so requested the Provincial Métis Council shall assist in securing these necessary finances and resources.</p>	<p>moved to <i>Regions Act</i>.</p>	<p>The specific authority of Regions with respect to funding will be contained in the <i>Regions Act</i>.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>9. The Regional Council shall assist their Local Communities in preparing to assume Métis self-government, which includes land, where this is an objective.</p>	<p>deleted</p>	<p>This Constitution is part of the process of the implementation of self-government. Going forward, the function of the Regions is not to <u>prepare</u> communities for self-government but to actually <u>implement</u> self-government.</p>
<p>10. The Regional Council shall provide direction to their representatives on the Provincial Métis Council with respect to all matters, including the aims, objectives and aspirations of the Organization, and for their respective Regions.</p>	<p>4. The Regional Council shall provide direction to its representative on the Provincial Métis Council with respect to all matters for its Region.</p>	<p>No substantive change.</p>
<p>Article 4: Executive 1. There shall be 4 Executive members of the Métis Nation Legislative Assembly who are elected province-wide. 2. The Executive shall be composed of the President, Vice President, Secretary and Treasurer.</p>	<p>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.</p>	<p>The Executive is to consist of the President and two Vice Presidents elected in a general election held every four years, rather than a Secretary and Treasurer, which are positions associated with a non-profit corporation. The detailed election process is contained in the <i>Election Act</i>.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>3. The term of office for the Executive shall be four years.</p>		
<p>4. a) The President of the Métis Nation Legislative Assembly shall be the head of the Executive, and Chief political spokesperson for the Organization.</p> <p>b) The President shall assign and recommend portfolios, subject to the approval of the Provincial Métis Council and ratification of the Métis Nation Legislative Assembly.</p> <p>2-4 The President shall assign and recommend portfolios, subject to the approval of the Provincial Métis Council and ratification by the Métis Nation Legislative Assembly. The assignment of portfolios shall be restricted to members of the Métis Legislative Assembly.</p>	<p>2. The President is the head of government and the chief political spokesperson for the Métis Nation – Saskatchewan.</p> <p>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.</p>	<p>No substantive change.</p> <p>The reference to appointments being restricted to members of the MNLA is found in Article 2-4 of the current constitution. The restriction is placed here so there is no ambiguity about the power to assign portfolios.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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None	<p>4(1) The First Vice-president shall assume the office of President in the absence or inability of the President to act.</p> <p>(2) The First Vice-president is responsible for external and inter-governmental relations.</p>	<p>The role of the 1st VP is to assume the role of the President if the President is not able to act, although this does not extend to a situation where the office of President is vacant. Article 7-6 below applies in that situation.</p> <p>As well, the 1st VP would be responsible for the external relationships of the MN-S.</p>
None	5 The Second Vice-president is responsible for internal relationships with Locals and Regions.	The second VP would be responsible for the internal relationships of the MN-S.
7. Where a vacancy is created for any reason, including death or resignation, the Métis Nation Legislative Assembly shall elect from the Provincial Métis Council members an interim Executive member who shall serve until a by-election has been held and the vacancy filled.	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.	<p>No substantive change.</p> <p>Section 18.2 of the current draft of the proposed <i>Election Act</i> requires a by-election to be held as soon as is reasonably practical but not later than 6 months after the vacancy occurs, unless the next general election is less than 6 months away.</p>
5. The Executive of the Métis Nation Legislative Assembly shall meet at least once per month and three members shall constitute a quorum.	Moved to an <i>Executive Government Act</i>	Details about meetings and quorum requirements should be placed in a proposed <i>Executive Government Act</i> and not in the Constitution.



