



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
none	<p style="text-align: center;">PART 1 GENERAL PROVISIONS</p> <p><b>Short title</b> 1 This Act may be cited as the <i>Election Act, 2024</i>.</p>	All other MNS legislation has a formal title provision.
<p style="text-align: center;">PART I GENERAL PROVISIONS Purpose of this Act</p> <p><b>Purpose</b> 1. The purpose of this Act is to establish a dependable regime for the election of members of the Saskatchewan Provincial Métis Council that promotes the meaningful exercise of the democratic rights and freedoms of the Métis Nation – Saskatchewan.</p>	<p><b>Purpose</b> 2 The purpose of this Act is to establish a dependable election regime that promotes the meaningful exercise of the democratic rights and freedoms of Métis citizens in Saskatchewan.</p>	This Act will apply to elections of the Executive, women and youth representatives to the PMC, women and youth representatives to regional councils, and the election of Regional Representatives, all of which will take place at the general election held every four years.
<p style="text-align: center;">Interpretation</p> <p><b>Definitions</b> 2. In this Act,</p>	<p><b>Definitions</b> 3 In this Act:</p>	
"advance vote" means a poll held before election day;	"advance vote" means a vote held before election day;	No substantive change.
"Adjudicator" means the person appointed under section 120 to hear complaints under this Act;	<i>deleted</i>	There will be no Adjudicator. Complaints will be made to the Métis Court and its processes



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
		will guide resolution through mediation or a hearing process.
"approved" means as approved by the Chief Electoral Officer;	"approved" means as approved by the Chief Electoral Officer;	No change.
"by-election" means an election to fill a vacancy in the Provincial Métis Council that occurs between general elections;	"by-election" means an election to fill a vacancy between elections;	
"campaign material" means any advertisement, including advertisements on the radio, television and the Internet as well as placards, posters or banners, in favour of or on behalf of a candidate or against a candidate;	"campaign material" means any advertisement, including advertisements on the radio, television and the internet as well as placards, posters or banners, in favour of or on behalf of a candidate or against a candidate;	No change
"candidate" means a person (a) who is a candidate for election to the office of Executive Member or Regional Representative; and (b) whose nomination papers are accepted by the Chief Electoral Officer;	"candidate" means a person: (a) who is a candidate for election as a member of the Provincial Métis Council or as a women’s or youth representative in a Region; and (b) whose nomination papers are accepted by the Chief Electoral Officer;	The Act is extended to apply to the election of the women and youth representatives to the Regions and to the PMC, in accordance with the current proposed amendments to the Constitution.
"Chief Electoral Officer" means the Chief Electoral Officer appointed under section 92;	"Chief Electoral Officer" means the Chief Electoral Officer appointed under section 90;	Section reference is changed.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
"close of nominations" means 2:00 pm on the 30th day before election day;	"close of nominations" means 2:00 pm on the 30th day before election day;	No change.
"Complaints Officer" means the person appointed under section 116 to enforce compliance with this Act;	<i>deleted</i>	There will not be a complaints officer. Complaints will be made to and decided by the Métis Court.
"Constitution" means the Constitution of the Métis Nation - Saskatchewan;	Defined in the <i>Interpretation Act</i>	Moved to the <i>Interpretation Act</i> to be enacted by the MNLA.
"contribution" includes money, services and goods provided during an election period to promote or oppose the election of a candidate;	<i>moved</i>	The term "contribution" is only used in the provisions that relate to limits on the amount that can be provided as campaign contributions to a candidate, so the definition has been moved there.
"court" means the Saskatchewan Court of Queen's Bench;	<i>deleted</i>	Issues to be determined in relation to MN-S elections will be dealt with by the Métis Judiciary that will be established pursuant to legislation to be enacted by the MNLA, not by the Saskatchewan courts.
"declaration of election" means the document issued by the Chief Electoral Officer specifying the election day for the	<i>deleted</i>	This term is not used in this draft as the proposed changes to the Constitution and



Métis Nation – Saskatchewan Election Act

DRAFT

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
general election and any by-election after the general election;		this Act would fix a specific day in May every four years as election day.
"election" means an election of an Executive Member or a Regional Representative to the Provincial Métis Council, whether at a general election or a by-election;	<i>deleted</i>	This definition is not needed since section 3 says the Act applies to the election of these persons.
"election day" means the day determined in accordance with section 28.	"election day" means the day determined in accordance with section 18.1;	No change
"election expense" means any amount paid or liabilities incurred during an election period to promote or oppose the election of a candidate and includes any contribution of services or goods;	<i>moved</i>	The term "election expense" is only used in the provisions that relate to limits on the amount that can be spent by a candidate, so the definition has been moved there.
"election officer" means (a) the Chief Electoral Officer, (b) any person acting as the Chief Electoral Officer, (c) a Regional Returning Officer, (d) an assistant regional returning officer, (e) a supervisory deputy returning officer, (f) a deputy returning officer, (g) a poll clerk, and	"election officer" means (a) the Chief Electoral Officer; (b) any person acting as the Chief Electoral Officer; (c) a Regional Returning Officer; (d) an assistant regional returning officer; (e) a deputy returning officer; (f) a poll clerk; (g) a supervisory deputy returning officer; or	This list should be connected by "or"; an election officer is any <u>one</u> of these office holders, not someone who holds <u>all</u> of these offices.  The Act provides for the appointment of other persons to assist in operating the polls and they should also be included in the definition of election officials.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(h) a registration clerk;	(h) any other person engaged by the Chief Electoral Officer to assist in the operation of a polling place;	
"election period" means the period commencing 35 days before election day and terminating at the close of polls on election day, or the day the election is cancelled;	"election period" means the period commencing 35 days before election day and terminating at the close of polls on election day, or the day the election is cancelled;	No change
"Executive Member" means the President, Vice-President, Secretary or Treasurer, who sits as a member of the Provincial Métis Council, in accordance with Article 3 of the Constitution;	Defined in the <i>Interpretation Act</i>	Moved to the <i>Interpretation Act</i> to be enacted by the MNLA.
"family", when used with reference to a person, means (a) his or her spouse and children, and (b) anyone who is related to the person or his or her spouse and shares a residence with the person and is primarily dependent on the person or spouse for financial support;	"family" means: (a) the spouse, children, parents and siblings of a person; or (b) anyone who is related to the person or their spouse, shares a residence with the person and is primarily dependent on the person or the person's spouse for financial support;	No substantive change.



Métis Nation – Saskatchewan Election Act

DRAFT

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
"general election" means an election for the Executive Members and Regional Representatives to the Provincial Métis Council;	<i>deleted</i>	It is not necessary to distinguish between by-elections and general elections.
"Independent Oversight Committee" repealed July 29, 2016	<i>deleted</i>	Previously repealed.
"ineligible" means, in respect of being a candidate, that the person does not have the right to be a candidate or is not qualified to be a candidate;	<i>deleted</i>	This definition is not needed since this is the normal meaning of "ineligible".
"Métis citizen" means a person who meets the criteria described in Article 10 of the Constitution and is registered in accordance with the <i>Citizenship Act</i> ;	Defined in the <i>Interpretation Act</i>	Moved to the <i>Interpretation Act</i> to be enacted by the MNLA.
none	"nomination period" means the period of five consecutive days ending on the close of nominations, during which nominations of prospective candidates may be submitted;	Clarifies what constitutes the nomination period.
"polling record" means the document containing the name and other particulars of	"polling record" means the document containing the name and other particulars of	No change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
every person who votes, and other voting particulars added by the poll clerk;	every person who votes, and other voting particulars added by the poll clerk;	
"polling station" means premises secured by a Regional Returning Officer for the taking of the votes on election day or the day of the advance vote;	"polling station" means premises secured by a Regional Returning Officer for the taking of the votes on election day or the day of the advance vote;	No change.
"Provincial Métis Council" means the Provincial Métis Council as described in Article 3 of the Constitution;	Defined in the <i>Interpretation Act</i>	Moved to the <i>Interpretation Act</i> to be enacted by the MNLA.
"Region" means a region as described in Article 5 of the Constitution;	Defined in the <i>Interpretation Act</i>	Moved to the <i>Interpretation Act</i> to be enacted by the MNLA.
"Regional Representative" means one of the 12 elected regional representative who sits as a member of the Provincial Métis Council, as described in Article 3 of the Constitution;	Defined in the <i>Interpretation Act</i>	Moved to the <i>Interpretation Act</i> to be enacted by the MNLA.
"satisfactory evidence of identity" means documentary evidence of a person's identity approved as being satisfactory by the Chief Electoral Officer;	<i>deleted</i>	This defined term is no longer used, although it is still necessary for a voter to prove who they are and their eligibility to vote.
"Senate" (repealed September 8, 2008)	<i>deleted</i>	Previously repealed



Métis Nation – Saskatchewan Election Act

DRAFT

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
"send" means to send by mail, hand delivery, courier, facsimile transmission, or where specifically authorized, by electronic transmission;	<i>deleted</i>	This definition is not needed because the word “send” is used to refer to internal matters between election officials that are governed by directives of the Chief Electoral Officer.
"voter" means a person who has the right to vote in an election under this Act.	"voter" means a person who has the right to vote in an election under this Act;	No change
none	“youth” means a person between the ages of 16 and 29 years.	Since the Act will apply to the election of youth representatives it is necessary to define who a “youth” is.
<p style="text-align: center;"><b>Application</b></p> <p>Application 3. This Act applies to the general election of Executive Members and Regional Representatives to the Provincial Métis Council.</p>	<p><b>Application</b></p> <p>4 This Act applies to the election of all members of the Provincial Métis Council and to the election of representatives of Métis women and Métis youth on Regional Councils.</p>	<p>Reference is to “elections” since all elections are governed by this Act.</p> <p>The representatives for women and youth to the PMC and to Regional Councils will also be elected under this Act every four years.</p>





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p style="text-align: center;">PART II DEMOCRATIC RIGHTS Voting Rights</p> <p><b>Right to vote</b> 6 An individual who:</p> <ul style="list-style-type: none"> <li>(a) is registered as a Métis citizen under the <i>Citizenship Act</i> and has received a Métis citizenship card issued by the Registrar appointed by the Métis Nation Legislative Assembly to administer the Central Registry under the <i>Citizenship Act</i>; <del>or</del></li> <li>(b) has submitted an application for registration to the Registrar appointed by the Métis Nation Legislative Assembly to administer the Central Registry under the <i>Citizenship Act</i> at least 60 days before the date of the election and has received a letter from the Registrar stating that a preliminary review indicates the person is eligible to be registered as a Métis citizen under that Act;</li> </ul>	<p style="text-align: center;">PART II DEMOCRATIC RIGHTS Voters</p> <p><b>Right to vote</b> 5 An individual who is registered as a Métis citizen is an eligible voter and entitled to vote during an election, if on election day, the person:</p> <ul style="list-style-type: none"> <li>(a) is at least 16 years of age;</li> <li>(b) is a resident of Saskatchewan for at least six months prior to election day; and</li> <li>(c) in the case of an election for a: <ul style="list-style-type: none"> <li>(i) Regional Representative, is ordinarily resident in the Region;</li> <li>(ii) representative for Métis women on the Provincial Métis Council, is a Métis woman;</li> <li>(iii) representative for Métis youth on the Provincial Métis Council, is a Métis youth;</li> </ul> </li> </ul>	<p>The transitional provision allowing a person who had applied prior to the 2021 election to register as a citizen and receive a letter from the Registrar indicating that they were eligible for registration is no longer required for the 2025 and subsequent elections, so that 5(b) can be deleted.</p> <p>Elections for women and youth representatives to the PMC and Regional Councils will be held under this Act.</p>



**Métis Nation – Saskatchewan Election Act**  
**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>is an eligible voter and entitled to vote during an election, if on election day, the person is:</p> <p>(c) at least 16 years of age; (d) a resident of Saskatchewan for at least six months prior to election day; and (e) in the case of an election for a Regional Representative, ordinarily resident in the Region.</p>	<p>(iv) representative for Métis women on a Regional Council, is a Métis woman resident in the Region; (v) representative for Métis youth on a Regional Council, is a Métis youth resident in the Region.</p>	
<p>Secret ballot 7. A voter has a right to vote by secret ballot.</p>	<p><b>Secret ballot</b> 6 Every voter has the right to vote by secret ballot.</p>	<p>No change.</p>
<p>One vote 8. (1) The right to vote may only be exercised once in an election for each office for which the election is held.</p>	<p><b>One vote</b> 7 A voter may only exercise the right to vote once for each office for which the election is held and for which the voter is eligible to vote.</p>	<p>No substantive change. The addition of the reference to the voter’s eligibility is to ensure that there is no argument that this provision provides eligibility that wouldn’t otherwise exist.</p>
<p>Voting for Regional Representative</p>	<p><i>moved</i></p>	<p>Included in subsection 5(1) above.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(2) A voter may only vote for the Regional Representative for the Region in which the voter is considered to reside under this Act.		
<p>Voting in a Region</p> <p>(3) A voter may only vote at a polling station or other place for voting in the Region in which the voter is considered to reside under this Act, except registered voters in a penal or correctional institution who may vote at a mobile poll arranged for that institution.</p>	<p><b>Voting location</b></p> <p>8 A voter may only vote at a polling station or other place for voting in the Region in which the voter ordinarily resides, except voters in a penal or correctional institution who may vote at a mobile poll arranged for that institution.</p>	<p>No substantive change.</p>
<p>Determining Residence</p> <p>Residence rules</p> <p>4. (1) For the purposes of this Act, the place of residence of a voter shall be determined by reference to all the facts of the case and by the provisions of this section, as far as they are applicable.</p>	<p><b>Determining voter's residence</b></p> <p>9(1) For the purposes of this Act, the place of residence of a voter is determined by reference to all the facts of the case and by the provisions of this section, to the extent that they apply.</p>	<p>No substantive change.</p>
<p>Place of home or dwelling</p> <p>(2) The residence of a voter is the place of the voter's home or dwelling to which, when absent, the voter intends to return.</p>	<p>(2) The ordinary residence of a voter is the place of the voter's usual residence and to which, when absent, the voter intends to return.</p>	<p>No substantive change. The residence of a person's "family" is not their residence unless it is their "usual residence".</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Family (6) The place where a voter's family resides shall be deemed to be the place of residence of the voter, unless the voter intentionally establishes or continues his or her residence in some other place.</p>		
<p>Temporary absence (3) A voter does not lose residence in the place of the voter's home or dwelling by leaving it for a temporary purpose, including the pursuit of education or employment.</p>	<p>(3) A voter's ordinary residence is not lost by reason of a temporary absence from the voter's usual residence.</p>	<p>No substantive change. This would include a temporary absence for any reason, whether to work, travel, study, etc.</p>
<p>none</p>	<p>(4) A voter who remains in Saskatchewan is deemed not to have lost their ordinary residence until the voter acquires another.</p>	<p>Clarifies that a voter does not lose their ordinary residence until they have actually acquired a different one.</p>
<p>Intention (5) If a voter leaves the voter's place of residence with the intention of residing elsewhere, the voter loses residence in that place.</p>	<p>(5) A voter who moves to a place outside Saskatchewan with the intention of remaining outside Saskatchewan for at least five years, loses their ordinary residence in Saskatchewan, notwithstanding the voter's intention of returning at some future time.</p>	<p>Clarifies that where a voter intends to leave Saskatchewan for more than five years, regardless of the reason, they are no longer considered ordinarily resident, even if they intend to return eventually.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
none	(6) A voter is deemed not to have acquired an ordinary residence in Saskatchewan or in a Region if the voter comes to Saskatchewan or the Region for temporary purposes only, without intending to make Saskatchewan or some place in the Region their usual residence.	Clarifies that persons who come to Saskatchewan temporarily do not acquire an ordinary residence in Saskatchewan.
<p>Selection of residence            (4) A voter who left the voter's place of residence for a temporary purpose may select one of the following places of residence for the purposes of voting at an election:            (a) the place of the voter's home or dwelling to which the voter intends to return; or            (b) the place where the voter's family resides.</p>	<p>(7) A voter who leaves their ordinary residence in Saskatchewan:</p> <p>(a) to study at an educational institution outside Saskatchewan, is deemed to be ordinarily resident in the Region in which the voter was resident immediately before leaving Saskatchewan;</p> <p>(b) to study at an educational institution in Saskatchewan, must choose one of the following Regions:            (i) the Region in which the voter was residing immediately before leaving to pursue their studies; or</p>	<p>Students studying and persons serving in the military are a special case in that they remain a resident entitled to vote even though physically absent for an extended period of time and are considered “resident” while absent for these reasons.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	<p>(ii) the Region to which the voter has moved for the purpose of pursuing their studies and in which the voter was residing at the beginning of the election period;</p> <p>(c) to serve as a member of the Canadian Forces outside Saskatchewan, is deemed to be ordinarily resident in the Region in which the voter was resident immediately before leaving Saskatchewan;</p> <p>and is deemed to continue to have that ordinary residence until the voter completes or abandons their studies or while serving as a member of the Canadian Forces, as the case may be.</p>	
<p>Prisoners (9) A voter who is confined to a penal or correctional institution in Saskatchewan shall select one of the following places of</p>	<p>(8) A voter who is in a penal or correctional institution in Saskatchewan must choose one of the following Regions and, on that choice,</p>	<p>No substantive change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>residence for the purposes of voting at an election:            (a) the voter's place of residence before being confined; or            (b) the place where the voter's family resides.</p>	<p>is deemed to be ordinarily resident in that Region:            (a) the Region, if any, in which the voter was ordinarily resident before being in the penal or correctional institution;            (b) the Region, if any, in which a spouse, parent or dependant of the voter is ordinarily resident.</p>	
<p>Homeless voters            (7) The residence of a voter who has no home is any place offering food or lodging where the voter usually sleeps or takes meals.</p>	<p>(9) The residence of a voter who has no home is any place offering food or lodging where the voter usually sleeps or takes meals.</p>	<p>No change.</p>
<p>Single residence            (8) A voter shall be deemed to have a residence in only one place and, if a voter maintains a residence in more than one place, the voter must select one residence for the purpose of this Act.</p>	<p>(10) A voter is deemed to have a residence in only one place and, if a voter maintains a residence in more than one place, the voter must select one residence for the purpose of this Act.</p>	<p>No change.</p>
<p>Deemed residence            (10) A place of residence selected by a voter under this section shall be deemed to be the</p>	<p><i>moved</i></p>	<p>Included in subsection (7) above.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
place in which the voter resides for the purposes of this Act.		
Exception for by-election (11) No person is entitled to vote at a by-election unless he or she continues to be resident until election day for the by-election in the same Region in which he or she was resident on the day the declaration of election was issued.	<i>deleted</i>	Even if by-elections will continue to be held, this provision is not necessary. A person will be entitled to vote in a by-election if they are an eligible voter on the day on which the by-election is held.
Seasonal residence (12) No person shall be deemed to be resident on election day in a home or dwelling that is (a) generally occupied by him or her during six months of the year or less, and (b) generally remains unoccupied by him or her for the balance of the year, unless, at a general election, the person has no residence in any other Region to which he or she might move on that day.	<i>deleted</i>	Not necessary given the elaboration of rules of residence outlined above. A person must still be able to prove their residence, so in practical terms where the person gets to vote will depend on what documentation is approved by the Chief Electoral Officer.