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
6. The Executive shall provide written reports to the Métis Nation Legislative Assembly.	Included in <i>Assemblies Act</i> .	Details about reporting to the MNLA are contained in the <i>Assemblies Act</i> .
<p>Article 3: Provincial Métis Council</p> <p>1. The Provincial Métis Council shall be composed of the elected Regional Representatives, the Executive, one representative from the Métis Women of Saskatchewan and one representative from the Provincial Métis Youth Council for a total of 18 Provincial Métis Council members.</p> <p>2. The Provincial Métis Council shall form the cabinet and be responsible for the portfolios to be assigned and recommended by the President.</p> <p>(See also current Article 12-2.)</p>	<p>Article 8: Provincial Métis Council</p> <p>1. The Provincial Métis Council is composed of:</p> <ul style="list-style-type: none"> (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 and 29-in a province-wide election held every four years. 	<p>At present, women and youth representatives to the PMC are determined by the Provincial Métis Youth Council and Les Filles de Madelaine, although the current constitution refers to the “Métis Women of Saskatchewan”.</p> <p>In order to address the concern that these representatives should be elected, this proposal would provide for the women and youth reps to PMC to be elected by women and youth in a province-wide vote at each Métis general election. The <i>Election Act</i> would be amended to provide for these elections.</p>
<p>5. The Provincial Métis Council shall meet at least once every two months.</p> <p>6. Eleven members of the Provincial Métis Council shall constitute a quorum.</p>	moved to <i>Executive Government Act</i> to be enacted by the MNLA	Details about meetings and quorum requirements should be placed in a proposed <i>PMC</i> or <i>Executive Government Act</i> and not in the Constitution.