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Language of Elections Languages of election officers 5. (1) Election officers should be appointed to represent the languages spoken in the community in which they will be performing their functions.</p>	<p><b>Languages of election officers</b> 10(1) Election officers should be appointed to represent the languages spoken in the community in which they will be performing their functions.</p>	<p>No change.</p>
<p>Interpreters (2) Where a deputy returning officer or poll clerk does not understand the language spoken by a voter, the deputy returning officer shall, where possible, appoint and swear in an interpreter, who shall translate communications between the deputy returning officer and the voter.</p>	<p>(2) Where a deputy returning officer or poll clerk does not understand the language spoken by a voter, the deputy returning officer shall, where possible, appoint and swear in an interpreter, who shall translate communications between the deputy returning officer and the voter.</p>	<p>No change.</p>
<p>Validity of election (3) The failure to comply with any provision of this section shall not affect the validity of an election.</p>	<p>(3) The failure to comply with any provision of this section does not affect the validity of an election.</p>	<p>No change.</p>
<p>Registration of Voters Registration 10. No person who is an eligible voter may vote in an election unless he or she registers</p>	<p><i>deleted</i></p>	<p>The requirement to be registered as a voter is deleted as all registered Métis citizens 16 and over who reside in Saskatchewan are entitled</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>as a voter, in accordance with this Act, either before election day or at the polling station on election day.</p> <p>Registration information            11. (1) The Chief Electoral Officer shall make public a list of the places and times where persons eligible to vote may register in advance of election day.</p> <p>Registration by the Chief Electoral Officer            (2) The election officers responsible for registering voters are as follows:            (a) the Chief Electoral Officer, and any registration clerks appointed by him or her, is responsible for registration at penal or correctional institutions in Saskatchewan and any other places designated by the Chief Electoral Officer;            (b) the Regional Returning Officer is responsible for registration at the office of the Regional Returning Officer;            (c) a registration clerk appointed by the Regional Returning Officer is responsible for</p>		<p>to vote pursuant to section 5. No separate voter registration process is necessary.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>registration at a polling station and a mobile poll.</p> <p>Right to register to vote 12. (1) Any person who is an eligible voter may register in accordance with this section.</p> <p>Registration procedure (2) A person who wishes to register to vote must (a) go to a place for registration listed in section 11; (b) provide documentary evidence of the voter’s name, current address and signature for inspection by the election officer, which entitles him or her to vote; and (c) sign and swear, or affirm, the voter registration form in Form 1 of the Schedule.</p> <p>Approved ID (3) Acceptable documentary evidence for the purposes of subsection (2) is (a) one approved document that shows the voter’s</p>		



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(i) first and last names,            (ii) current address, and            (iii) signature or photo;            (b) one approved document showing the voter’s name and another approved document showing the voter=s name and current address; or            (c) any other approved documentary evidence, suitable for persons without the documentation referred to in paragraphs (a) and (b).</p> <p>Voters in a penal or correctional institution            (4) A voter who is confined to a penal or correctional institution in Saskatchewan must register to vote at least 14 days before election day in accordance with arrangements made by the Chief Electoral Officer at that institution.</p> <p>Duty of election officers            (5) When a voter asks to be registered, the responsible election officer designated for this purpose shall            (a) accept the oath /affirmation of the voter;</p>		



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(b) complete the election officer's portion of the voter registration form; and (c) send the attached copies of the voter registration form in accordance with the distribution requirements of the form.</p> <p>Proof of registration (6) The responsible election officer designated for this purpose shall issue to each voter who registers proof of registration in the approved form.</p>		
Voter Registry	<i>deleted</i>	
<p>Final voters list 13. (1) The Chief Electoral Officer shall, as soon as possible after election day, prepare a final voters list for each Region by compiling the information on voters who registered in accordance with this Act before the end of election day.</p>		<p>There is no need to prepare a formal final voters list as it is no longer necessary to develop the Citizenship Registry. The Chief Electoral Officer can still provide updated information to the Registry, such as correction of spelling of names, addresses, etc. This doesn't have to be prepared as a formal "final voters list" but can be the subject of agreement between the Chief Electoral Officer and the Registrar about sharing information, although this may give rise to privacy concerns as the information</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
		collected by the CEO is not collected for that purpose.
<p>Voter Registry Preparation of voter registry 13(2) The Chief Electoral Officer shall ensure the preparation of a voters registry compiled with information from the direct registration of voters from time to time.</p>	<p><b>Voters list</b> 11(1) The Registrar appointed by the Métis Nation Legislative Assembly to administer the Central Registry under the <i>Citizenship Act</i> shall, no later than 15 days prior to the election, provide the Chief Electoral Officer with a list of all MN-S citizens who are entitled to vote in the election.</p>	<p>Since a person must be a registered Métis citizen in order to vote, the Registrar is able to provide a voters list to the Chief Electoral Officer for use at the election and the Chief Electoral Officer does not have to “prepare” a voters list.</p>
<p>Registration cards (3) The Chief Electoral Officer shall issue voter registration cards to each voter who has registered for the general election.</p>	<p><i>deleted</i></p>	<p>As voters will no longer be registered, a voter registration card is not required.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Protection of Voter Information Protection of voter information 15. The Chief Electoral Officer may issue directions that the address of voters or other information about voters on a voters list be removed or obscured to protect their privacy or security.</p>	<p><i>deleted</i></p>	<p>The Chief Electoral Officer has a general authority to issue binding directions pursuant to section 96.</p>
<p>Restricted use of voters lists 16. No person shall copy or use a voters register or voters list prepared under this Act for any purpose other than an election under this Act or the registration of Métis citizens.</p>	<p>(2) No person shall copy or use a voters list provided pursuant to subsection (1) for any purpose other than an election under this Act.</p>	<p>Reference to a voters register is deleted as voter registration is no longer required. Reference to citizenship registration is deleted as the voters list is no longer used for this purpose.</p> <p>A person who contravenes this section is guilty of an offence.</p>

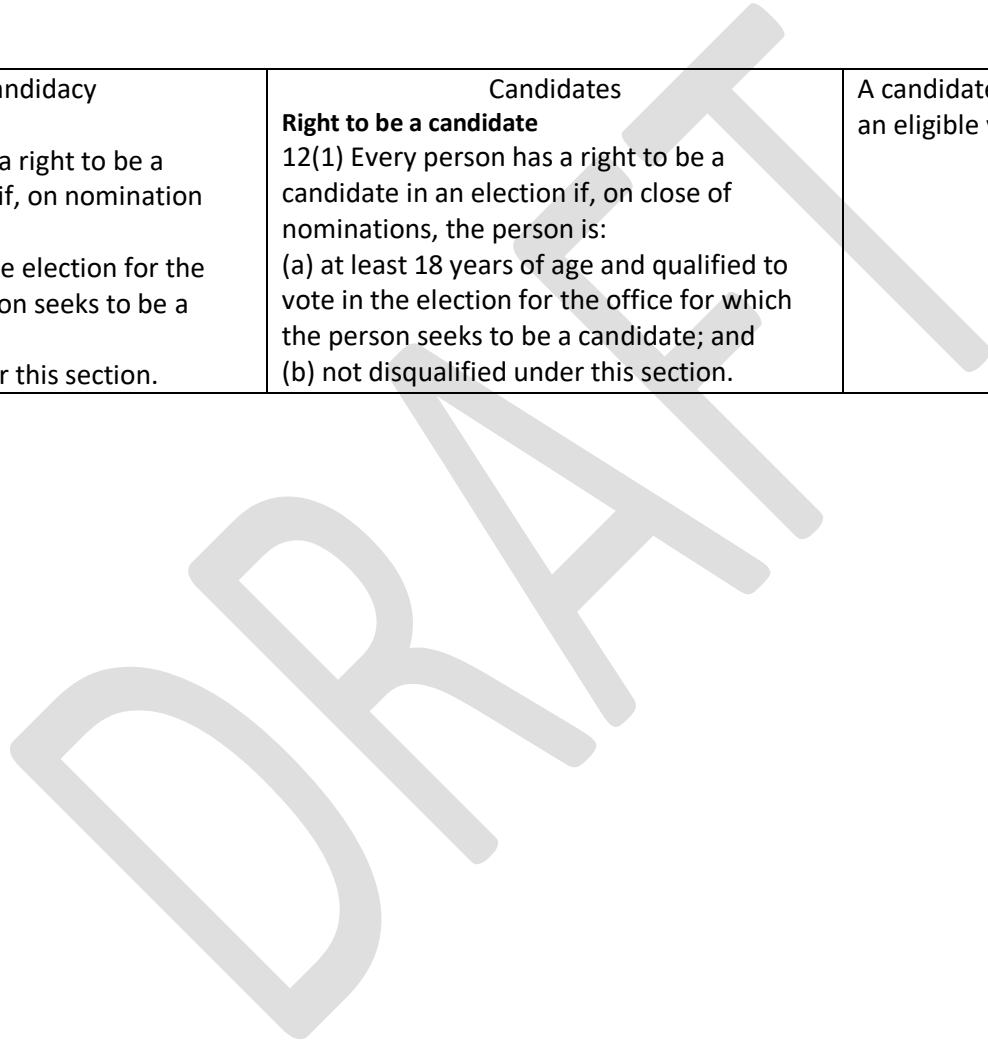


**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p style="text-align: center;">Rights of Candidacy</p> <p>Right to be a candidate</p> <p>17. (1) Every person has a right to be a candidate in an election if, on nomination day, the person is</p> <p>(a) qualified to vote in the election for the office for which the person seeks to be a candidate; and</p> <p>(b) not disqualified under this section.</p>	<p style="text-align: center;">Candidates</p> <p><b>Right to be a candidate</b></p> <p>12(1) Every person has a right to be a candidate in an election if, on close of nominations, the person is:</p> <p>(a) at least 18 years of age and qualified to vote in the election for the office for which the person seeks to be a candidate; and</p> <p>(b) not disqualified under this section.</p>	<p>A candidate must be at least 18 years old and an eligible voter.</p>







**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Disqualification            (2) A person is not qualified to be a candidate if, on nomination day, the person            (a) holds elected office pursuant to the Elections Act, 1996 (Saskatchewan); the Local Government Election Act (Saskatchewan) or the Canada Elections Act or is a member of the Senate;            (b) is a judge of any court, other than a citizenship court;            (c) is an election officer or a member of the staff of the Office of the Chief Electoral Officer;            (d) is not a resident of Saskatchewan;            (e) is confined to a penal or correctional institution and is serving a sentence of confinement that extends to at least election day;            (f) committed an offence in relation to elections within the previous 10 years; or            (g) committed an indictable offence within the previous five years.</p>	<p>(2) A person is not qualified to be a candidate if, on close of nominations, the person:            (a) holds elected office pursuant to <i>The Elections Act, 1996</i> (Saskatchewan); <i>The Local Government Election Act, 2015</i> (Saskatchewan) or the <i>Canada Elections Act</i> or is a member of the Senate;            (a.1) is a member of the Métis Judicial Body;            (b) is a judge of any court, other than a citizenship court;            (c) is an election officer or a member of the staff of the Office of the Chief Electoral Officer;            (d) is not a resident of Saskatchewan or, if the person is a candidate for Regional Representative or the women’s or youth representative in a region, is not a resident of the Region;            (d.1) in the case of a person who is a candidate for election as a youth representative, the person will attain the age of 29 years before the completion of the term of office;</p>	<p>No change, except the inclusion of current ss. 17(3) into clause (d) re residency of a candidate for Regional Representative and addition of reference to a judge of the Métis Court.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	(e) is confined to a penal or correctional institution and is serving a sentence of confinement that extends to at least election day; (f) committed an offence in relation to elections within the previous 10 years; or (g) committed an indictable offence within the previous five years.	
Regional Representative (3) In addition to the disqualifications in subsection (2), a person is not qualified to be a candidate for Regional Representative if, on nomination day, the person is not a resident of the Region for which the person is a candidate.	<i>deleted</i>	Included in (2)(d) above.
Signing a prohibited agreement 19. (1) No candidate shall sign any document that would, if the candidate were elected as a member of the Provincial Métis Council, (a) require the candidate to resign at the request of another; (b) constitute an undated resignation; or	(3) A person is not qualified to be a candidate for a period of five years if the person signs any document that would, if the person were elected, require the person to: (a) resign at the request of another or constitute an undated resignation; or (b) require the person to follow any course of action that would prevent the person from	No substantive change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(c) require the candidate to follow any course of action that would prevent the candidate from exercising freedom of action in the Provincial Métis Council.</p> <p>Prohibited pledges            (2) A person who signs a document prohibited by subsection (1) forfeits the right to be a candidate and becomes ineligible to be a candidate for a period of five years.</p>	<p>exercising freedom of action in the elected position.</p>	
<p>Single candidacy            18. No person may be a candidate for more than one elected office at the same time.</p>	<p>(4) No person may be a candidate for more than one elected office at the same election.</p>	<p>No substantive change.</p>
<p>Election void            20. The election of any person who is ineligible to be a candidate is void.</p>	<p><i>deleted</i></p>	<p>Describing the election as void may raise other arguments about the validity of actions taken while the person who is later found to be ineligible was in office. The Métis Court would have the authority to determine that a person who was ineligible to be a candidate was not lawfully elected and to order a new election.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Dual office 17(4) A candidate who holds office in a Métis Nation Regional Council, Local or any other elected or appointed body of the Métis Nation - Saskatchewan shall, if elected to the Provincial Métis Council, resign from the other office before assuming his or her duties.</p>	<p>(5) A candidate who holds office in or on any other elected or appointed body of the Métis Nation – Saskatchewan shall, if elected to the Provincial Métis Council, resign from the other office before assuming their duties.</p>	<p>No substantive change.</p>
<p><b>Nomination of Candidates</b> Nominators for Executive Member 21. (1) Any five or more voters in Saskatchewan may nominate a candidate for the office of Executive Member.</p>	<p><b>Number of nominators required</b> 13(1) Any five or more voters may nominate a candidate for the office of Executive Member or women’s or youth representative on the Provincial Métis Council.</p>	<p>It is not necessary to say “in Saskatchewan” because a person eligible to vote must reside in Saskatchewan as required by s. 5.</p> <p>The proposed changes to the Constitution will have the women’s and youth representatives to the PMC elected province-wide every four years.</p>
<p>Nominators for Regional Representative (2) Any five or more voters in a Region may nominate a candidate for the office of Regional Representative for that Region.</p>	<p>(2) Any five or more voters in a Region may nominate a candidate for the office of Regional Representative or women’s or youth representative for that Region.</p>	<p>Nominations for women and youth representatives in the Regions is included.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Nomination period            (3) A nomination must be made by filing nomination papers at the office of the Chief Electoral Officer any time between 9:00 am on the 35th day before election day and 2:00 p.m. on the 30th day before election day.</p>	<p>(3) A nomination must be made by filing nomination papers with the Chief Electoral Officer in the approved manner any time between 9:00 am on the 35th day before election day and 2:00 p.m. on the 30th day before election day.</p>	<p>No substantive change.</p>
<p>Delegation of power            22. (1) The Chief Electoral Officer may delegate to a Regional Returning Officer the power to receive nominations papers.            Powers of delegate             (2) Where the Chief Electoral Officer delegates the power to receive the nomination papers, the delegate shall            (a) have all the powers of the Chief Electoral Officer to receive nominations; and            (b) comply with this Act and any instructions given by the Chief Electoral Officer.</p>	<p><i>deleted</i></p>	<p>The Chief Electoral Officer has a general authority to delegate contained in section 94.</p>
<p>Nomination papers            23. (1) The nomination papers must be in the approved form and must include the following information:</p>	<p><b>Nomination papers</b>            14(1) The nomination papers must be in the approved form and must include the following information:</p>	<p>The specific form of the nomination paper will be approved by the Chief Electoral Officer and contain the information listed.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) the name of the office for which the person seeks to be a candidate;</p> <p>(b) a warning that if the person is nominated as a candidate for more than one office, all nominations for that person are void;</p> <p>(c) the full name of the prospective candidate and his or her contact information;</p> <p>(d) the name of the prospective candidate exactly as he or she wishes it to appear on the ballot;</p> <p>(e) an oath or affirmation from the prospective candidate that he or she is eligible to be a candidate and agrees to be nominated;</p> <p>(f) the signature of the prospective candidate;</p> <p>(g) the full names, postal or civic address and signatures of at least five voters who are nominating the candidate;</p> <p>(h) the full name, postal or civic address and signature of each person who witnessed any person sign the nomination papers;</p> <p>(i) a declaration, in Form 3 of the Schedule, by each person who witnessed</p>	<p>(a) the name of the office for which the person seeks to be a candidate;</p> <p>(b) a warning that if the person is nominated as a candidate for more than one office, all nominations for that person are void;</p> <p>(c) the full legal name of the prospective candidate and their contact information;</p> <p>(d) any request to use a name on the ballot by which the prospective candidate is commonly known;</p> <p>(e) an oath or affirmation from the prospective candidate that they are eligible to be a candidate and agree to be nominated;</p> <p>(f) the signature of the prospective candidate signed in front of a voter who signs as a witness;</p> <p>(g) the full names, postal or civic address and signatures of at least five voters who are nominating the candidate and who are eligible to do so, each of whom signs in front of another voter who signs as a witness;</p> <p>(h) the full name, postal or civic address and signature of each voter who witnessed any person sign the nomination papers;</p>	<p>A request to use a nickname must be approved by the Chief Electoral Officer.</p> <p>A criminal record check will provide a person’s criminal record if there is one, but it won’t likely show election offences and, in particular, would not show election offences under the MNS Act. However, the MNS will have internal records of any election offences through decisions of the Métis Court.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>any person sign the nomination papers;            (j) a Canadian Police Information Centre (CPIC) criminal record check document proving that the candidate has not committed an offence in relation to elections within the previous 10 years or committed an indictable offence within the previous five years; and            (k) a deposit of \$100.00, in the approved form, payable to the Métis Nation - Saskatchewan.</p>	<p>(i) a declaration, in the approved form, by each voter who witnessed any person sign the nomination papers;            (j) a Canadian Police Information Centre criminal record check; and            (k) a non-refundable deposit in the prescribed amount in the approved form.</p>	
<p>Signature by nominating voters            (2) Each voter nominating a candidate shall sign the nomination papers in the presence of another voter who shall also sign the nomination papers as a witness to the nominator's signature.</p> <p>Signature by candidate            (3) A prospective candidate shall sign the nomination papers in the presence of a voter who shall also sign the nomination papers as witness to the prospective candidate's signature.</p>	<p><i>moved</i></p>	<p>The requirement for signatures (as per existing subsections (2) and (3)) is included in clauses (1)(f) and (g) above.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Declaration of witness (4) The person who collects the signatures of the voters for nomination papers shall make a declaration in Form 3 of the Schedule.</p>	<p><i>moved</i></p>	<p>The declaration by the witness is already referred to in clause (1)(i) above.</p>
<p>Details of candidate (5) When setting out the full name of a prospective candidate in the nomination papers, (a) titles, degrees or prefixes must not be included; (b) a nickname commonly used by the prospective candidate may be included with the given names; and (c) a normal abbreviation of one or more of the given names of the prospective candidate may be substituted for the given name or names.</p>	<p>(2) When setting out the full name of a prospective candidate in the nomination papers: (a) titles, degrees or prefixes must not be included; (b) a nickname commonly used by the prospective candidate may be included with the candidate’s given names if approved by the Chief Electoral Officer; and (c) a normal abbreviation of one or more of the given names of the prospective candidate may be substituted for the given name or names.</p>	<p>A nickname can only be used if requested on the nomination form and approved by the Chief Electoral Officer.</p>
<p>Prohibited witness (6) A candidate cannot be a witness to any signature in the nomination papers.</p>	<p>(6) A candidate cannot be a witness to any signature in their own nomination papers.</p>	<p>A candidate can be a witness on another person’s nomination papers, since all candidates must be eligible voters.</p>