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
<p>7. Notice of any meeting of the Provincial Métis Council shall be given at least seven days prior to such meeting.</p>		
<p>3. The Provincial Métis Council shall be responsible for ensuring that the affiliates, departments, programs and services covered by their portfolios are running smoothly and have the necessary resources to enable them to operate effectively. In addition, they shall provide a report to each meeting of the Provincial Métis Council and each session of the Métis Nation Legislative Assembly or as requested by the President.</p>	<p>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.</p>	<p>No substantive change with respect to the responsibility of the PMC.</p> <p>The requirements for reporting to the MNLA are included in Article 9 of the <i>Legislative Assembly Act</i>.</p>
<p>4. a) The Provincial Métis Council shall have the authority to appoint Commission, Committees or other subsidiary bodies where these are deemed necessary in order to effectively carry out the activities and functions of the Organization and Métis Legislative Assembly directives.</p>	<p>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.</p>	<p>The PMC can appoint entities that are required to carry out government functions.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
<p>b) The Provincial Métis Council shall designate persons who may have signing authority for the purpose of conducting the affairs of the Organization, which shall include the Treasurer.</p>	<p>moved to legislation to be enacted by the MNLA</p>	<p>This is a detail that should not be contained in the Constitution but would be included in legislation to be enacted by the MNLA, such as an <i>Executive government Act</i> or a <i>Financial Administration Act</i>, or regulations made under the authority of such an Act.</p>
<p>8. The Provincial Métis Council shall provide written reports to the Métis Nation Legislative Assembly.</p>	<p>Contained in the <i>Assemblies Act</i></p>	<p>Reporting requirements are contained in the <i>Assemblies Act</i>.</p>
<p>10. The Provincial Métis Council shall set the date and place for each Métis Nation Legislative Assembly sitting, provided no less than 30 days' written notice is given to the President of each Local.</p>	<p>moved to proposed Article 9-3 below</p>	<p>The dates for sittings will be set in the Constitution for May and November and at other times on 30 days' notice from the Clerk.</p>
<p>Article 2: Métis Nation Legislative Assembly 1. There shall be a Métis Nation Legislative Assembly which shall be the governing authority of the Métis Nation – Saskatchewan.</p>	<p>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;</p>	<p>The MNLA will consist of the President and the two Vice Presidents, all Local Presidents (or Local Vice President if the President is unable to attend a sitting of the MNLA), and all members of the PMC, which will include one representative for women and one for</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>2. The Métis Nation Legislative Assembly shall be comprised of the Local Presidents, The Provincial Métis Council, four representatives of the Métis Women of Saskatchewan and four representatives from the Provincial Métis Youth Council.</p> <p>a) Notwithstanding section 2, the Vice President of a local shall serve as an alternate member of the Métis Nation Legislative Assembly in the event that a President is not able to attend.</p>	<p>(b) each Local President, or the Local Vice President if the President is unable to attend a sitting of the Métis Nation Legislative Assembly;</p> <p>(c) four Métis women who are selected by the Métis women representatives elected in each region from among their number; and</p> <p>(d) four Métis youth who are selected by the Métis youth representatives in each region from among their number.</p>	<p>youth. There would also be four additional women and youth representatives selected by the regional women and youth representatives from among their number.</p>
<p>13-2. The loyalty of the members of the Métis Nation Legislative Assembly must be to the Métis People and Nation, and shall swear an Oath of Allegiance prior to taking office.</p>	<p>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.</p>	<p>No substantive change.</p>
<p>none</p>	<p>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 and Deputy Clerk of</p>	<p>A Clerk and Deputy Clerk will be appointed by the PMC and the appointment ratified by the MNLA to hold office at the pleasure of the MNLA.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
	<p>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.</p>	
<p>6. The Métis Nation Legislative Assembly shall meet at least twice a year.</p> <p>8. Notice of any session of the Métis Nation Legislative Assembly shall require 30 days' notice to the Local President and Provincial Métis Council.</p>	<p>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, unless due to unforeseen and extenuating circumstances a sitting at a particular time is impossible or impractical.</p> <p>(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.</p>	<p>Provides for sittings of the MNLA to be held in May and November each year, and any other time as PMC determined, unless there are extenuating circumstances that make it impossible for a sitting to occur (eg. election recently held or funding not available or a pandemic) as long as there is 30 days' notice from the Clerk.</p>
<p>7. Seventy-five members of the Métis Nation Legislative Assembly shall constitute a quorum.</p>	<p>5. A majority of the members of the Métis Nation Legislative Assembly present constitutes a quorum.</p>	<p>A majority is the number of members that is more than 50% of the total number of members of the MNLA. Setting the quorum at 75 members is presently almost 70% of the</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
		<p>members and is a very high threshold for a quorum.</p> <p>If the changes proposed to other provisions of the Constitution are accepted the MNLA will consist of the Presidents of 109 (?) Locals, 12 Regional Representatives, 4 Women’s Representatives selected from among those elected in the Regions, 4 Youth Representatives selected from among those elected in the Regions, and 3 members of the Executive, for a total of 132. A quorum would be 67.</p>
<p>3. The Métis Nation Legislative [<i>sic</i>] shall have the authority to enact legislation, regulations, rules and resolutions governing the affairs and conduct of the Métis in Saskatchewan.</p> <p>5. The Métis Nation Legislative Assembly, based upon the recommendation of the Provincial Métis Council shall have the authority to appoint Commissions, Committees or other subsidiary bodies,</p>	<p>6. The Métis Nation Legislative Assembly has the jurisdiction and authority:</p> <p>(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;</p>	<p>The MNLA will have the authority to enact laws of all kinds and provide for their publication as well as to create any types of entities that are necessary to ensure good government and to implement the legislation that is enacted. In particular, the MNLA will be able to establish courts, tribunals or other entities to make decisions about disputes involving Métis laws or Métis citizens.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>where these are deemed necessary in order to effectively carry out the activities and functions of the organization. In doing so, the Assembly shall ensure equity of representation from the Youth, Women and Elders.</p>	<p>(b) to establish courts, tribunals or other entities, mechanisms or processes to resolve disputes relating to:</p> <ul style="list-style-type: none"> (i) compliance with this Constitution; (ii) the validity, interpretation, application or alleged violation of legislation enacted by the Métis Nation Legislative Assembly; or (iii) disputes between Métis citizens; <p>(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;</p>	



Constitution of the Métis Nation – Saskatchewan

DRAFT

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	(d) when appointing persons as members of its commissions, committees or other bodies, to seek equity in terms of representation.	
4. The President shall assign and recommend portfolios, subject to the approval of the Provincial Métis Council and ratification by the Métis Nation Legislative Assembly. The assignment of portfolios shall be restricted to members of the Métis Legislative Assembly.	moved to proposed Article 7-3 above	The process of assigning portfolios is stated in two places in the existing Constitution but is stated differently each time. The proposal for amendment is to state this authority only once in the Article dealing with the Executive and the authority of the President to assign portfolios to members of the MNLA, subject to approval of the PMC and ratification by the MNLA.
9. A person is disqualified from being a member of the Métis Nations Legislative Assembly when: a) He/she dies or resigns b) He/she is under 16 years of age.	deleted	It is not necessary to refer to a person who dies or resigns as being disqualified. Persons under 16 are not eligible to run for office pursuant to the <i>Election Act</i> .
10. All budgets shall be determined by the Métis Nation Legislative Assembly, based	moved to legislation to be enacted by the MNLA	Financial details will be set out in a proposed <i>Financial Administration Act</i> or similar legislation.