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
Deposit (7) A candidate's deposit is not refundable for any reason.	<i>moved</i>	Included in clause (1)(k) above.
<b>Refusal of nomination</b> 24. (1) The Chief Electoral Officer shall refuse to accept the nomination papers and shall reject the candidacy of a person, if the Chief Electoral Officer is aware that (a) the nomination papers are incomplete or were not filed before the close of nominations; (b) all the necessary documents for the nomination were not properly filed according to the requirements of this Act; (c) the person has been nominated as a candidate for more than one office; or (d) the person is ineligible to be a candidate.	<b>Refusal of nomination</b> 15(1) The Chief Electoral Officer shall refuse to accept the nomination papers and shall reject the candidacy of a person if the Chief Electoral Officer is aware that: (a) the nomination papers are incomplete or were not filed before the close of nominations; (b) all the necessary documents for the nomination were not properly filed according to the requirements of this Act; (c) the person has been nominated as a candidate for more than one office; or (d) the person is ineligible to be a candidate.	No change.
<b>Corrections</b> (2) Where the nomination papers have been rejected because they were improperly filed, the nomination papers may be corrected,	(2) Where nomination papers are rejected because they were improperly filed, they may be corrected, completed or replaced with new ones before the close of nominations.	No substantive change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
completed or replaced with new ones before the close of nominations.		
Multiple nominations (3) Where a person has been nominated, or consented to be nominated, as a candidate for more than one office, all the nominations for that person are void.	(3) Where a person has been nominated as a candidate for more than one office, all the nominations for that person are void.	No substantive change.
Certificate (4) Unless the nomination papers are rejected under subsection (1), the Chief Electoral Officer shall issue to the prospective candidate a certificate indicating that the prospective candidate's nomination papers have been accepted.	(4) Unless the nomination papers are rejected under subsection (1), the Chief Electoral Officer shall issue to the prospective candidate a certificate indicating that the prospective candidate's nomination papers have been accepted.	No change.
Notice of suspected ineligibility 25. (1) If the Chief Electoral Officer has reason to suspect that the candidacy of a person should be rejected, he or she shall immediately notify the prospective candidate of the suspicion and the reasons for it.	<b>Notice of suspected ineligibility</b> 16(1) If the Chief Electoral Officer has reason to suspect that the candidacy of a person should be rejected, the Chief Electoral Officer shall immediately notify the prospective candidate of the suspicion and the reasons for it.	No change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Time for submission (2) The prospective candidate must make any submissions to the Chief Electoral Officer immediately on being notified of the suspicion of being ineligible.</p>	<p>(2) The prospective candidate must make any submissions to the Chief Electoral Officer immediately on being notified of the suspicion of being ineligible.</p>	<p>No change.</p>
<p>Decision of Chief Electoral Officer (3) The Chief Electoral Officer shall, after considering any submissions on behalf of the prospective candidate and no later than two days after the close of nominations, make a decision on whether the person is ineligible and his or her candidacy is to be rejected.</p>	<p>(3) The Chief Electoral Officer shall, after considering any submissions on behalf of the prospective candidate and no later than two days after receiving them, make a decision on whether the person is ineligible and their candidacy is to be rejected.</p>	<p>No substantive change.</p>
<p>Final and conclusive (4) The decision of the Chief Electoral Officer under this section is final and conclusive.</p>	<p><i>deleted</i></p>	<p>Section 115 provides that all decisions of the Chief Electoral Officer are final and cannot be appealed, unless otherwise stated.</p>
<p><b>Withdrawal of a Candidate</b> Withdrawal 26. (1) A candidate may withdraw no later than 5:00 p.m. on the day nominations close by personally submitting to the Chief Electoral Officer a letter of withdrawal signed</p>	<p><b>Withdrawal or death of candidate</b> 17(1) A candidate may withdraw by personally submitting to the Chief Electoral Officer a letter of withdrawal signed by the candidate and witnessed by two voters.</p>	<p>A candidate can withdraw at any time.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
by the candidate and witnessed by two voters.		
<b>Witness</b> (2) The voters who witnessed the candidate's letter of withdrawal shall certify by oath or affirmation that the candidate signed the letter of withdrawal in their presence.	<i>deleted</i>	It is not necessary for witnesses to swear an affidavit of execution as there will be two of them.
<b>Consequences</b> (3) Once the nomination period is closed it shall not be re-opened and the withdrawal of a candidate after the close of nominations shall not result in another nomination period.	(2) Once the nomination period is closed it shall not be re-opened and the withdrawal or death of a candidate after the close of nominations shall not result in another nomination period.	Reference to the death of a candidate is included as withdrawal or death of a candidate is to be treated in the same manner.
<b>Acclamations</b> <b>Election by acclamation</b> 27. (1) Where, at the close of nominations, only one person has been nominated for the office, that person is deemed to be elected by acclamation.	<b>Election by acclamation</b> 18(1) Where, at the close of nominations, only one person has been nominated for the office, that person is deemed to be elected by acclamation.	No change.
Withdrawal of candidate	(2) When, as a result of the withdrawal or death of a candidate there is only one	Reference to the death of a candidate is included as withdrawal or death of a



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(2) When, as a result of the withdrawal of a candidate there is only one candidate left for election to that office and the election is not postponed, no election shall be held and the remaining candidate is deemed to be elected by acclamation.	candidate left for election to that office, no election shall be held and the remaining candidate is deemed to be elected by acclamation.	candidate is to be treated in the same manner.
Electoral Report (3) Where a candidate has been elected by acclamation, the Chief Electoral Officer shall send a copy of the election report to the elected person.	(3) Where a candidate has been elected by acclamation, the Chief Electoral Officer shall send a copy of the election report to the elected person.	No change.
37. (1) Where a candidate dies after the close of nominations and before the close of the polling stations on election day, the Chief Electoral Officer shall (a) cancel the election for that office; (b) fix a new day for a by-election for that office; and (c) conduct the new by-election in the usual manner.	<i>deleted</i>	Where a candidate dies the situation will be treated in the same manner as if the candidate had withdrawn. There is no need to cancel the election.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(2) Where an election is cancelled under this section, any ballots cast for the candidates for that office are void and shall be destroyed.	<i>deleted</i>	As above
<p style="text-align: center;"><b>PART III HOLDING AN ELECTION Election Day</b></p> <p>Election day 28. (1) Election day shall be the day fixed by resolution of the Métis Nation Legislative Assembly.</p>	<p style="text-align: center;"><b>PART III HOLDING AN ELECTION Preliminaries</b></p> <p>Election day 18.1 Election day is the fourth Saturday in May in 2025 and every four years thereafter.</p>	<p>The Constitution requires a general election to be held “within four years” of the previous election but doesn’t specify an election date. In advance of the 2021 election, the <i>Election Act</i> was amended to fix election day as the day specified by resolution of the MNLA. It would be preferable for planning purposes for the date of the election to be known well in advance so that necessary arrangements can be made. It is proposed that the Act provide for an election every four years on a specified date.</p>
<p>General election in 2007 (2) repealed July 29, 2016</p>	<i>deleted</i>	Previously repealed.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Vacancy in Provincial Métis Council 29. (1) Where the office of an Executive Member or Regional Representative becomes vacant for any reason after the general election in 2007, the Chief Electoral Officer, on being informed of the vacancy, shall issue a declaration of election for the by-election of a candidate to fill the vacancy, requiring that the election be held as soon as reasonably practicable and not later than six months after the office becomes vacant.</p>	<p><b>Vacancy on Provincial Métis Council</b> 18.2 (1) Where the office of a member of the Provincial Métis Council or of a Regional Council to which this Act applies becomes vacant for any reason, the Chief Electoral Officer, on being informed of the vacancy, shall issue a notice of election for the by-election of a candidate to fill the vacancy, setting a date for the by-election to be held as soon as reasonably practicable and not later than six months after the office becomes vacant.</p>	<p>Vacancies will be filled by by-elections and the Chief Electoral Officer will have authority to adapt the voting procedures described in this Part and to use an electronic voting system if appropriate</p>
<p>Exception (2) No declaration of election shall be issued for a by-election, if the vacancy in the Provincial Métis Council occurs within six months before the day of the next general election.</p>	<p>(2) No notice of election shall be issued for a by-election under subsection (1) if the vacancy occurs within six months before the day of the next election to be held in accordance with section 18.1.</p>	<p>By-elections will not be held if the next election is not more than six months away.</p>
<p>None</p>	<p>(3) The Chief Electoral Officer may conduct a by-election in accordance with this Act or may adapt or replace the provisions of this Act in whole or in part with an electronic voting procedure that is accessible to all</p>	<p>This provision will provide flexibility to the Chief Electoral Officer to conduct a by-election electronically in order to control costs.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	voters and provides voting security at least equivalent to the provisions of this Act.	
<p>Public notice 30. (1) A Regional Returning Officer shall, in accordance with the directions of the Chief Electoral Officer, give public notice concerning details of the election.</p> <p>Contents of notice (2) The public notice must include the following: (a) the full name and contact information of each candidate for each office, as stated in the candidate’s nomination papers, in the order in which those names are to be placed on the ballot; (b) the name of the Region; (c) the location and hours of each voting opportunity in the Region.</p>	<p><b>Notice of election</b> 19(1) Each Regional Returning Officer shall, in accordance with the directions of the Chief Electoral Officer, give public notice concerning details of the election, including the following information: (a) the full name of and appropriate contact information for each candidate for each office, as stated in the candidate's nomination papers, in the order in which those names are to be placed on the ballot; (b) the name of the Region; and (c) the location and hours of each voting opportunity in the Region.</p>	<p>Some candidates, usually female, will request that their address or phone number not be published. Adding the word “appropriate” in clause (a) is intended to provide the Chief Electoral Officer with discretion about what information is to be provided.</p>





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>OFFICE OF THE CHIEF ELECTORAL OFFICER Establishment of office 31. (1) The Chief Elections [sic] Officer shall (a) establish an office that is easily accessible to most of the voters; and (b) keep the office open to the public and be available there during the election period.</p>	<p><b>Establishment of office of Chief Electoral Officer</b> 19.1 (1) The Chief Electoral Officer shall establish an office for the election period that is easily accessible to most of the voters and open to the public.</p>	<p>No substantive change.</p>
<p>(2) The Chief Electoral Officer may establish additional offices.</p>	<p>(2) The Chief Electoral Officer may establish additional offices.</p>	<p>No change</p>
<p>Establishment of Polling Stations Polling stations for election day 32. (1) The Regional Returning Officer shall, in accordance with the directions of the Chief Electoral Officer, establish at least one polling station for each Region, at such place or places as best suit the convenience of voters for voting on election day and at the advance vote.</p>	<p><b>Establishment of polling stations</b> 20(1) Each Regional Returning Officer shall, in accordance with the directions of the Chief Electoral Officer, establish: (a) at least one polling station for each Region, at such place or places as best suit the convenience of voters for voting on election day and at the advance vote; (b) at least one polling station for the advance vote; and (c) a mobile polling station on the day of the advance vote for voters who are not able to attend a polling station.</p>	<p>No substantive change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Basis of polling stations            32(2) The Regional Returning Officer shall organize the voters for the purpose of each polling station and shall            (a) consider whether the groupings of voters previously established for the Region need to be changed;            (b) ensure that no polling station serves more than 550 voters, unless necessary; and            (c) take into account any geographic or other factors that might affect the convenience of voters.</p>	<p><i>deleted</i></p>	<p>The RRO is required to establish polling stations in accordance with the directions of the Chief Electoral Officer (above) so this additional detail is not necessary.</p>
<p>Central polling place            32(3) If it is more convenient for the voters, a Regional Returning Officer may establish a central polling place consisting of two or more polling stations, instead of having several polling stations separately located in a single community.</p>	<p>(2) If it is more convenient for the voters, a Regional Returning Officer may establish a central polling place consisting of two or more polling stations, instead of having several polling stations separately located in a single community.</p>	<p>No change.</p>
<p>Mobile polling stations            32(4) A Regional Returning Officer shall, when required under this Act and in</p>	<p><i>moved</i></p>	<p>Included in subsection (1) above.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>accordance with the directions of the Chief Electoral Officer, establish a mobile polling station on the day of the advance vote for voters who are not able to attend a polling station.</p>		
<p>Public notice 32(5) The Chief Electoral Officer shall, as early as possible in the election period, give public notice of the location and identification of each polling station.</p> <p>35 The Chief Electoral Officer shall, no later than the 25th day before election day, give public notice of the name and address of each Regional Returning Officer and assistant regional returning officer in each Region.</p>	<p>(3) The Chief Electoral Officer shall, as early as possible in the election period and no later than the 25th day before election day, give the public and candidates notice of the names and address of each Regional Returning Officer and assistant regional returning officer and the location and identification of each polling station.</p>	<p>No substantive change.</p>
	<p><i>deleted</i></p>	<p>This requirement would be included in the directions provided to the RRO by the Chief Electoral Officer as described in subsection (1) above.</p>
<p>Furnishing a polling station 33. (1) Every polling station shall be furnished with</p>		



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) a table with a hard smooth surface;            (b) at least one voting compartment arranged so as to preserve the secrecy of the vote; and            (c) a ballot box supplied by the Chief Electoral Officer and a sharpened pencil.</p>	<p>(4) The Chief Electoral Officer shall ensure that each polling station is furnished with the required material.</p>	<p>The Chief Electoral Officer will determine what materials are necessary to be provided to each polling station.</p>
<p>Registration station            33(2) A Regional Returning Officer shall, in each polling station, provide a place where voters may register.</p>	<p><i>deleted</i></p>	<p>Voter registration is no longer necessary.</p>
<p>Election officers at a polling station            34. (1) The election officers at each polling station comprise            (a) a deputy returning officer;            (b) a poll clerk; and            (c) any registration clerk assisting in the registration of voters at the polling station.</p> <p>Election officers at a central polling place            34(2) The election officers at a central polling place may also include a supervisory deputy returning officer and, if required, an officer to regulate the entry of people.</p>	<p>(5) The election officers at each polling station comprise a deputy returning officer and a poll clerk and, in a central polling place, may include a supervisory deputy returning officer and an officer to regulate the entry of people.</p>	<p>No substantive change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Ballots and Ballot Boxes Form of ballot 38. (1) The ballot for election of a candidate must be in Form 4 of the Schedule.</p> <p>Types of ballots at a general election (2) At a general election, there must be a ballot for the candidates for each of the following offices: (a) President; (b) Vice-President; (c) Secretary; (d) Treasurer; and (e) each Regional Representative.</p>	<p><b>Ballots and election materials</b> 21(1) The ballots used at an election for the candidates for each office must be in the approved form.</p>	<p>The form of the ballot for each office as required will be determined by the Chief Electoral Officer.</p>
<p>Numbering (3) Each ballot shall be numbered consecutively, with each ballot number appearing on the ballot stub and the counterfoil.</p>	<p>(2) Each ballot must be numbered consecutively, with each ballot number appearing on the ballot stub and the counterfoil.</p>	<p>No substantive change.</p>
<p>Books of ballot papers (4) The ballot papers shall be bound in books containing 25 ballots.</p>	<p><i>deleted</i></p>	<p>This level of detail is not necessary in the Act.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Contents            (5) Each ballot shall            (a) clearly identify the office being elected;            (b) clearly identify each candidate; and            (c) list, in alphabetical order, the name of each candidate as he or she wishes it to appear on the ballot in accordance with the candidate's nomination papers.</p>	<p>(3) Each ballot must:            (a) clearly identify the office being elected;            (b) clearly identify each candidate;            (c) list, in alphabetical order, the name of each candidate in accordance with the candidate's nomination papers and as approved by the Chief Electoral Officer; and            (d) state the year of the election and the name of its printer on its reverse side.</p>	<p>Candidates' names must be legal names or common nicknames as approved by the Chief Electoral Officer in accordance with a candidate's request in their nomination papers.</p>
<p>Identical names            (6) Where two or more candidates have the same surname and first name, the Chief Electoral Officer shall use their other names to distinguish them.</p>	<p>(4) Where two or more candidates have the same surname and first name, the Chief Electoral Officer shall use their other names to distinguish them.</p>	<p>No change.</p>
<p>Name of printer            (7) Each ballot shall state the year of the election and the name of its printer on its reverse side.</p>	<p><i>deleted</i></p>	<p>Included in (3)(c) above.</p>
<p>Declaration of printer            (8) The printer of the ballots shall deliver to the Chief Electoral Officer a declaration, in the approved form, setting out</p>	<p>(5) The printer of the ballots shall deliver to the Chief Electoral Officer a declaration, in the approved form, setting out:</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) the description of the ballot papers printed by the printer;            (b) the number of ballot papers supplied to the Chief Electoral Officer; and            (c) a confirmation that any excess ballots have been destroyed and that no ballots have been supplied to any other person.</p>	<p>(a) the description of the ballot papers printed by the printer;            (b) the number of ballot papers supplied to the Chief Electoral Officer; and            (c) a confirmation that any excess ballots have been destroyed and that no ballots have been supplied to any other person.</p>	
<p>Ballots            (9) The Chief Electoral Officer shall cause the ballots for each office to be printed in the proper form and in the required number, plus an extra 10 percent for contingencies.</p>	<p>(6) The Chief Electoral Officer shall cause the ballots for each office to be printed in the proper form and in the required number, plus an extra 10 percent for contingencies.</p>	<p>No change.</p>
<p>Ballots boxes            39. (1) The Chief Electoral Officer shall            (a) approve the specifications for the construction of ballot boxes;            (b) supply the required ballot boxes for each Region; and            (c) supply the required voting compartments for each polling station.</p>	<p>(7) The Chief Electoral Officer shall:            (a) approve the specifications for the construction of ballot boxes;            (b) supply the required ballot boxes for each Region; and            (c) supply the required voting compartments for each polling station.</p>	<p>No change.</p>
<p>Voting compartments</p>	<p>(8) All voting compartments must be placed to ensure that each voter may be screened</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(2) All voting compartments must be placed to ensure that each voter may be screened from observation and mark his or her ballot paper without interference or interruption.	from observation and mark their ballot paper without interference or interruption.	
Property of the Métis Nation (3) The Métis Nation - Saskatchewan is the owner of the ballots and all other election materials provided for use at an election, subject to any materials on loan from another elections office.	(9) The Métis Nation – Saskatchewan is the owner of the ballots and all other election materials provided for use at an election, other than any materials on loan from another elections office.	No substantive change.
Documentation 40. (1) The Chief Electoral Officer shall, as soon as possible after the close of nominations, send to each Regional Returning Officer (a) copies of this Act and instructions for the proper conduct of the election for use by the Regional Returning Officer and the election officers at the polling stations and at central polling places; and (b) the supplies and accessories necessary for taking the vote, other than the ballots.	<b>Materials provided to returning officers</b> 22(1) The Chief Electoral Officer shall, as soon as possible after the close of nominations, send to each Regional Returning Officer: (a) copies of this Act and instructions for the proper conduct of the election for use by the Regional Returning Officer and the election officers at the polling stations and at central polling places; and (b) the supplies and accessories necessary for taking the vote, other than the ballots.	No change.





**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Material for deputy returning officer            (2) The Regional Returning Officer shall supply to each deputy returning officer in the Region the election materials, no later than the 3rd day before the day of the advance vote and the 3rd day before election day.</p> <p>36. The Regional Returning Officer shall, no later than the 3rd day before election day and, where appropriate, the 3rd day before the day of the advance vote, supply to each deputy returning officer in the Region the following materials:</p> <ul style="list-style-type: none"> <li>(a) a sufficient number of ballots;</li> <li>(b) a statement of the quantity and serial numbers of the ballots supplied;</li> <li>(c) a sufficient number of copies of the directions to voters on how the vote shall take place, prepared by the Chief Electoral Officer;</li> <li>(d) a copy of the directive of the Chief Electoral Officer relating to registration of voters and establishing the identity of voters;</li> <li>(e) the supplies and accessories necessary for voters to mark their ballot;</li> </ul>	<p>(2) The Regional Returning Officer shall supply the required election materials to each deputy returning officer in the Region in accordance with the directions of the Chief Electoral Officer.</p>	<p>The specific election materials required to be provided and the manner and timing of providing them will be described in the directions from the Chief Electoral Officer.</p>



**Metis Nation – Saskatchewan Election Act**  
DRAFT

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(f) a sufficient number of templates supplied by the Chief Electoral Officer to assist voters who are visually disabled to vote without assistance;</p> <p>(g) a sufficient number of copies of a list of voters who have already registered for use at each polling station;</p> <p>(h) the oath and affirmation forms approved by the Chief Electoral Officer;</p> <p>(i) the documentation required for the registration of voters on election day;</p> <p>(j) a ballot box for each polling station;</p> <p>(k) a polling record for each polling station; and the materials necessary for the vote and for counting the votes, including the various envelopes in which to place the ballots.</p>		
<p><b>Safekeeping</b> 40(3) The deputy returning officer shall keep the election materials, including the ballots and polling record, in the sealed ballot box and shall take all reasonable precautions to prevent unauthorized access to them.</p>	<p><b>Safekeeping</b> 23 The deputy returning officer shall keep the election materials, including the ballots and polling record, in the sealed ballot box and shall take all reasonable precautions to prevent unauthorized access to them.</p>	<p>No change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Voting Opportunities Methods of voting 41. A voter may, where allowed under this Act, vote using one of the following methods: (a) voting in person at the office of the Regional Returning Officer; (b) voting in person at a polling station on election day; (c) voting in person at a polling station at an advance vote; or (d) voting in person at a mobile poll.</p>	<p><b>Methods of voting</b> 24 A voter may, where allowed under this Act, vote using one of the following methods: (a) voting in person at the office of the Regional Returning Officer; (b) voting in person at a polling station on election day; (c) voting in person at a polling station at an advance vote; or (d) voting in person at a mobile poll.</p>	<p>No substantive change.</p>
<p>Secrecy of the vote 42. (1) Every person present at a polling station or present for the counting of the vote shall preserve the secrecy of the vote and in particular shall not (a) interfere or attempt to interfere with a voter who is marking a ballot; (b) attempt, during voting, to discover how a voter voted; (c) communicate information on how a ballot was marked;</p>	<p><b>Secrecy of the vote</b> 25(1) Every person present at a polling station or present for the counting of the vote shall preserve the secrecy of the vote and, in particular, no person shall: (a) interfere or attempt to interfere with a voter who is marking a ballot; (b) attempt, during voting, to discover how a voter voted; (c) communicate information on how a ballot was marked;</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(d) cause, directly or indirectly, a voter to show the ballot once marked in a way that reveals for whom the voter voted; or            (e) attempt, during the counting of the vote, to obtain or communicate information on how a voter voted.</p>	<p>(d) cause, directly or indirectly, a voter to show the ballot once marked in a way that reveals for whom the voter voted; or            (e) attempt, during the counting of the vote, to obtain or communicate information on how a voter voted.</p>	
<p>Prohibitions            (2) No voter shall            (a) openly declare at the polling station the name of the candidate for whom the voter intends to vote, except if the voter requires assistance to vote in accordance with this Act;            (b) openly declare how the voter voted; or            (c) show the ballot, when marked, to reveal for whom the voter has voted.</p>	<p>(2) No voter shall:            (a) openly declare at the polling station the name of the candidate for whom the voter intends to vote, except if the voter requires assistance to vote in accordance with this Act;            (b) openly declare how the voter voted; or            (c) show the ballot, when marked, to reveal for whom the voter has voted.</p>	<p>No change.</p>
<p>Procedure where offence committed            (3) A deputy returning officer shall inform any voter who contravenes subsection (2) that the voter is guilty of an offence, but shall allow the voter to vote in the usual way.</p>	<p>(3) A deputy returning officer shall inform any voter who contravenes subsection (2) that the voter is guilty of an offence but shall allow the voter to vote in the usual way.</p>	<p>No change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
None	(4) Subsection (3) does not limit any enforcement provisions of this Act.	Clarifies that a person who has committed an offence may still be prosecuted.
Identification of a voter (5) No person shall mark a ballot in a way that may identify the voter.	(5) No person shall mark a ballot in a way that may identify the voter.	No change.
Protection of secrecy (6) No person may be forced to reveal the candidate for whom the person has voted.	(6) No person may be forced to reveal the candidate for whom the person has voted.	No change.
<p>Voting in the Office of the Regional Returning Officer</p> <p>Voting in office of Regional Returning Officer</p> <p>43. (1) A voter may vote in the office of the Regional Returning Officer in accordance with this section.</p> <p>Application of other provisions</p> <p>(2) Subject to this section, the provisions of this Act respecting polls and voting on election day apply to voting in the office of a Regional Returning Officer with such modifications as the circumstances require or as the Chief Electoral Officer may direct.</p> <p>Registration in the office</p>	<p><b>Voting in office of Regional Returning Officer</b></p> <p>25.1(1) A voter may vote in the office of the Regional Returning Officer and the provisions of this Act respecting polls and voting on election day apply with any modifications that the circumstances require or as the Chief Electoral Officer may direct.</p>	<p>No substantive change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(3) A voter may vote in the office of the Regional Returning Officer, even if the voter has not yet registered, by registering as a voter in the same manner as on election day.	<i>deleted</i>	Voter registration is no longer required.
Time for voting in office of returning officer (4) A person may vote at the office of the Regional Returning Officer only during the hours of 10:00 am and 6:00 pm, commencing the 15th day before election day, and ending the 8th day before election day, but not including a Sunday.	(2) A person may vote at the office of the Regional Returning Officer only during the hours of 10:00 am and 6:00 pm, commencing the 15th day before election day, and ending the 8th day before election day, but not including a Sunday.	No change.
Recording votes (5) The Regional Returning Officer shall, in accordance with the instructions of the Chief Electoral Officer, (a) keep a record of voters who have voted in the office of the Regional Returning Officer and notify the deputy returning officers of the voters who have so voted; (b) seal the ballots and all the election materials inside the ballot box in the approved manner;	(3) The Regional Returning Officer shall, in accordance with the directions of the Chief Electoral Officer: (a) keep a record of voters who have voted in the office of the Regional Returning Officer and notify the deputy returning officers of the voters who have so voted; (b) seal the ballots and all the election materials inside the ballot box in the approved manner;	No substantive change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(c) secure the ballot box and ballot papers during the period in which persons may vote at the office of the Regional Returning Officer until the time for the counting of votes on election day;</p> <p>(d) count the votes in the office of the Regional Returning Officer at the close of the polls on election day; and</p> <p>(e) secure the ballot papers and other material associated with the voting after the counting of the votes.</p>	<p>(c) secure the ballot box and ballot papers during the period in which persons may vote at the office of the Regional Returning Officer until the time for the counting of votes on election day;</p> <p>(d) count the votes in the office of the Regional Returning Officer at the close of the polls on election day; and</p> <p>(e) secure the ballot papers and other material associated with the voting after the counting of the votes.</p>	
<p>Schedule and Proceedings at the Advance Vote</p> <p>Holding an advance vote</p> <p>44. (1) An advance vote must be held in each Region on the 7<sup>th</sup> day before election day, at such polling stations as the Chief Electoral Officer considers necessary.</p> <p>Schedule</p> <p>(2) The polling station for an advance vote must be open from 12:00 noon to 7:00 p.m.</p>	<p><b>Advance Vote</b></p> <p><b>Advance vote required</b></p> <p>26(1) An advance vote must be held in each Region on the 7<sup>th</sup> day before election day from noon to 7:00 pm at the polling stations designated by the Chief Electoral Officer.</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Voting by election officers 45. All election officers shall endeavour to vote before election day.</p>	<p><i>deleted</i></p>	<p>This does not need to be stated in the Act.</p>
<p>Voting procedure 46. (1) The voting procedures applicable to voting at a polling station on election day apply to the procedure at an advance vote, with such modifications as the circumstances require.</p>	<p><b>Voting procedure</b> 27 The voting procedures applicable to voting at a polling station on election day apply to the procedure at an advance vote, with any modifications that the circumstances require.</p>	<p>No change.</p>
<p>Polling record (2) The poll clerk at the advance vote shall, under the direction of the deputy returning officer, keep a polling record in duplicate of the advance vote in the form established by the Chief Electoral Officer, that includes (a) the names and addresses of the voters who voted at the advance vote in the order in which they voted; and (b) such information, beside the name of each voter, as would be required for an ordinary polling station.</p>	<p><b>Polling record</b> 28 The poll clerk at the advance vote shall, under the direction of the deputy returning officer, keep a polling record of the advance vote in the approved form, that includes: (a) the names and addresses of the voters who voted at the advance vote in the order in which they voted; and (b) any information, beside the name of each voter, that would be required for an ordinary polling station.</p>	<p>No change.</p>





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Procedure at close of advance vote</p> <p>47. (1) After the close of the advance poll, the deputy returning officer shall</p> <p>(a) count the number of voters who voted at the polling station and record the total on the polling record;</p> <p>(b) place the spoiled ballots in the envelope provided for this purpose, note on the outside of the envelope the number of spoiled ballots it contains and seal the envelope;</p> <p>I count the number of unused ballots that are not detached from the books of ballots, and record the total on the polling record;</p> <p>(d) place the unused ballots and the stubs of all used ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of unused ballots it contains and seal the envelope;</p> <p>I count the number of used ballots from the ballot book and record the total on the polling record;</p> <p>(f) check the number of ballots supplied by the returning officer against the number of</p>	<p><b>Procedure at close of poll</b></p> <p>29(1) After the close of the poll at the advance vote, the deputy returning officer shall:</p> <p>(a) count the number of voters who voted at the polling station and record the total on the polling record;</p> <p>(b) place the spoiled ballots in the envelope provided for this purpose, note on the outside of the envelope the number of spoiled ballots it contains, and seal the envelope;</p> <p>(c) count the number of unused ballots that are not detached from the books of ballots, and record the total on the polling record;</p> <p>(d) place the unused ballots and the stubs of all used ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of unused ballots it contains and seal the envelope;</p> <p>(e) count the number of used ballots from the ballot book and record the total on the polling record;</p>	<p>No substantive change except the deletion of (g) which is no longer necessary because of the change to eliminate the keeping of duplicate copies of the polling record in the advance vote as recommended by the Chief Electoral Officer.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>spoiled ballots, unused ballots and ballots deposited in the ballot box;            (g) send a copy of the polling record to the Regional Returning Officer;            (h) put the used ballots and the originals of the polling record and statement of the poll in the special envelope provided for this purpose, note on the outside of the envelope the number of used ballots it contains and seal the envelope; and            (i) put all the materials in the ballot box and seal it.</p>	<p>(f) check the number of ballots supplied by the returning officer against the number of spoiled ballots, unused ballots, and ballots deposited in the ballot box;            (g) put the used ballots and the polling record and statement of the poll in the special envelope provided for this purpose, note on the outside of the envelope the number of used ballots it contains, and seal the envelope; and            (h) put all the materials in the ballot box and seal it.</p>	
<p>Seals            (2) The deputy returning officer must use the seals and envelopes provided by the Chief Electoral Officer.</p>	<p><i>deleted</i></p>	<p>This requirement can be included in the Chief Electoral Officer directives.</p>
<p>Custody of the ballot box            (3) In the interval between the close of the advance vote at the advance polling station and the counting of the votes on election day, the deputy returning officer shall ensure that the sealed ballot box is kept safely, in</p>	<p>(3) At the close of the poll at the advance vote the deputy returning officer shall send the sealed ballot box and polling record to the Regional Returning Officer, in accordance with the directions of the Chief Electoral Officer.</p>	<p>As recommended by the Chief Electoral Officer.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
accordance with the directions of the Chief Elections Officer.		
Transmission of register (4) A deputy returning officer shall send a copy of the advance polling record to the Regional Returning Officer’s office as soon as possible after the close of the advance vote.	<i>deleted</i>	Copies of the polling record are no longer required to be kept.
<p style="text-align: center;"><b>Mobile Poll</b></p> <p>Request for mobile poll 48. (1) A Regional Returning Officer shall give public notice that voters may call the Regional Returning Officer to request a visit by a mobile poll, if the voter is shut in and unable to vote either at the office of the Regional Returning Officer or the polling station.</p>	<p style="text-align: center;"><b>Mobile Poll</b></p> <p><b>Request</b> 30(1) A Regional Returning Officer shall give public notice that voters may call the Regional Returning Officer to request a visit by a mobile poll, if the voter is unable to vote at the office of the Regional Returning Officer or at a polling station.</p>	No substantive change.
<p>Deadline (2) A request for a mobile poll must be made before 5:00 pm on the 12th day before election day.</p>	(2) A request for a mobile poll must be made before 5:00 p.m. on the 12th day before election day.	No change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Having a mobile poll 48(3) A mobile poll must be conducted in a Region on the day of the advance vote, if the Chief Electoral Officer considers that there is sufficient need for it.</p>	<p><b>Establishment</b> 31 A mobile poll may be established in a Region on the day of the advance vote, if the Chief Electoral Officer considers that there is sufficient need.</p>	<p>No substantive change.</p>
<p>Itinerary (4) Subject to subsection (4), the Regional Returning Officer shall determine (a) the appropriate schedule for any mobile poll; and (b) the places where and the hours during which the mobile poll will be available to voters.</p>	<p><b>Itinerary</b> 32(1) Subject to subsection (2), the Regional Returning Officer shall determine: (a) the appropriate schedule for any mobile poll; and (b) the places where and the hours during which the mobile poll will be available to voters.</p>	<p>No substantive change.</p>
<p>Penal or correctional institutions (5) The Chief Electoral Officer shall determine (a) the appropriate schedule for any mobile poll for registered voters who are confined in a penal or correctional institution; and (b) the places where and the hours during which the mobile poll will be available to those voters.</p>	<p>(2) The Chief Electoral Officer shall determine: (a) the appropriate schedule for any mobile poll for voters who are confined in a penal or correctional institution; and (b) the places where and the hours during which the mobile poll will be available to those voters.</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Application of Act 49. (1) Unless the Chief Electoral Officer instructs otherwise, the provisions of this Act respecting the conduct of voting at a polling station apply to a mobile poll with such modifications as the circumstances require.</p>	<p><b>Voting procedures</b> 33 Unless the Chief Electoral Officer instructs otherwise, the provisions of this Act respecting the conduct of voting at a polling station apply to a mobile poll with any modifications that the circumstances require.</p>	<p>No change.</p>
<p>Close of poll (2) At the close of the mobile poll, the deputy returning officer of the mobile poll shall send the sealed ballot box and the polling record to the Regional Returning Officer.</p>	<p><b>Procedure at close of poll</b> 34 At the close of the mobile poll, the deputy returning officer of the mobile poll shall send the sealed ballot box and the polling record to the Office of the Chief Electoral Officer.</p>	<p>Ballots from mobile polls are counted in the office of the Chief Electoral Officer.</p>
<p>Recording Early Voters First list of names of early voters 50. (1) The Regional Returning Officer shall, on the 8th day before election day, compile a list of the names of all voters who have already voted and distribute that list to all deputy returning officers in the Region for use at the advance vote and mobile poll.</p>	<p><b>Recording Early Voters</b> <b>After each advance or mobile poll</b> 35 Immediately upon completion of an advance poll or mobile poll, the Regional Returning Officer shall compile a list of the names of all voters who voted and distribute that list to the Chief Electoral Officer and all deputy returning officers in the Region for use at any further polls.</p>	<p>No one will have voted prior to the advance vote and mobile polls (which are held on the same day as the advance vote) so it doesn't make sense to compile a list prior to the advance vote and mobile polls. The list must be compiled of those who voted at the advance poll and mobile polls so that the list</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
		of those who have already voted is available for use on election day.
<p>Second list of names of early voters            (2) The Regional Returning Officer shall, on the 7th day before election day, update the list referred to in subsection (1) with the names of all voters who have voted at the advance poll and mobile poll and distribute that list to            (a) the Chief Electoral Officer;            (b) all deputy returning officers in the Region; and            (c) all candidates for the office of an Executive Member and all candidates for the office Regional Representative for that Region.</p>	<p><b>Lists provided to candidates</b>            36 The Chief Electoral Officer shall distribute the lists received from each Region in accordance with section 35 to the candidates for the office of Regional Representative and for the offices of women’s and youth representative in each Region and shall distribute a combined list from all Regions to all candidates for office who are to be elected in a province-wide vote.</p>	<p>As described above, there is no list to “update”; the list to be prepared is the list described above. The Chief Electoral Officer will distribute this list to candidates.</p>
<p>Maintaining Peace and Order at Polling Station            Maintaining peace and order            65. (1) The Regional Returning Officer, during an election, and the deputy returning officer,</p>	<p><b>Operation of Polling Stations</b>  <b>Maintaining peace and order</b>            37(1) The Regional Returning Officer, during an election, and the deputy returning officer, during the hours that the polls are open, shall</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
during the hours that the polls are open, shall take reasonable measures to maintain peace and order.	take reasonable measures to maintain peace and order.	
Assistance (2) A deputy returning officer may request the assistance of peace officers or other persons to maintain peace and order at a polling station or central polling place.	(2) A deputy returning officer may request the assistance of peace officers or other persons to maintain peace and order at a polling station or central polling place.	No change.
Peace officers (3) The Chief Electoral Officer may arrange in advance for peace officers to be ready to maintain peace and order throughout election day.	(3) The Chief Electoral Officer may arrange in advance for peace officers to be ready to maintain peace and order throughout election day.	No change.
<p style="text-align: center;">Role of the Candidates and their Representatives at a Polling Station</p> <p>Presence of candidates</p> <p>51. (1) A candidate or his or her authorized representative may be present at all operations relating to the poll, and may remain for the counting of the ballots.</p>	<p><b>Presence of candidates or representatives</b></p> <p>38(1) A candidate or the candidate’s representative may be present at all operations relating to the poll and may remain for the counting of the ballots.</p>	No change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Proof of authorization            (2) Each candidate's representative shall, on first arrival at the polling station,            (a) give the deputy returning officer a copy of the authorization signed by the candidate;            and            (b) take an oath or affirmation, in the approved form, to keep secret the name of the candidate for whom any ballot may be marked at the polling station.</p>	<p>(2) Each candidate's representative shall, on first arrival at the polling station:            (a) give the deputy returning officer a copy of the approved authorization signed by the candidate; and            (b) take an oath or affirmation, in the approved form, to keep secret the name of the candidate for whom any ballot may be marked at the polling station.</p>	<p>No change.</p>
<p>Single representative            (3) A candidate may have a different representative at a polling station at different times but may not have a representative with him or her or have more than one representative present at any given time.</p>	<p>(3) A candidate may have a different representative at a polling station at different times but may not attend with a representative or have more than one representative present at any given time.</p>	<p>No substantive change.</p>
<p>Presence of candidates            53(2) If a candidate, or an authorized representative of the candidate, is present at the polling station at least 15 minutes before the hour fixed for opening the poll, they are entitled, without causing any delay in the opening of the poll,</p>	<p>(4) A candidate, or an authorized representative of a candidate, who is present at the polling station at least 15 minutes before the hour fixed for opening the poll, is entitled, without causing any delay in the opening of the poll:</p>	<p>No substantive change.</p>