Constitution of the Métis Nation – Saskatchewan

DRAFT

for discussion purposes only subject to change based on feedback received

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upon the recommendation of the Provincial Métis Council.		
11. The delegates to the Métis Nation Assembly of the Métis National Council shall be the Provincial Métis Council and the remainder shall be chosen from amongst the members of the Métis Nation Legislative Assembly, while the President shall form part of the Executive Council of the Métis National Council. This Constitution may be amended to take into account and reflect changes which may take place within the Métis National Council.	deleted	This is the Constitution for the MN-S government and should not contain details relating to other organizations. Provisions relating to the MNC will be contained in other MNLA legislation such as a proposed Executive Government Act or <i>PMC Act</i> or by resolutions.
Article 3: Provincial Métis Council 9. Elected Provincial Métis Council members and Presidents should not hold paid positions with the Métis Nation – Saskatchewan or any of the Affiliate Board.	<p align="center">CONFLICT OF INTEREST</p> <p>Article 10: Conflicts Prohibited</p> <p>1. No elected member of a Local, a Regional Council, or the Métis Nation Legislative Assembly shall:</p>	This prohibition prevents elected officials from being employed by the MN-S. Details of declarations of conflicts and procedures when conflicts arise would be set out in legislation. Other conflict rules currently contained in the Executive Handbook would be enforced through procedures established