**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) to have the ballot papers for the polling station counted in their presence before the opening of the poll; and            (b) to inspect the ballot papers and all other papers, forms and documents relating to the poll.</p>	<p>(a) to have the ballot papers for the polling station counted in their presence before the opening of the poll; and            (b) to inspect the ballot papers and all other papers, forms and documents relating to the poll.</p>	
<p>Identifying sign            42(4) No person shall use, wear or display or cause to be used, worn or displayed any flag, ribbon, label, badge or similar object in a polling station as campaign material or political propaganda, except as authorized by the Chief Electoral Officer.</p>	<p><b>Political activities prohibited</b>            38.1 No person shall, in or within 50 meters of the entrance to a polling station:            (a) influence or attempt to influence how a person votes;            (b) distribute pamphlets, buttons or other items referring to a candidate;            (c) wear or display any item referring to a candidate; or            (d) post or display a sign or poster referring to a candidate.</p>	<p>A common provision in Canadian election laws recommended by the Chief Electoral Officer.</p>
<p>Hours of the polling station            52. (1) On election day, the polling stations shall be open from 9:00 am to 8:00 pm.</p>	<p><b>Hours of operation</b>            39(1) On election day, the polling stations shall be open from 9:00 am to 8:00 pm.</p>	<p>No change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Presence of voters at closing of poll 53. (1) If, at the time fixed for the closing of the polling station, there are still voters within the polling station or at its entrance, the polling station must remain open for the period of time required to enable these voters to cast their votes, but a person who was not present at the time fixed for the closing of the polling station may not vote.</p>	<p>(2) If, at the time fixed for the closing of the polling station, there are still voters within the polling station or at its entrance, the polling station must remain open for the period of time required to enable these voters to cast their votes, but a person who was not present at the time fixed for the closing of the polling station may not vote.</p>	<p>No change.</p>
<p><b>Extension of time</b> 52. (2) A Regional Returning Officer may, if instructed by the Chief Electoral Officer, extend the time of closing of that polling station if (a) the opening of a polling station has been delayed beyond the time provided for in subsection (1) or its operation has been halted during election day because of an accident, riot, weather conditions or another similar factor; and (b) a significant number of voters would not be able to vote without the extension.</p>	<p><b>Extension of hours</b> 40(1) A Regional Returning Officer may, if instructed by the Chief Electoral Officer, extend the time of closing of that polling station if: (a) the opening of the polling station was delayed beyond the time provided for in subsection 39(1) or its operation was halted during election day because of an accident, riot, weather conditions or another similar factor; and (b) a significant number of voters would not be able to vote without the extension.</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Maximum extension (3) An extension cannot result in the polling station being open for a total period exceeding 11 hours.</p>	<p>(2) An extension in accordance with subsection (2) cannot result in the polling station being open for a total period exceeding 12 hours.</p>	<p>The change in the opening hours of the polls that was made in the 2021 amendments requires an additional hour if an extension is given.</p>
<p>Public notice (4) The Regional Returning Officer shall, as soon as possible, notify the public of the extension in the approved manner.</p>	<p>(3) The Regional Returning Officer may, if reasonable to do so, notify the public of the extension in accordance with the directions of the Chief Electoral Officer.</p>	<p>No substantive change.</p>
<p>Delay counting (5) Where the time of closing of a polling station is extended, the procedure for counting the ballots at all other polling stations in the Region shall be similarly delayed.</p>	<p>(4) Where the time of closing of a polling station is extended, the procedure for counting the ballots at all other polling stations in the Region shall be similarly delayed.</p>	<p>No change.</p>
<p><b>Initialling ballots</b> 54. (1) The deputy returning officer shall, before opening the polling station, and in full view of all present, (a) carefully count the ballots for use at that poll;</p>	<p><b>Initialling ballots</b> 41(1) The deputy returning officer shall, before opening the polling station, and in full view of all present: (a) carefully count the ballots for use at that poll;</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(b) uniformly initial the back of the ballots in the space provided for this purpose; and (c) allow the candidates or their authorized representatives present to inspect the ballots and all other documents relating to the poll.	(b) uniformly initial the back of the ballots in the space provided for this purpose; and (c) pursuant to subsection 38(4), allow the candidates or their authorized representatives present to inspect the ballots and all other documents relating to the poll.	
Detaching ballots (2) The deputy returning officer shall not, while initialling the ballots, detach them from the books in which they are bound or stapled.	(2) The deputy returning officer shall not, while initialling the ballots, detach them from the books in which they are bound or stapled.	No change.
Time to initial ballots (3) The deputy returning officer may complete the initialling of the ballots after the polling station is open and must do so in any event before the ballots are given to the voters.	(3) The deputy returning officer may complete the initialling of the ballots after the polling station is open and must do so in any event before the ballots are given to the voters.	No change.
Inspection of ballot box 55. (1) The deputy returning officer shall, at the time fixed for opening the polling station	<b>Inspection of ballot box</b> 42(1) The deputy returning officer shall, at the time fixed for opening the polling station	No change.



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
and in full view of all present, open the ballot box and establish that it is empty.	and in full view of all present, open the ballot box and establish that it is empty.	
Closing the ballot box (2) The ballot box must then be closed and sealed in accordance with the directions of the Chief Electoral Officer and, in full view of all present, placed on a table, where it must remain until the closing of the poll.	(2) The ballot box must then be closed and sealed in accordance with the directions of the Chief Electoral Officer and, in full view of all present, placed on a table, where it must remain until the closing of the poll.	No change.
<p><b>Contents of polling record</b> 56. The Chief Electoral Officer shall prepare a polling record containing the following:</p> <ul style="list-style-type: none"> <li>(a) the name of the Region;</li> <li>(b) the name or identifying number of the polling station;</li> <li>(c) blank spaces at the end of the polling record to list voters who register at the poll;</li> <li>(d) a place for the number of the proof of registration opposite the name of the voter;</li> <li>(e) a consecutive number for each voter; and</li> <li>(f) a place for the poll clerk to record any occurrence or information required by the</li> </ul>	<p><b>Polling record</b> 43 The Chief Electoral Officer shall prepare a polling record for use in each Region to record the voters who voted, any related documentation relating to eligibility or identity, and any occurrence or information required by this Act or the directions of the Chief Electoral Officer to be recorded.</p>	The Chief Electoral Officer is required to prepare the polling record which is required to contain the information listed.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
Act or the directions of the Chief Electoral Officer.		
<p>Poll clerk duties</p> <p>57. The poll clerk shall record in the polling record the following information in accordance with the directions of the Chief Electoral Officer:</p> <p>(a) the name of each voter who was required to show proof of identity or to take an oath or affirmation and whether the voter took the oath or affirmation or not and whether the voter voted or not;</p> <p>(b) the number of the proof of registration and the name of each voter when the voter casts the ballot;</p> <p>(c) the name and postal or civic address of any person who objected to a voter;</p> <p>(d) any case where a replacement ballot was issued to a voter;</p> <p>(e) the name of each voter who received assistance from the deputy returning officer to vote and, opposite to the voter's name,</p>	<p><i>deleted</i></p>	<p>The Chief Electoral Officer is authorized to delegate this task (and others) to the poll clerk pursuant to section 94.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>the fact that the assistance was provided by the deputy returning officer;            (f) the name of each voter who received assistance from a relative or friend to vote and, opposite to the voter's name, the name of the person who provided the assistance and the relationship with the voter, if any;            (g) the name of any voter who voted outside the polling station; and            (h) any occurrence which the deputy returning officer directs the poll clerk to record pursuant to the directions of the Chief Electoral Officer.</p>		
<p><b>Opening the polling station</b>            58. (1) A deputy returning officer shall, immediately after the ballot box is sealed, call on voters to cast their ballots.</p>	<p><b>Opening the polling station</b>            44(1) A deputy returning officer shall, immediately after the ballot box is sealed, call on voters to cast their ballots.</p>	<p>No change.</p>
<p><b>Free access</b>            (2) A deputy returning officer shall admit the voters into the polling station and see that they are not disturbed.</p>	<p>(2) A deputy returning officer shall admit the voters into the polling station and see that they are not disturbed.</p>	<p>No change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>One voter at a time            (3) A deputy returning officer may, if it seems advisable, direct that only one voter for each voting compartment be allowed to enter the premises of the polling station at a time.</p>	<p>(3) A deputy returning officer may, if it seems advisable, direct that only one voter for each voting compartment be allowed to enter the premises of the polling station at a time.</p>	<p>No change.</p>
<p>Orderly circulation            (4) In a central polling place, the election officer responsible for regulating the entry of persons assumes the duties under this section and may take appropriate measures to ensure the orderly circulation of persons present in the central polling place.</p>	<p>(4) In a central polling place, the election officer responsible for regulating the entry of persons assumes the duties under this section and may take appropriate measures to ensure the orderly circulation of persons present in the central polling place.</p>	<p>No change.</p>
<p><b>Proof of registration</b>            59. (1) A person who wishes to receive a ballot and vote must, before voting, provide his or proof of registration as a voter.</p>	<p><b>Proof of entitlement to vote</b>            44.1 A person who wishes to receive a ballot and vote must provide approved documentation to prove that the person is entitled to vote in accordance with section 5.</p>	<p>Eligibility requirements to vote are contained in section 5. A person does not have to register to vote but must be a registered Métis citizen, 16 or older, and resident in Saskatchewan in order to be eligible to vote. In order to receive a ballot a person must show approved documentation to prove that they are eligible.</p>





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
		<p>The term “approved” is defined to mean “approved by the Chief Electoral Officer” so approved documentation would be documentation that the Chief Electoral Officer has identified as being acceptable.</p> <p>Directions to strike off the name of a voter from the voters list once the person has received a ballot can be provided in the directions from the Chief Electoral Officer.</p>
<p>Refusal (2) Subject to subsection (3), a person who refuses to provide proof of registration as a voter shall not be allowed to receive a ballot and vote.</p>	<p>(2) A person who refuses to provide proof pursuant to subsection (1) is not allowed to receive a ballot and vote.</p>	<p>Persons must prove they are eligible voters.</p>
<p>Lack of proof of registration (3) A voter who has registered to vote but who forgets to bring the proof of registration to the poll, may receive a ballot and vote if the voter (a) provides documentary evidence of the voter’s name, current address and signature for inspection by the election officer, which</p>	<p><i>deleted</i></p>	<p>Voter registration is no longer required.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>entitles him or her to vote in accordance with subsections 12(2) and (3); and (b) signs and swears, or affirms, a declaration, in the approved form, that the voter is entitled to vote and has previously registered.</p>		
<p><b>Delivery of ballot</b> 59(4) The deputy returning officer shall ensure that each voter entitled to receive a ballot and to vote at the polling station is handed a properly initialled ballot in such a way that the initials are visible after the ballot is marked and folded.</p>	<p><b>Ballot Procedures</b> <b>Delivery of ballot</b> 45 The deputy returning officer shall ensure that each voter entitled to receive a ballot and to vote at the polling station is handed a properly initialled ballot in such a way that the initials are visible after the ballot is marked and folded.</p>	<p>No change.</p>
<p><b>Ballot Procedures</b> <b>Instructions to voter</b> 60. (1) The deputy returning officer shall instruct the voter on how to properly mark and handle the ballot.</p>	<p><b>Instructions to voter</b> 46 The deputy returning officer shall instruct the voter on how to properly mark and handle the ballot.</p>	<p>No change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Proper marks 60.(2) The proper way to mark a ballot is to make an “X”, or another sign that clearly indicates which candidate the voter has chosen, in the circular space on the ballot adjacent to the candidate's name, using the pencil provided or any other pen or pencil.</p>	<p><b>Marking a ballot</b> 46.1(1) The proper way to mark a ballot is to make an "X", or another sign that clearly indicates which candidate the voter has chosen, in the circular space on the ballot adjacent to the candidate's name, using the marking device provided.</p>	<p>No substantive change.</p>
<p>Marking a ballot 61. (1) Each voter shall, after receiving a ballot, (a) proceed directly to the voting compartment; (b) mark the ballot in the proper way; (c) fold the ballot as instructed by the deputy returning officer so that the initials on the back of the folded ballot and the serial number on the back of the stub are visible without unfolding the ballot; and (d) return the ballot to the deputy returning officer.</p>	<p>(2) Each voter shall, after receiving a ballot: (a) proceed directly to the voting compartment; (b) mark the ballot in the proper way; (c) fold the ballot as instructed by the deputy returning officer so that the initials on the back of the folded ballot and the serial number on the back of the stub are visible without unfolding the ballot; and (d) return the ballot to the deputy returning officer.</p>	<p>No change.</p>
<p>Handling of marked ballot</p>	<p><b>Handling marked ballot</b></p>	<p>No substantive change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>61(2) The deputy returning officer shall, upon receiving the ballot from the voter,            (a) without unfolding the ballot, verify that it is the same one that was handed to the voter by examining the initials and serial number on the back of the ballot;            (b) remove and destroy the counterfoil in full view of the voter and all others present; and            (c) return the ballot to the voter who deposits it in the ballot box or, if the voter so requests, deposit the ballot in the ballot box for the voter.</p>	<p>47(1) The deputy returning officer shall, upon receiving the ballot from the voter:            (a) without unfolding the ballot, verify that it is the same one that was handed to the voter by examining the initials and serial number on the back of the ballot;            (b) remove and destroy the counterfoil in full view of the voter and all others present; and            (c) return the ballot to the voter to deposit it in the ballot box or, if the voter so requests, deposit the ballot in the ballot box for the voter.</p>	
<p>Recording voter            (3) The poll clerk shall record, in the polling record, the name of the voter who has voted.</p>	<p>(2) The poll clerk shall record, in the polling record, the name of the voter who has voted.</p>	<p>No change.</p>
<p>Deposit in ballot box            (4) The voter, or the deputy returning officer if the voter is unwilling or able to do so, shall deposit the marked ballot in the ballot box in the approved manner.</p>	<p><i>moved</i></p>	<p>This is already included in (2)(c) above.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Speed (5) The voter shall vote quickly and leave the polling station as soon as the voter's ballot is deposited in the ballot box.</p>	<p>(3) The voter shall leave the polling station in a reasonably expeditious manner after the voter's ballot is deposited in the ballot box.</p>	<p>No substantive change.</p>
<p>Spoiled ballot 62. (1) Any voter who, having received a ballot, inadvertently marks or damages it, shall return it to the deputy returning officer who shall cancel the ballot by defacing it, deposit the spoiled ballot in the envelope provided for this purpose and deliver another ballot to the voter.</p>	<p><b>Spoiled ballot</b> 48(1) Any voter who, having received a ballot, inadvertently marks or damages it, shall return it to the deputy returning officer who shall cancel the ballot by defacing it, deposit the spoiled ballot in the envelope provided for this purpose and deliver another ballot to the voter.</p>	<p>No change.</p>
<p>Misprinted ballots (2) The deputy returning officer shall treat any misprinted ballot as a spoiled ballot.</p>	<p>(2) The deputy returning officer shall treat any misprinted ballot as a spoiled ballot.</p>	<p>No change.</p>
<p>Special Assistance to Voters Assistance by deputy returning officer</p>	<p><b>Assistance to Voters</b> <b>By deputy returning officer</b></p>	<p>The poll clerk needs to stay with the unused ballots and ballot box to keep them secure.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
63. (1) If a voter requests assistance in marking the voter's ballot, the deputy returning officer shall, in the presence of the poll clerk, assist the voter by any means likely to enable the voter to vote.	49 If a voter requests assistance in marking the voter's ballot, the deputy returning officer shall assist the voter by any means likely to enable the voter to vote.	
Assistance by friend or relative 63(2) A friend or relative may accompany a voter requiring assistance into the voting compartment to assist the voter in voting.	<b>By third parties</b> 50(1) A friend or relative may accompany a voter requiring assistance into the voting compartment to assist the voter in voting.	No change.
Assisting only once (3) No person, other than an election officer, shall assist more than one voter in marking a ballot.	(2) No person, other than an election officer, shall assist more than one voter in marking a ballot.	No change.
Promise before assistance (4) Any friend or relative who wishes to assist a voter in marking a ballot shall first solemnly promise that they (a) shall mark the ballot as instructed by the voter; (b) shall keep the choice of the voter secret;	(3) Any friend or relative who wishes to assist a voter in marking a ballot shall first solemnly promise that they: (a) shall mark the ballot as instructed by the voter; (b) shall keep the choice of the voter secret; (c) shall not influence the voter in choosing a candidate; and	No substantive change.



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(c) shall not influence the voter in choosing a candidate; and            (d) have not assisted, during the current election, another person to vote.</p>	<p>(d) have not, during the current election, assisted another person to vote.</p>	
<p>Record of assistance            (5) The poll clerk shall, in addition to the other requirements of this Act, record the fact that the voter received assistance and enter the name of the friend or relative of the voter in the remarks column of the polling record opposite the entry for the voter.</p>	<p>(4) The poll clerk shall, in addition to the other requirements of this Act, record the fact that the voter received assistance and enter the name of the friend or relative of the voter in the remarks column of the polling record opposite the entry for the voter.</p>	<p>No change.</p>
<p><b>Disabled voter</b>            64. (1) Any voter with a physical disability who has difficulty entering the polling station may request the deputy returning officer to allow the voter to vote at the nearest possible place outside the polling station to which the voter has access.</p>	<p><b>Disabled voter</b>            51(1) Any voter with a physical disability who has difficulty entering the polling station may request the deputy returning officer to allow the voter to vote at the nearest possible place outside the polling station to which the voter has access.</p>	<p>No change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Taking vote outside polling station            (2) The deputy returning officer shall, for the purpose of subsection (1),            (a) temporarily halt all operations in the polling station;            (b) with the poll clerk, bring the ballot box and a ballot to the voter outside the polling station; and            (c) take whatever steps are necessary to ensure the secrecy of the vote.</p>	<p>(2) The deputy returning officer shall, for the purposes of subsection (1):            (a) temporarily halt all operations in the polling station;            (b) bring a ballot to the voter outside the polling station; and            (c) take whatever steps are necessary to ensure the security of voting materials and the secrecy of the vote.</p>	<p>The poll clerk must remain in the polling station with the ballot box and unused ballots to keep them secure.</p>
<p>Resumption of operations            (3) When the voter's ballot is deposited in the ballot box, the deputy returning officer shall bring the ballot box back into the polling station and resume operations in the polling station.</p>	<p>(3) The deputy returning officer shall bring the voter's marked ballot back into the polling station, deposit it in the ballot box and resume operations in the polling station.</p>	<p>The DRO must return to the polling station and deposit the marked ballot in the ballot box.</p>
<p style="text-align: center;"><b>Challenge at Poll</b></p> <p>Taking of information            66. (1) Where a person alleges that someone has committed or is attempting to commit the offence of impersonation or voting</p>	<p style="text-align: center;"><b>Challenge at Poll</b></p> <p><b>Procedure</b>            52(1) Where a person alleges that someone has committed or is attempting to commit the offence of impersonation or voting</p>	<p>No change.</p>





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
without the right to do so, the deputy returning officer shall take the information of the allegation from the person under oath or affirmation, in the approved form.	without the right to do so, the deputy returning officer shall take the information of the allegation from the person under oath or affirmation, in the approved form.	
<p>Power to detain</p> <p>(2) The deputy returning officer may ask a peace officer to detain or order the detention of any person against whom an allegation under subsection (1) is made and who has not yet left the polling station, until the deputy returning officer has finished taking the information under subsection (1).</p>	<i>deleted</i>	This is not a practical method for dealing with this issue.
<p>Eviction</p> <p>(3) The deputy returning officer, or a peace officer, may</p> <p>(a) evict from the polling station any person believed to have committed an offence under this Act; and</p> <p>(b) remove or have removed anything that in the opinion of the deputy returning officer has been used in the commission of the offence.</p>	<p>(2) The deputy returning officer, or a peace officer, may:</p> <p>(a) evict from the polling station any person believed to have committed an offence under this Act; and</p> <p>(b) remove or have removed anything that in the opinion of the deputy returning officer has been used in the commission of the offence.</p>	No change.



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Procedure at Close of Poll on Election Day Procedure 67. (1) After the close of the poll on election day, the deputy returning officer shall</p> <ul style="list-style-type: none"> <li>(a) count the number of voters who voted at the polling station on election day and on the day of the advance vote and record the total on the statement of the poll;</li> <li>(b) count the spoiled ballots, if any, and record the total on the statement of the poll;</li> <li>(c) place the spoiled ballots in the envelope provided for this purpose, note on the outside of the envelope the number of spoiled ballots it contains and seal the envelope;</li> <li>(d) count the number of unused ballots that are not detached from the books of ballots, and record the total on the statement of the poll;</li> <li>(e) place the unused ballots and the stubs of all used ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of</li> </ul>	<p><i>deleted</i></p>	<p>Not necessary in light of the detailed provision relating to counting ballots as set out in Part IV.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>unused ballots it contains and seal the envelope; (f) open the ballot box and empty its contents onto a table; (g) examine each ballot to determine whether it is valid and allow those present an opportunity to examine them; (h) count the number of votes given to each candidate and record the total for each candidate on the statement of the poll; (i) count the number of rejected ballots and record the total on the statement of the poll; (j) place the ballots cast for each candidate into the special envelope provided for this purpose, note on the outside of the envelope the number of ballots it contains and any objections and seal the envelope; (k) place the rejected ballots into the special envelope provided for this purpose, note on the outside of the envelope the number of rejected ballots it contains and seal the envelope; (l) check the number of voters against the number of ballots in the ballot box; and</p>		



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(m) check ballots supplied by the returning officer against the number of spoiled ballots, unused ballots and ballots deposited in the ballot box.</p> <p>Seals (2) The deputy returning officer must use the seals and envelopes provided by the Chief Electoral Officer.</p> <p>Counterfoil problem (3) Where, in the course of counting the votes, any ballot is found with the counterfoil still attached to the ballot, the deputy returning officer shall, while carefully concealing the number on the counterfoil from all persons present and without examining it, remove and destroy the counterfoil.</p>		



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p style="text-align: center;">PART IV ELECTION RESULTS Counting the Votes</p> <p>Time of counting 68. (1) On election day, immediately after the close of the polls in the Region, the counting of the votes shall take place in the office of the Regional Returning Officer and in every polling station.</p>	<p style="text-align: center;">PART IV ELECTION RESULTS</p> <p><b>Time of counting</b> 53 On election day, immediately after the close of the polls in the Region: (a) the deputy returning officer shall:     (i) unseal all ballot boxes at the polling station; and     (ii) count the votes at the polling station; (b) the Regional Returning Officer shall:     (i) unseal all ballot boxes from the voting in the office of the Regional Returning Officer, mobile polls and polls at the advance vote in the Region;     (ii) count the votes at the Regional Returning Office.</p>	<p>No substantive change.</p>
<p>Distribution of ballot boxes (2) The following sealed ballot boxes are to be opened and the ballots inside them merged and then counted at the office of the Regional Returning Officer:</p>	<p><i>moved</i></p>	<p>The content of this provision is included in clause (b) above.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) the ballot boxes from the voting in the office of the Regional Returning Officer;</p> <p>(b) the ballot boxes from the mobile poll conducted in a penal and correctional institutions; and</p> <p>(c) the ballot boxes from all other mobile polls.</p>		
<p>Other ballot boxes</p> <p>(3) The ballot boxes from the advance vote are to be opened and counted in the polling station at the close of the poll on election day.</p>	<p><i>moved</i></p>	<p>The content of this provision is included in clause (b) above.</p>
<p>Duties at office of the Regional Returning Officer</p> <p>(4) The duties of the deputy returning officer and poll clerk in respect of the counting of the votes at a polling station are to be performed by the Regional Returning Officer and the assistant regional returning officer respectively when counting the votes at the office of the Regional Returning Officer.</p>	<p><i>moved</i></p>	<p>The content of this provision is included in clause (b) above.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Who may be present 69. (1) Subject to subsection (2), no person other than the following may be present in the room where the votes are to be counted: (a) an election officer; (b) a candidate or an authorized representative of the candidate; (c) any peace officers at the polling station; and (d) legal counsel for the Chief Electoral Officer.</p>	<p><b>Who may be present</b> 54 No person other than the following may be present in the room where the votes are to be counted: (a) an election officer; (b) a candidate or an authorized representative of the candidate; (c) any peace officers at the polling station; (d) legal counsel for the Chief Electoral Officer; and (e) the Chief Electoral Officer and Deputy Chief Electoral Officer.</p>	<p>No change except for the addition of the Chief Electoral Officer and Deputy Chief Electoral Officer to the list.</p>
<p>Procedure for counting the votes 69(2) The deputy returning officer shall, in the presence of the poll clerk and the candidates or their authorized representatives or, if the candidates or their representatives are not present, in the presence of at least two voters, make the count in accordance with the directions of the Chief Electoral Officer.</p>	<p><b>Procedure for counting the votes</b> 55 The deputy returning officer shall, in the presence of the poll clerk and the candidates or their authorized representatives, if present, make the count in accordance with this Act and the regulations and the directions of the Chief Electoral Officer.</p>	<p>Reference to two voters if candidates and representative not present is removed.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Rejection of ballots 69(3) When counting the ballots, the deputy returning officer shall reject any ballot that was</p> <ul style="list-style-type: none"> <li>(a) not supplied by the Chief Electoral Officer;</li> <li>(b) not marked in favour of a candidate;</li> <li>(c) marked in a way that does not clearly indicate the voter's intent;</li> <li>(d) marked in favour of a person who is not a candidate;</li> <li>(e) marked for more than one candidate;</li> <li>(f) marked in a place other than the circular space provided, unless the mark clearly indicates the voter's intention; or</li> <li>(g) marked in a way that identifies the voter.</li> </ul>	<p><b>Rejection of ballots</b> 56(1) When counting the ballots, the deputy returning officer shall reject any ballot that was:</p> <ul style="list-style-type: none"> <li>(a) not supplied by the Chief Electoral Officer;</li> <li>(b) not marked in favour of a candidate;</li> <li>(c) marked in a way that does not clearly indicate the voter's intent;</li> <li>(d) marked in favour of a person who is not a candidate;</li> <li>(e) marked for more than one candidate;</li> <li>(f) marked in a place other than the circular space provided, unless the mark clearly indicates the voter's intention; or</li> <li>(g) marked in a way that identifies the voter.</li> </ul>	<p>No change.</p>
<p>Minor problems (4) No ballot shall be rejected pursuant to subsection (1) for the sole reason that the deputy returning officer</p> <ul style="list-style-type: none"> <li>(a) placed a note, number or mark on it; or</li> <li>(b) did not remove the counterfoil when the voter voted.</li> </ul>	<p>(2) No ballot shall be rejected pursuant to subsection (1) for the sole reason that the deputy returning officer:</p> <ul style="list-style-type: none"> <li>(a) placed a note, number or mark on it; or</li> <li>(b) did not remove the counterfoil when the voter voted.</li> </ul>	<p>No change.</p>





**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Openness (5) The deputy returning officer shall give a full opportunity to those present to look at, but not to touch, each ballot paper.</p>	<p>(3) The deputy returning officer shall give a full opportunity to those present to look at, but not to touch, each ballot paper.</p>	<p>No change.</p>
<p>Effect of failure to initial 70. (1) Where, in the course of counting the votes, a deputy returning officer discovers that the back of any ballot paper was not initialled by the deputy returning officer, the deputy returning officer shall, in the presence of the poll clerk and the candidates or their representatives, affix his or her initials to the ballot paper and count the ballot paper as if it had been initialled in the first place, if the deputy returning officer is satisfied that (a) the ballot paper was supplied by the deputy returning officer; (b) an omission was in fact made; and (c) every ballot paper supplied to the deputy returning officer by the Regional Returning Officer is accounted for.</p>	<p><b>Effect of failure to initial</b> 57 Where, in the course of counting the votes, a deputy returning officer discovers that the back of any ballot paper was not initialled by the deputy returning officer, the deputy returning officer shall, in the presence of the poll clerk and the candidates or their representatives, affix their initials to the ballot paper and count the ballot paper as if it had been initialled in the first place, if the deputy returning officer is satisfied that: (a) the ballot paper was supplied by the deputy returning officer; and (b) an omission was in fact made.</p>	<p>No substantive change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
Liability of deputy returning officer (2) Nothing in subsection (1) relieves a deputy returning officer from any penalty to which the deputy returning officer may have become liable by reason of the failure of the deputy returning officer to initial the back of any ballot paper before handing it to a voter.	<i>deleted</i>	The mere failure to initial is not an offence.
<b>Objections</b> 71. (1) Where a candidate or representative objects to the validity of a ballot, the deputy returning officer shall record the objection in the statement of the poll and on the back of the ballot and render a decision on the questions raised by the objection.	<b>Objections</b> 58(1) Where a candidate or representative objects to the validity of a ballot, the deputy returning officer shall record the objection in accordance with subsection (3) and render a decision on the questions raised by the objection.	No change.
<b>Decision final</b> (2) The decision of a deputy returning officer on an objection under subsection (1) is final, and may only be reversed by a recount or by an application to void an election.	(2) The decision of a deputy returning officer on an objection under subsection (1) is final and may only be reversed by a recount or by an application to void the election.	No substantive change.
<b>Objections recorded</b> (3) The deputy returning officer shall	(3) The deputy returning officer shall:	No change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) record each objection in the polling record setting out the name of the objector, the grounds of the objection and an identifying number;</p> <p>(b) inscribe the number of the objection on the back of the ballot; and</p> <p>(c) initial the ballot.</p>	<p>(a) record each objection in the polling record setting out the name of the objector, the grounds of the objection and an identifying number;</p> <p>(b) inscribe the number of the objection on the back of the ballot; and</p> <p>(c) initial the ballot.</p>	
<p>Statement of the poll</p> <p>72. (1) The deputy returning officer shall prepare a statement of the poll that sets out</p> <p>(a) the total number of valid votes cast;</p> <p>(b) the number of votes in favour of each candidate;</p> <p>(c) the number of rejected and spoiled ballots; and</p> <p>(d) such other information as may be required by the Chief Electoral Officer.</p>	<p><b>Statement of the poll</b></p> <p>59(1) The deputy returning officer shall prepare a statement of the poll that sets out</p> <p>(a) the total number of valid votes cast;</p> <p>(b) the number of votes in favour of each candidate;</p> <p>(c) the number of rejected and spoiled ballots; and</p> <p>(d) any other information that may be required by the Chief Electoral Officer.</p>	<p>No change.</p>
<p>Copies of statement of poll</p> <p>(2) The deputy returning officer shall make copies of the statement of the poll, in the approved form, and distribute them as follows:</p>	<p>(2) The deputy returning officer shall make copies of the statement of the poll, and distribute them as follows:</p> <p>(a) one copy to remain with the polling record;</p>	<p>No change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) one copy to remain with the polling record;            (b) one copy to be kept by the deputy returning officer;            (c) one copy to be sent to both the Regional Returning Officer and the Chief Electoral Officer; and            (d) one copy for each candidate.</p>	<p>(b) one copy to be kept by the deputy returning officer;            (c) one copy to be sent to both the Regional Returning Officer and the Chief Electoral Officer; and            (d) one copy for each candidate.</p>	
<p><b>Handling of ballots</b>            73. (1) After completing the statement of the poll, the deputy returning officer shall, using envelopes supplied by the Chief Electoral Officer,            (a) place all the valid ballots in separate envelopes for each candidate;            (b) place all the rejected and spoiled ballots in another envelope; and            (c) place all the unused ballots in another envelope.</p>	<p><b>Handling of ballots</b>            60(1) After completing the statement of the poll, the deputy returning officer shall, using envelopes supplied by the Chief Electoral Officer:            (a) place all the valid ballots in separate envelopes for each candidate;            (b) place all the rejected and spoiled ballots in another envelope; and            (c) place all the unused ballots in another envelope.</p>	<p>No substantive change.</p>
<p>Sealing envelopes</p>	<p>(2) The deputy returning officer shall seal each envelope, noting the contents on the outside, and the deputy returning officer and</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(2) The deputy returning officer shall seal each envelope and note the contents on outside of each envelope.</p> <p>Signing the seals            (3) The deputy returning officer and the poll clerk shall each sign the seals on all the envelopes containing ballots. Any other person present may also sign the seals.</p>	<p>the poll clerk, as well as any other person present who wishes to, shall each sign the seals on all the envelopes containing ballots.</p>	
<p>Placement in large envelope            (4) The deputy returning officer shall place the following in a large envelope supplied by the Chief Electoral Officer:            (a) the separate envelopes containing the various categories of ballots;            (b) the envelope containing the other documents used at the poll;            (c) the polling record;            (d) the statement of the poll; and            (e) a record of the ballots.</p>	<p>(3) The deputy returning officer shall place the following in a large envelope supplied by the Chief Electoral Officer:            (a) the separate envelopes containing the various categories of ballots;            (b) the envelope containing the other documents used at the poll;            (c) the polling record;            (d) the statement of the poll; and            (e) a record of the ballots.</p>	<p>No change.</p>
<p>Closing and delivery of ballot box            (5) The deputy returning officer shall</p>	<p>(4) The deputy returning officer shall place the large envelope in the ballot box and seal it, in accordance with the directions of the</p>	<p>No substantive change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) place the large envelope in the ballot box and seal it, pursuant to the instructions of the Chief Electoral Officer; and (b) send the ballot box immediately to the Regional Returning Officer.</p>	<p>Chief Electoral Officer and send the ballot box immediately to the Regional Returning Officer.</p>	
<p><b>Unofficial Results</b> Informal notification of results 74. (1) The deputy returning officer shall telephone the information from the statement of the poll to the Regional Returning Officer as soon as possible after the counting of the votes.</p>	<p><b>Election Results</b> <b>Informal notification</b> 61(1) The deputy returning officer shall telephone the information from the statement of the poll to the Regional Returning Officer as soon as possible after the counting of the votes.</p>	<p>No substantive change.</p>
<p><b>Recording regional information</b> (2) The Regional Returning Officer shall record the information telephoned from each deputy returning officer and fax that information to the Chief Electoral Officer.</p>	<p>(2) The Regional Returning Officer shall record the information telephoned from each deputy returning officer and send that information to the Chief Electoral Officer by any means of electronic transmission or by personal delivery.</p>	<p>No substantive change.</p>
<p><b>Public disclosure of unofficial results</b> (3) On the evening of election day the Chief Electoral Officer may release the content of</p>	<p>(3) On the evening of election day, the Chief Electoral Officer may release the content of the information received under this section</p>	<p>No substantive change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
the information received under this section to the public, but that information is to be considered unofficial until it is verified in accordance with this Act.	to the public, but that information is unofficial until it is verified in accordance with this Act.	
<p>Verification of Votes by Regional Returning Officer</p> <p>Verifying statements of poll</p> <p>75. (1) Within five days after the close of the polls, the Regional Returning Officer shall verify the votes in favour of each candidate from the various statements of the poll for the Region.</p>	<p><b>Verification of votes</b></p> <p>62(1) Within five days after the close of the polls, the Regional Returning Officer shall verify the votes in favour of each candidate from the various statements of the poll for the Region.</p>	No change.
<p>Adjournment of verification of votes</p> <p>(2) The Regional Returning Officer may adjourn the verification of the votes where the statement of the poll for a polling station is not received or the number of votes cast at the polling station for the several candidates cannot be ascertained.</p>	<p>(2) The Regional Returning Officer may adjourn the verification of the votes where the statement of the poll for a polling station is not received or where the number of votes cast at the polling station for the several candidates cannot be ascertained.</p>	No change.
Limit	<p>(3) The aggregate of all adjournments shall not exceed two weeks.</p>	No change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(3) The aggregate of all adjournments shall not exceed two weeks.		
Lack of statement of poll (4) Where a statement of the poll or copies of the poll cannot be obtained, the Chief Electoral Officer shall (a) ascertain, by the best available evidence, the total number of votes given to each candidate at the several polling stations; (b) summon any deputy returning officer, poll clerk or other person with evidence in the matter to appear before the Chief Electoral Officer at a day and hour to be named by the Chief Electoral Officer, and to bring all necessary papers and documents; (c) give notice of the date and hour of the intended proceedings to the candidates; and (d) examine on oath the deputy returning officer, poll clerk or other person, respecting the matter in question.	(4) Where a statement of the poll or copies of the poll cannot be obtained, the Chief Electoral Officer shall: (a) ascertain, by the best available evidence, the total number of votes given to each candidate at the several polling stations; (b) summon any deputy returning officer, poll clerk or other person with evidence in the matter to appear before the Chief Electoral Officer at a day and hour to be named by the Chief Electoral Officer, and to bring all necessary papers and documents; (c) give notice of the date and hour of the intended proceedings to the candidates; and (d) examine on oath the deputy returning officer, poll clerk or other person, respecting the matter in question.	No change.
Declaration of apparent winner (5) Where a ballot box or statement of the poll has been lost or has not been returned,	(5) Where a ballot box or statement of the poll has been lost or has not been returned, the Regional Returning Officer shall declare	No change.