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
	<p>(a) hold any other paid position with the Métis Nation – Saskatchewan or any of its institutions or entities; or</p> <p>(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.</p>	<p>in legislation and decided by the Métis court or tribunal.</p>
<p>Article 12: Senate, Women and Youth</p> <p>1. The Métis Nation Legislative Assembly shall make these items a priority, and shall involve Women and Youth in the determination of their role and responsibilities within the Organization.</p> <p>2. The Métis Women of Saskatchewan shall be designated 1 seat in the Provincial</p>	<p>deleted</p>	<p>Specific provisions to provide for women and youth representatives in the MNLA and on the PMC and the Regional Councils are proposed above.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>Métis Council and 4 seats in the Métis Nation Legislative Assembly. This provision shall cease to apply when women have achieved equitable representation in the Provincial Métis Council and Métis Legislative Assembly.</p> <p>2.1 That the Provincial Métis Youth Council shall be designated 1 seat on the Provincial Métis Council and 4 seats at the Métis Nation Legislative Assembly</p> <p>3. That appointments to vacancies in the Métis Senate be made at area meetings; Further, than Senate appointments be for lifetime or until such time as the Senator is unable to fulfil his/her duties.</p> <p>4. Repealed 2008.</p> <p>5. That the Senate be equally represented by male and female.</p>		<p>The current provisions relating to the Senate are rather sparse. It is proposed that provisions relating to a Senate or Elders Council would be placed in the <i>Assemblies Act</i> if required.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>From the Preamble:</p> <p>3. To ensure that any Métis person whose rights or freedoms as herein recognized are violated shall have an effective remedy;</p> <p>4. To ensure that any person claiming such a remedy shall have their right thereto determined by a competent Judicial administrative or legislative authorities of the Métis Nation of Saskatchewan;</p> <p>5. To ensure competent authorities as enacted by the Métis Nation of Saskatchewan shall enforce such remedies when granted;</p> <p>9. All persons shall be equal before the Métis Nation Legislative Assembly in the determination of any issue which they are charged with. Every Métis Person shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal established by the Métis Legislative Assembly;</p>	<p align="center">ADJUDICATION OF DISPUTES</p> <p>Article 11: Independent and Impartial</p> <p>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:</p> <p align="center">(a) all Métis persons are to be treated equally and are entitled to a public hearing; and</p> <p align="center">(b) any Métis person whose rights or freedoms are violated is entitled to an effective remedy.</p>	<p>The MNLA has authority to enact laws to create entities, processes or mechanisms relating to dispute resolution, whether that involves creating a Métis court system or tribunal or alternative dispute resolution procedures. This provision requires that whatever is established must be independent and impartial. A law that did not meet this standard would be unconstitutional and therefore invalid.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>Article 15: Amending Formula 1. The Constitution shall only be amended by the majority of three quarters of the members of the Métis Nation Legislative Assembly and ratified by three quarters of the members of the General Assembly.</p> <p>2. All proposed amendments to the Constitution must be registered with the Métis Nation – Saskatchewan Head Office thirty days prior to the sitting of the Métis Nation Legislative Assembly where reasonable advance notice of the Legislative Assembly is provided. Where the minimum 30 days notice is provided under Article 2. Section 8. all proposed amendments must be registered 14 days prior to the sitting of the Métis Nation Legislative Assembly.</p> <p>Article 11: General Assembly 1. A General Assembly, composed of members from the Locals shall be convened</p>	<p align="center">AMENDING THE CONSTITUTION</p> <p>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.</p> <p>2. The Métis Nation Legislative Assembly shall convene a General Assembly annually and</p>	<p>Constitutional amendments require the support of 75% of the votes in the MNLA and in the General Assembly.</p> <p>The process in the MNLA for proposed constitutional amendments is contained in the <i>Assemblies Act</i>.</p> <p>A General Assembly would be convened annually and when necessary to ratify amendments to the Constitution. Details</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>by the Métis Nation Legislative Assembly every year.</p> <p>2. The General Assembly shall provide a forum whereby the members of the Organization will receive information, review documents and provide guidance to the Métis Nation Legislative Assembly and discuss, clarify, amend, vote on and ratify amendments to the Constitution.</p>	<p>when necessary to ratify amendments to this Constitution.</p> <p>3. The members of the General Assembly are those persons who are Métis citizen registered with the Métis Nation – Saskatchewan.</p>	<p>about holding a General Assembly will be contained in the <i>Assemblies Act</i>.</p> <p>The General Assembly consists of those persons who are registered MN-S citizens.</p>
<p>ARTICLE 14 AFFILIATES</p> <p>1 . a) The Métis Nation Legislative Assembly, on behalf of the Métis Nation-Saskatchewan,</p>	<p align="center">TRANSITIONAL</p> <p>Article 13: Affiliates continued</p> <p>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.</p> <p>2. The Métis Nation Legislative Assembly, on the recommendation of the Provincial Métis</p>	<p>All Affiliates are continued under the new Constitution but will be subject to any subsequent laws that the MNLA may enact in relation to them.</p> <p>No substantive change.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>shall exercise all voting rights, powers and duties of ownership in relation to the affiliates, based upon the recommendations of the Provincial Métis Council.</p> <p>a) Where not currently provided all affiliate Articles and By-laws shall be amended at the first reasonable opportunity to conform to this section.</p> <p>2. The Provincial Métis Council members who are assigned a portfolio shall automatically sit as Chairperson of the Affiliate(s) which falls under his/her portfolio.</p> <p>3. A member who is an employee/staff person/management of an Affiliate shall not be permitted to sit on any Affiliate Board.</p> <p>4. All Affiliates shall representation from the 12 Regions of the Organization, unless otherwise decided by the Métis Nation Legislative Assembly based upon the recommendations of the Provincial Métis Council</p>	<p>Council, shall exercise all voting rights, powers and duties of ownership in relation to the affiliates.</p> <p>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.</p> <p>3. An employee of an affiliate shall not be appointed to sit on the board of any affiliate.</p> <p>4. The boards of all affiliates shall have representation from each of the Regions, unless otherwise decided by the Métis Nation Legislative Assembly.</p>	<p>No substantive change.</p> <p>No substantive change.</p> <p>No substantive change.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
<p>ARTICLE 14 (A) SECRETARIAT</p> <p>1 . A Secretariat shall be retained under the "Métis Act" for the sole purpose of carrying out the administrative duties of the Métis Nation-Saskatchewan.</p> <p>2. The Secretariat shall be known as the Métis Nations – Saskatchewan Secretariat Incorporated.</p> <p>3. The Board of Directors of the Secretariat shall be the same members who are elected to the Provincial Métis Council.</p>	<p>moved to legislation to be enacted by the MNLA</p>	<p>The Secretariat is currently established as a corporate entity under <i>The Métis Act</i>, which is legislation enacted by the Saskatchewan Legislature. The MN-S Treaty-like document, as outlined in the <i>Métis Nation within Saskatchewan Self-Government Recognition and Implementation Agreement</i>, will provide language to assist in continuing the Secretariat under MN-S jurisdiction so that it will no longer be necessary to rely on the provincial legislation and it will not be necessary to refer to Saskatchewan laws in the MN-S Constitution.</p>
<p>Article 6: Urban Councils</p> <p>1. The Métis Nation-Saskatchewan shall initiate, assist, support, assign, recommend and facilitate the development, implementation and establishment of Métis Urban Self-Government Councils in Saskatchewan.</p>	<p>Article 14: Councils</p> <p>1. Until the Métis Nation Legislative Assembly adopts legislation relating to councils, the Métis Nation – Saskatchewan shall continue:</p> <p>(a) to initiate, assist, support, assign, recommend and facilitate the development, implementation and establishment of Métis Urban</p>	<p>Provisions relating to urban councils and the North West Council will continue until legislation relating to those matters is adopted by the MNLA.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
<p>Article 6.1: Northwest Saskatchewan Métis Council 1. The Métis Nation-Saskatchewan shall assist, support, recommend and facilitate the Regions forming the North West Saskatchewan Métis Council to develop, establish and implement Métis governance for their Métis communities.</p>	<p>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.</p>	
<p>Article 16: Implementation 1. The Constitution shall take effect upon its adoption by the General Legislative Assembly subject to amendments validly passed by three quarters of the Assembly present, and the conclusion of General Assembly. Upon the happening of these two conditions all previous By-laws of the Organization are repealed and this Constitution shall constitute the sole Constitution of the Organization, until otherwise determined by the Organization.</p>	<p align="center">COMING INTO FORCE</p> <p>Article 15: Implementation 1. This Constitution is effective when it is approved by the Métis Nation Legislative Assembly and ratified by the General Assembly.</p>	<p>The changes to the Constitution will become effective when the amendments are approved by the MNLA and ratified by the General Assembly.</p>
<p>ARTICLE 8: ELECTIONS 1. Métis Nation Legislative Assembly shall enact electoral legislation.</p>	<p>Not included.</p>	<p><i>An Election Act</i> has been enacted.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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<p>2. Election for the Executive and Regional Representatives of the Provincial Métis Council of the Métis Nation Legislative Assembly shall be held within four years of the previous Provincial Métis Council election.</p> <p>3. The Métis Nation Legislative Assembly Executive shall be elected by the total membership.</p> <p>4. Provincial Métis Council Regional Representatives shall be elected within their respective Regions.</p>		<p>The requirement to hold elections every four years and who votes are included in the provisions relating to Regions, Executive and PMC.</p>
<p>ARTICLE 9: METIS NATION -SASKATCHEWAN</p> <p>1. Head office shall be in Saskatoon</p> <p>2. The 12 Regional offices of the Organization shall be accessible to our people and Leadership.</p>	<p>Not included</p>	<p>The MN-S as a government does not have a “head office”. A requirement relating to the location of the administrative offices of the MN-S and the Regions, if necessary, should be included in MNLA legislation.</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
<p>Article 13: Métis Independence</p> <p>1. Whereas the Métis are seeking self-government as a third order of government within Canada, the Organization shall be non-secretariat and non-partisan.</p> <p>3. The leadership shall be responsible and accountable to the Communities, as reflected by the Métis Nation Legislative Assembly, which is the Supreme Body for the Metis within Saskatchewan.</p> <p>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.</p> <p>5. Any Provincial Métis Council member of the Métis Nation Legislative Assembly who chooses to seek the nomination of any provincial or federal political party in any provincial or federal election shall take a leave of absence from his/her position.</p>	<p>Not included</p>	<p>1. The reference to “non-secretariat” is probably meant to be “non-sectarian”, but this provision is no longer necessary since self-government is now a reality.</p> <p>3. The responsibility of leadership to communities is reflected in all of the provisions establishing the governance structure, but this statement could also be included in the preamble.</p> <p>4 and 5. These provisions would be placed in legislation to be enacted by the MNLA</p>



Constitution of the Métis Nation – Saskatchewan

DRAFT

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Existing	Proposed	Explanation
Article 17: Special Election for 2007	Not included	No longer applicable.

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