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>the Regional Returning Officer shall declare the name of the candidate who appears to have obtained the largest number of votes, and shall report to the Chief Electoral Officer (a) the reasons for the lack of any statement of the poll; and (b) the method by which the Regional Returning Officer ascertained the number of votes cast for each candidate.</p>	<p>the name of the candidate who appears to have obtained the largest number of votes, and shall report to the Chief Electoral Officer (a) the reasons for the lack of any statement of the poll; and (b) the method by which the Regional Returning Officer ascertained the number of votes cast for each candidate.</p>	
<p><b>Official Election Results</b> Regional election report 76. (1) The Regional Returning Officer shall, in a regional election report in the approved form, certify the number of votes cast in favour of each candidate for the office of an Executive Member and the office of the Regional Representative, according to the verified statements of the poll in that Region.</p>	<p><b>Regional election report</b> 63(1) The Regional Returning Officer shall, in a regional election report in the approved form, certify the number of votes cast in favour of each candidate for the office of an Executive Member, Regional Representative, and women’s and youth representatives to the Regional Council and to the Provincial Métis Council, according to the verified statements of the poll in that Region.</p>	<p>The Regional Returning Officer will have to certify the number of votes cast for each office to which the election relates.</p>
<p>Deadline</p>	<p>(2) The regional election report must be completed as soon as the verification of all</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(2) The regional election report must be completed as soon as the verification of all the votes is completed, unless, there is a judicial recount or, in exceptional circumstances, the Chief Electoral Officer authorizes otherwise.	the votes is completed, unless, in exceptional circumstances, the Chief Electoral Officer authorizes otherwise.	
Sending report (3) The Regional Returning Officer shall immediately send a copy of the regional election report to the Chief Electoral Officer and to each candidate in the Region.	(3) The Regional Returning Officer shall immediately send a copy of the regional election report to the Chief Electoral Officer and the Chief Electoral Officer shall send copies to each candidate in the Region.	No change.
Report sent prematurely or containing errors (4) The Chief Electoral Officer may return to the Regional Returning Officer a regional election report that was sent prematurely or that contains errors and, in such a case, the Regional Returning Officer shall diligently remedy any defect as directed by the Chief Electoral Officer.	(4) The Chief Electoral Officer may return to the Regional Returning Officer a regional election report that was sent prematurely or that contains errors, and, in such a case, the Regional Returning Officer shall diligently remedy any defect as directed by the Chief Electoral Officer.	No change.
Provincial election report	Provincial election report	



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>77. (1) The Chief Electoral Officer shall, in a provincial election report in the approved form, certify the number of votes cast in favour of each candidate for the office of Executive Member, according to the consolidated regional election reports from all Regions.</p>	<p>64 The Chief Electoral Officer shall prepare a provincial election report certifying the number of votes cast in favour of each candidate for the office of Executive Member and for the offices of women’s and youth representatives to the Provincial Métis Council, according to the consolidated regional election reports from all Regions.</p>	<p>The provincial election report will certify the votes cast province-wide for members of the Executive and women’s and youth representatives to the PMC.</p>
<p>Registration of elected candidate (2) The Chief Electoral Officer shall register the name of each elected candidate in a register in the approved form kept for this purpose.</p>	<p><i>deleted</i></p>	<p>This level of detail is not required to be included in the Act.</p>
<p>Declaration of elected candidate 78. (1) The Regional Returning Officer shall publicly declare as elected the candidate for Regional Representative who obtained the greatest number of votes in the regional election report for his or her Region.  Declaration of elected candidate</p>	<p><b>Declaration of elected candidate</b> 65 The Chief Electoral Officer shall publicly declare as elected: (a) the candidate for each of the offices of Executive Member, and the offices of women’s and youth representatives to the Provincial Métis Council who obtained the greatest number of votes in the provincial election report;</p>	<p>The Chief Electoral Officer declares all candidates who are elected.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(2) The Chief Electoral Officer shall publicly declare as elected the candidate for each of the offices of Executive Member who obtained the greatest number of votes in the provincial election report.</p>	<p>(b) the candidate for Regional Representative who obtained the greatest number of votes in the regional election report for each Region;            (c) the candidate for women’s representative who obtained the greatest number of votes in each Region; and            (d) the candidate for youth representative who obtained the greatest number of votes in each Region.</p>	
<p><b>Delay for recount</b>            (3) If a judicial recount is required, the Chief Electoral Officer shall delay declaring the results for the office that is subject to the recount, until the Chief Electoral Officer has received the certified results of the recount from the judge.</p>	<p><b>Delay for recount or addition</b>            66 If a recount or addition is requested in accordance with section 67, the Chief Electoral Officer shall delay declaring the results for the office that is subject to the recount until the Chief Electoral Officer has received the certified results of the recount from the Métis Court.</p>	<p>No substantive change. Recounts will be conducted by the Métis Court.</p>
<p>Judicial Recount</p>	<p><b>Recount or Addition</b></p>	



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Application for recount 79. (1) If the difference between the number of votes in favour of the candidate who received the most votes and any other candidate for the same office is nil or less than 2% of the total number of votes cast for the office, the Chief Electoral Officer shall, without delay, apply to the court for a recount.</p>	<p><b>Request</b> 67(1) The Chief Electoral Officer shall apply to the Métis Judicial Body for a recount or addition where: (a) the margin of victory of the candidate declared to be elected is less than 2% of the total number of votes cast for the office; or (b) there is a tie vote.</p>	<p>The Chief Electoral Officer will automatically apply for a recount where there is a tie or the margin of victory is less than 2% of the total votes cast for the office.</p>
<p>Grounds for application 80(2) A voter may only make an application for a judicial recount because an election officer (a) improperly rejected ballot papers; (b) made an incorrect statement of the number of votes cast for any candidate; (c) improperly counted or added up the votes.</p>	<p>(2) A candidate may apply to the Métis Judicial Body for a recount or addition within four days after the date on which the number of votes cast in favour of each candidate was certified pursuant to section 63 or 64 where the margin of victory of the candidate declared elected is less than 10% of the total number of votes cast for the office or 10 votes, whichever is less, and it is alleged that an election officer: (a) improperly rejected ballot papers; (b) made an incorrect statement of the number of votes cast for any candidate; or (c) improperly counted or added up the votes.</p>	<p>A candidate may apply for a recount where there is an error alleged on the part of election officials.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Application for recount by voter 80. (1) Any voter may apply to the court for a recount, before the end of the 8th day after the day of publication of the regional or provincial election report, as the case may be.</p>	<p><i>deleted</i></p>	<p>A request for a recount or addition may only be made by a candidate, not by a voter.</p>
<p>Application 80(3) An application for a judicial recount must be made in accordance with the Rules of the Saskatchewan Court of Queen Bench and the practice and procedure of the court for an originating application.</p>	<p><i>deleted</i></p>	<p>The process to be followed in conducting a recount or addition is set out in the provision of the Act that follow.</p>
<p>None</p>	<p><b>Date for recount</b> 68(1) Where an application for a recount or addition is made, the Métis Judicial Body shall, by order, fix a time and place at which the recount or addition will be held.</p>	<p>Once an application for a recount is made, the Métis Judicial Body will set a date, time and place for the recount to occur, and other affected candidates will be provided with notice.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Notice 79(2) The Chief Electoral Officer shall give written notice of the recount to the affected candidates.</p>	<p>(2) Within four days after the Métis Judicial Body has fixed the time and place for a recount or addition: (a) in the case of an application by the Chief Electoral Officer, the Chief Electoral Officer shall serve a true copy of the order on each candidate whose votes are affected; (b) in the case of an application by a candidate, the candidate shall serve a true copy of the order on the Chief Electoral Officer and on each candidate whose votes are affected.</p>	<p>As above.</p>
<p>None</p>	<p><b>Procedure</b> 69(1) The Chief Electoral Officer, a representative of the Chief Electoral Officer, the Regional Returning Officer, if the recount or addition relates to the election of a Regional Representative or of a women’s or youth representative to a regional council, the candidates and any other persons permitted by the Métis Judicial Body may be present at the recount or addition.</p>	<p>Election officials, candidates and others as required may be present at the recount or addition.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
None	<p>(2) At the time and place fixed for the recount or addition, the Métis Judicial Body shall:</p> <p>(a) in the case of an addition, make the addition from the ballot paper accounts and poll statements and the returning officers' statements;</p> <p>(b) in the case of a recount, recount all the votes and ballots and open all the sealed envelopes containing:</p> <ul style="list-style-type: none"> <li>(i) the ballots that have been counted;</li> <li>(ii) the rejected ballots; and</li> <li>(iii) the spoiled ballot papers.</li> </ul>	
None	<p>(3) The Métis Judicial Body may use any evidence or summon any person the Métis Judicial Body considers necessary in the review of the ballots.</p>	<p>The Métis Court may summon persons to give evidence if necessary.</p>
<p>No appeal 80(5) There is no appeal from the decision of the court on an application for a recount.</p>	<p>(4) There is no appeal from the decision of the Métis Judicial Body on an application for a recount or addition.</p>	<p>The decision of the Métis Judicial Body is final.</p>





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Candidate with highest number of votes 81. (1) If the judge certifies that one candidate for an office obtained a higher number of votes than any other candidate for the same office, the Chief Electoral Officer shall declare that candidate elected in the election report.</p>	<p><b>Certification of votes</b> 70(1) The Métis Judicial Body shall immediately certify the result of the recount or addition to the Chief Electoral Officer.</p>	<p>The Métis Court will certify the result and the Chief Electoral Officer will declare the winning candidate elected.</p>
<p>None</p>	<p>(2) On receiving the Métis Judicial Body’s certificate, the Chief Electoral Officer shall immediately declare to be elected the candidate having the largest number of votes.</p>	<p>The Chief Electoral Officer declares the result based on the Métis Court’s certificate.</p>
<p>New election 81(2) If the judge certifies a tie in the number of votes for an office, the Chief Electoral Officer shall order that a new election be held.</p>	<p><b>New election</b> 71 If the Métis Judicial Body certifies a tie in the number of votes for an office, the Chief Electoral Officer shall order that a new election be held.</p>	<p>No substantive change</p>
<p>Applicable rules</p>	<p><i>deleted</i></p>	<p>A new election would be held as much as possible in accordance with the usual rules.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
81(3) An election that takes place pursuant to a recount shall be held in accordance with the provisions applicable to a by-election.		
<p>Court costs</p> <p>80(4) The court may award costs and make any other order it considers advisable against any person who applies for a recount, if the application is scandalous, frivolous or vexatious, or is otherwise an abuse of the process of the Court.</p>	<p><b>Costs</b></p> <p>72 No costs arising out of the recount or addition are recoverable from any party.</p>	<p>No costs will be awarded on a recount or addition.</p>
<p>Voiding an Election</p> <p>Making the application</p> <p>82. (1) An application to void an election may be made in accordance with the Rules of the Saskatchewan Court of Queen Bench and the practice and procedure of the court for an originating application.</p> <p>After recount</p> <p>(2) An application to void an election may only be made after any application for a</p>	<p><b>Voiding an Election</b></p> <p><b>Making the application</b></p> <p>73(1) Any person may apply to the Métis Judicial Body to void an election:</p> <p>(a) after any application for a judicial recount is decided;</p> <p>(b) no later than 15 days after the latest of:</p> <p>(i) the day of publication of the regional or provincial election report, as the case may be; and</p> <p>(ii) the day the Métis Judicial Body renders its decision on any</p>	<p>No substantive change in the process, except that the application must be made to the Métis Judicial Body not the Court of King’s Bench and must be made within 15 days rather than 30.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>judicial recount is decided.</p> <p>Purpose            (3) The application may be made on the grounds that            (a) an election was invalid;            (b) a candidate does not have the right to sit in the Provincial Métis Council as a member; or            (c) a person is guilty of an offence under this Act that affected the result of the election.</p> <p>(4) The application must be filed with the Clerk of the Saskatchewan Court of Queens Bench no later than 30 days after the later of            (a) the day of publication of the regional or provincial election report, as the case may be; and            (b) the day a court renders its decision on any application for a recount.</p>	<p>application for a recount or addition; and            (c) only on the grounds that:            (i) a contravention of this Act is likely to have affected the result of the election; or            (ii) a candidate does not have the right to sit in the regional council or the Provincial Métis Council as a member.</p>	
<p>Exception            (5) The limitation specified in subsection (4) does not apply to the Chief Electoral Officer, who may file the application no later than 90</p>	<p>(2) Notwithstanding subsection (1), the Chief Electoral Officer may file an application no later than 90 days after the publication of the election result.</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>days after the publication notice of the election result.</p>		
<p>Service of application            (6) A copy of the application shall be served, within 20 days after it is filed, on            (a) the respondent;            (b) the Regional Returning Officer and Chief Electoral Officer, unless they are the applicant; and            (c) the Provincial Métis Council.</p>	<p>(3) An applicant shall serve a copy of the application made to void an election within 20 days after it is filed with the Métis Judicial Body on:            (a) the affected candidates;            (b) the Regional Returning Officer involved, if any, and Chief Electoral Officer, unless they are the applicant; and            (c) the Provincial Métis Council.</p>	<p>No substantive change.</p>
<p>Court costs            (7) The court may award costs and make any other order it considers advisable against any person who applies for voiding an election, if the application is scandalous, frivolous or vexatious, or is otherwise an abuse of the process of the Court.</p>	<p>(4) The Métis Judicial Body may award costs and make any other order it considers advisable against any person who applies to void an election, if the application is scandalous, frivolous or vexatious, or is otherwise an abuse of process.</p>	<p>Provides discretion to the Métis Court to award costs.</p>
<p>No appeal            (8) There is no appeal from the decision of the court on an application to void an election.</p>	<p>(5) There is no appeal from the decision of the Métis Judicial Body on an application to void an election.</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Effect of non-compliance            83. (1) No election shall be declared invalid for any of the following reasons, if it appears to the court that is considering the question that the election was otherwise conducted in accordance with this Act and that the non-compliance did not affect the result of the election:            (a) non-compliance with this Act relating to limitations of time, the taking of the poll or the counting of the votes;            (b) a lack of qualifications in the persons signing the nomination papers; (c) an error in the name, or omission of, or error in the address of any candidate on the nomination papers; or            (d) an insufficiency in any posting or publication of a notice or other document, or a mistake in the use of the forms under this Act.</p>	<p><b>Jurisdiction of the Métis Judicial Body</b>            74 If it appears to the Métis Judicial Body that the election was otherwise conducted in accordance with this Act and that any non-compliance did not affect the result of the election, the Métis Judicial Body shall not declare the election invalid for any of the following reasons:            (a) non-compliance with this Act relating to limitations of time, the taking of the poll or the counting of the votes;            (b) a lack of qualifications in the persons signing the nomination papers;            (c) a lack of qualification of a candidate if that impugned candidate was not elected;            (d) an error in the name, or omission of, or error in the address of any candidate on the nomination papers; or            (e) an insufficiency in any posting or publication of a notice or other document, or a mistake in the use of the forms under this Act.</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Member not entitled to sit (2) Where the court determines that a person was not lawfully elected that person is not entitled to sit or vote in the Provincial Métis Council.</p>	<p><b>Persons entitled to sit</b> 75(1) Where the Métis Judicial Body determines that a person was not lawfully elected, that person is not entitled to sit or vote in the regional council, Provincial Métis Council or the Métis Nation Legislative Assembly.</p>	<p>No change.</p>
<p>Other candidate entitled to sit (3) Where the court determines that some other person was elected or is entitled to the office, that other person is entitled to take his or her seat in the Provincial Métis Council.</p>	<p>(2) The Métis Judicial Body may determine that another person is elected or is entitled to the office, and in that case that other person is then entitled to take their seat on the regional council or on the Provincial Métis Council and in the Métis Nation Legislative Assembly.</p>	<p>No substantive change.</p>
<p>none</p>	<p><b>New election</b> 76 If the Métis Judicial Body invalidates an election, it may order a new election to be held with respect to some or all of the seats on the regional council or Provincial Métis Council, as the circumstances may require.</p>	<p>If an election is voided a new election will have to be held.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Management of Election Material Safekeeping of ballot boxes 84. (1) A Regional Returning Officer, on receipt of each ballot box, shall (a) take every precaution for its safekeeping and for preventing any person other than the Regional Returning Officer or a deputy returning officer from having access to a ballot box; (b) examine the special seal affixed to each ballot box by a deputy returning officer; (c) affix a new approved seal if the seal is not in good order; and (d) record the condition of the special seal required to be affixed by the deputy returning officer to the ballot box in the appropriate column of the record book of the Regional Returning Officer.</p>	<p><b>Management of Election Material</b> <b>Ballot boxes</b> 77(1) A Regional Returning Officer, on receipt of each ballot box, shall: (a) take every precaution for its safekeeping and for preventing any person other than the Regional Returning Officer or a deputy returning officer from having access to a ballot box; (b) examine the special seal affixed to each ballot box by a deputy returning officer; (c) affix a new approved seal if the seal is not in good order; and (d) record the condition of the special seal required to be affixed by the deputy returning officer to the ballot box in the appropriate column of the record book of the Regional Returning Officer.</p>	<p>No change.</p>
<p>Destruction or loss of ballot boxes (3) Where any ballot box was destroyed, lost or for any other reason was not returned within the times fixed by this Act, other than destruction authorized under this Act, the Regional Returning Officer shall ascertain the</p>	<p>(2) Where any ballot box is destroyed, lost or for any other reason not returned within the times fixed by this Act, other than destruction authorized under this Act, the Regional Returning Officer shall ascertain the cause of the disappearance of the ballot box and</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
cause of the disappearance of the ballot box and report it in writing to the Chief Electoral Officer.	report it in writing to the Chief Electoral Officer.	
<b>Remission of election material</b> 84(4) An election officer who is replaced, relieved of his or her duties or refuses or is unable to act, shall immediately send to his or her successor, or to any other person directed by the Chief Electoral Officer, all election material that the election officer obtained or prepared in the course of his or her duties.	<b>Remission</b> 78 An election officer who is replaced, relieved of their duties or refuses or is unable to act, shall immediately send to their successor, or to any other person directed by the Chief Electoral Officer, all election material that the election officer obtained or prepared in the course of their duties.	No change.
<b>Collection of boxes and other material</b> 84(2) After the close of the polls, each deputy returning officer shall send to the Regional Returning Officer or the Chief Electoral Officer, in accordance with the directions of the Chief Electoral Officer, all election material for which the deputy returning officer was responsible.	<b>Delivery to Regional Returning Officer</b> 79 After the close of the polls, each deputy returning officer shall send to the Regional Returning Officer or the Chief Electoral Officer, in accordance with the directions of the Chief Electoral Officer, all election material for which the deputy returning officer was responsible.	No change.





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Managing election material 85. (1) The Regional Returning Officer shall manage and then send to the Chief Electoral Officer, for storage or destruction, all election material as directed by the Chief Electoral Officer.</p>	<p><b>Delivery to Chief Electoral Officer</b> 80 The Regional Returning Officer shall manage and then send to the Chief Electoral Officer, for storage or destruction, all election material as directed by the Chief Electoral Officer.</p>	<p>No change.</p>
<p>Preservation of election material 85(2) The Chief Electoral Officer shall ensure that all election material are maintained in accordance with accepted archival standards.</p>	<p><b>Preservation</b> 81 The Chief Electoral Officer shall ensure that all election materials are stored safely and securely.</p>	<p>No change.</p>
<p>Destruction 85(3) The ballots, ballot envelopes and unsigned election material may be destroyed 12 months after the date of publication of the notice of the election result, unless they are required for a future use, an archival purpose or an application or proceeding under this Act.</p>	<p><b>Destruction</b> 82 The ballots, ballot envelopes and unsigned election material may be destroyed 12 months after the date of publication of the notice of the election result, unless they are required for a future use or an application or proceeding under this Act.</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Preservation of documents 86. The Chief Electoral Officer shall ensure that (a) a register is kept of all approved forms and any instructions, guidelines or directions he or she issues respecting any matter; and (b) all declaration of elections, election reports, certificates and declarations in respect of elections are preserved for archival purposes.</p>	<p><b>Documents of Chief Electoral Officer</b> 83 The Chief Electoral Officer shall ensure that: (a) a register is kept of all approved forms and any instructions, guidelines or directions he or she issues respecting any matter; and (b) all declarations of elections, election reports, certificates and declarations in respect of elections are preserved for archival purposes.</p>	<p>No substantive change.</p>
<p>Public records 87. (1) The following are public documents and may be inspected at the Office of the Chief Electoral Officer by any person on request during business hours: (a) all reports or statements respecting an election; (b) all instructions, guidelines and directions issued by the Chief Electoral Officer under this Act;</p>	<p><b>Public records</b> 84(1) The following are public documents and may be inspected at the Office of the Métis Nation – Saskatchewan by any person on request during business hours: (a) all reports or statements respecting an election; (b) all instructions, guidelines and directions issued by the Chief Electoral Officer under this Act;</p>	<p>No substantive change. Records will be kept at the MNS office as the Chief Electoral Officer doesn't have a permanent office location.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(c) all decisions or rulings by the Chief Electoral Officer on points arising under this Act, and (d) all correspondence with election officers or others in relation to any election.	(c) all decisions or rulings by the Chief Electoral Officer on points arising under this Act.	
Request for access to documents (2) Any person may request the Chief Electoral Officer to provide access to any documents kept by the Chief Electoral Officer pursuant to this Act that are not public records.	<i>deleted</i>	Access to documents that are not public documents will not be provided.
Granting access (3) The Chief Electoral Officer shall provide access for the person requesting a document referred to in subsection (2) to consult the document, unless the Chief Electoral Officer considers that (a) the request is unjustified; or (b) the requested document contains information that should not or must not be disclosed for the same reasons as are applicable to records of a public body under the Privacy Act (Saskatchewan).	<i>deleted</i>	As above.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Copies            (4) Any person may make copies of documents referred to in subsection (1) and is entitled to certified copies of those papers on payment for the preparation of those certified copies at the approved rate for each page.</p>	<p>(2) Any person may make copies of documents referred to in subsection (1) and is entitled to certified copies of those papers on payment for the preparation of those certified copies at the approved rate for each page.</p>	<p>No change.</p>
<p>Evidence            87(5) Any copies of documents purporting to be certified by the Chief Electoral Officer are admissible in evidence without further proof.</p>	<p>(3) Any copies of documents purporting to be certified by the Chief Electoral Officer are admissible in evidence without further proof.</p>	<p>No change.</p>
<p>Removal of campaign material            88. Each candidate shall ensure that all his or her campaign material is removed from public display within 10 days after election day.</p>	<p><b>Removal of campaign material</b>            85 Each candidate shall ensure that all their campaign material is removed from public display within 10 days after election day.</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Contributions and Expenses</p> <p>2. "contribution" includes money, services and goods provided during an election period to promote or oppose the election of a candidate.</p>	<p><b>Contributions, Expenses and Advertising Contributions only from voters</b></p> <p>86(1) In this section, "contribution" includes money, services and goods provided during an election period to promote or oppose the election of a candidate.</p>	<p>Definition is moved from the beginning of the Act because it is only used on this section.</p>
<p>89. (1) A person may make a contribution to another person for the purpose of supporting that person as a candidate at a forthcoming election.</p>	<p>(2) Subject to section 87, any voter may make a contribution to another individual for the purpose of supporting that individual as a candidate at an election.</p>	<p>Only voters will be able to contribute to candidates. Contributions will have to be reported to the Chief Electoral Officer.</p>
<p>None</p>	<p>(3) No candidate shall accept a contribution from a person who is not a voter.</p>	<p>As above.</p>
<p>None</p>	<p>(4) Each candidate shall file a return in the approved form at the approved time with the Chief Electoral Officer setting out the following information:</p> <p>(a) the name of each person who made a contribution to the candidate;</p> <p>(b) the amount of each contribution; and</p> <p>(c) the date on which each contribution was received.</p>	<p>Reporting contributions received will assist in enforcing the prohibition on contributions from persons other than voters.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>No limit 89(2) There is no limit to the amount of a contribution that may be made.</p>	<p><b>Contribution limits</b> 87(1) In any 12-month period, a voter may not contribute: (a) more than \$300 to each candidate running for election; and (b) more than \$1,500 in aggregate to all candidates running for election.</p>	<p>Contributions will be limited to \$300 per candidate and \$1,500 for all candidates each year.</p>
<p>None</p>	<p>(2) A candidate who receives contributions in excess of \$30,000 in total shall pay the excess to an approved charity.</p>	<p>Election expenditures by each candidate are limited to a total of \$30,000.</p>
<p>2. "election expense" means any amount paid or liabilities incurred during an election period to promote or oppose the election of a candidate and includes any contribution of services or goods;</p>	<p><b>Election expenses</b> 88(1) In this section, "election expense" means any amount paid or liabilities incurred during an election period to promote or oppose the election of a candidate and includes the value of any services or goods provided to and used by a candidate.</p>	<p>The definition is moved from section 2 because it is only used un this section and it is changed to clarify that it is the value of money spent and goods and services provided in kind and used by a candidate that are considered expenses of the candidate.</p>
<p>Election expenses 90. (1) A person who becomes a candidate may incur election expenses.</p>	<p>(2) A candidate shall not incur election expenses in excess of \$30,000.</p>	<p>Election expenses will be limited to \$30,000 by each candidate in each campaign.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>No limit (2) There is no limit to the amount of election expenses that may be incurred.</p>	<p>(3) Each candidate must file with the Chief Electoral Officer a return in the approved form at the approved time setting out all election expenses incurred during the election period.</p>	<p>Reporting contributions received will assist in enforcing the prohibition on contributions from persons other than voters.</p>
<p>Requirement to identify candidate and others 91. All campaign material must identify the candidate for whom it is made in accordance with guidelines of the Chief Electoral Officer.</p>	<p><b>Advertising</b> 89 All campaign material must identify the candidate for whom it is made in accordance with the guidelines of the Chief Electoral Officer.</p>	<p>No change.</p>
<p>PART V ADMINISTRATION Chief Electoral Officer Appointment of Chief Electoral Officer 92. (1) The Chief Electoral Officer is appointed by resolution of the Legislative Assembly to hold office during good behaviour, and may be removed only for cause by resolution of the General Assembly.</p>	<p>PART V ADMINISTRATION <b>Chief Electoral Officer</b> <b>Appointment</b> 90(1) The Chief Electoral Officer is appointed to hold office by resolution of the Métis Nation Legislative Assembly and may be removed only for cause by resolution of the Métis Nation Legislative Assembly.</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
None	(2) The Métis Nation Legislative Assembly shall ensure that a Chief Electoral Officer is appointed at least six months prior to election day.	It is important that a Chief Electoral Officer be in place in advance to make all the necessary arrangements to conduct the election.
Term of office (2) The term of office for the Chief Electoral Officer is seven years.	(3) The term of office of the Chief Electoral Officer is 10 years.	The term of office of the Chief Electoral Officer is increased.
General election in 2007 (3) repealed July 29, 2016	<i>deleted</i>	Previously repealed.
Oath of office (4) Chief Electoral Officer shall, before taking office, take an oath or affirmation of office.	(4) The Chief Electoral Officer shall, before taking office, take an oath or affirmation of office.	No change.
None	(5) If the Office of the Chief Electoral Officer is vacant and the Métis Nation Legislative Assembly is not sitting, the Provincial Métis Council may appoint a new Chief Electoral Officer if exigent circumstances exist.	If the MNLA is not sitting and cannot adopt a resolution to appoint a Chief Electoral Officer it is important to have another mechanism to do so.





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
None	(6) The Chief Electoral Officer may formally resign by giving 30 days’ written notice to the President.	Provides clarity about the Chief Electoral Officer’s ability to resign.
Status of Chief Electoral Officer 92. (5) The Chief Electoral Officer is an independent officer of the Métis Nation - Saskatchewan.	<b>Obligations</b> 91 The Chief Electoral Officer is an independent officer of the Métis Nation – Saskatchewan and shall: (a) maintain a position independent from the Provincial Métis Council and free of political influence; (b) provide professional and non-partisan public service to MN-S citizens; (c) provide a voting environment that is impartial, accessible and user friendly; (d) assist candidates and their representatives to comply in the performance of their responsibilities under this Act; and (e) enforce compliance on behalf of all participants.	It is important that election be conducted in a non-partisan and professional manner so this is explicitly stated as an obligation of the Chief Electoral Officer.
Duties of the Chief Electoral Officer	<b>Duties</b>	No substantive change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>93. (1) In order to fulfill the purposes of this Act, the Chief Electoral Officer shall</p> <ul style="list-style-type: none"> <li>(a) formulate policies regarding the conduct of elections;</li> <li>(b) exercise general direction and supervision over the administrative conduct of an election and enforce, on the part of all candidates and election officers, fairness and impartiality;</li> <li>(c) prepare guidelines with respect to the electoral process for candidates, election officers and other interested groups or persons;</li> <li>(d) establish any forms that may be required under this Act;</li> <li>(e) provide direction to and manage the staff of the Office of the Chief Electoral Officer;</li> <li>(f) issue instructions or directions to election officers;</li> <li>(g) coordinate the election process with bodies responsible for other elections elsewhere in Canada; and</li> <li>(h) perform any other functions related to the purpose of this Act or otherwise provided for under this Act.</li> </ul>	<p>92(1) The Chief Electoral Officer shall:</p> <ul style="list-style-type: none"> <li>(a) formulate policies regarding the conduct of elections;</li> <li>(b) exercise general direction and supervision over the administrative conduct of an election and enforce, on the part of all candidates and election officers, fairness and impartiality;</li> <li>(c) prepare guidelines with respect to the electoral process for candidates, election officers and other interested groups or persons;</li> <li>(d) establish and approve any forms that may be required under this Act;</li> <li>(e) provide direction to and manage the staff of the Office of the Chief Electoral Officer;</li> <li>(f) issue instructions or directions to election officers;</li> <li>(g) coordinate the election process with bodies responsible for other elections elsewhere in Canada; and</li> <li>(h) perform any other functions related to the purpose of this Act or otherwise provided for under this Act.</li> </ul>	



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Election report            100. (1) The Chief Electoral Officer shall submit a report to the General Assembly, no later than            (a) 280 days after election day, in the case of a general election; and            (b) 140 days after election day in the case of a by-election.            Contents of report            (2) The report shall include            (a) a report on the conduct of the election, including            (i) the number of votes cast for each candidate at each polling station,            (ii) the number of rejected ballots, and            (iii) the final number of registered voters;            (b) a summary of any matter that, in the opinion of the Chief Electoral Officer, should be brought to the attention of the Legislative Assembly;            (c) a summary of any complaints made in respect of the election and their disposition;            (d) a report on any instance where the Chief Electoral Officer exercised the power to</p>	<p>(2) The Chief Electoral Officer shall submit a report to the MNLA, no later than 280 days after election day or 140 days in the case of a by-election, containing the following information:            (a) a report on the conduct of the election, including:                (i) the number of votes cast for each candidate at each polling station;                (ii) the number of rejected ballots;                and                (iii) the final number of voters;            (b) a summary of any matter that, in the opinion of the Chief Electoral Officer, should be brought to the attention of the MNLA;            (c) a report on any instance where the Chief Electoral Officer exercised the power to adapt this Act during an election period or extended the voting period;            (d) a list of all Regional Returning Officers and assistant regional returning officers with their names and addresses and their Regions;            (e) the costs incurred in conducting the election; and</p>	<p>The Chief Electoral Officer’s report is submitted to the MNLA.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>adapt this Act during an election period or extended the voting period;            (e) a list of all Regional Returning Officers and assistant regional returning officers with their names and addresses and their Regions;            (f) the costs incurred in conducting the election; and            (g) recommendations to improve this Act and the election process.</p>	<p>(f) recommendations to improve this Act and the election process.</p>	
<p><b>Administrative powers</b>            (2) In order to carry out the duties of office, the Chief Electoral Officer may            (a) prepare interpretation bulletins on the interpretation of this Act;            (b) issue any form required by this Act and establish any forms, not otherwise provided for, that may be necessary for the proper administration of this Act;            (c) modify any forms;            (d) meet with the Provincial Métis Council, Legislative Assembly and General Assembly and appropriate committees of those bodies to discuss matters related to this Act;</p>	<p><b>Administrative powers</b>            93 The Chief Electoral Officer may:            (a) approve any document or matter that is required by this Act to be approved by the Chief Electoral Officer;            (b) prepare interpretation bulletins on the interpretation of this Act;            (c) issue any form required by this Act and establish any forms, not otherwise provided for, that may be necessary for the proper administration of this Act;            (d) modify any forms;            (e) meet with the Executive, administration staff, Provincial Métis Council, MNLA and</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(e) conduct public hearings with respect to any issue related to the electoral process;</p> <p>(f) intervene, with leave, in any proceedings before a court in which a provision of this Act is in dispute;</p> <p>(g) implement, either alone or in co-operation with other bodies, public education and information programs intended to make the electoral process better known to the public, particularly to persons or groups likely to experience difficulties in exercising their democratic rights;</p> <p>(h) make such agreements as necessary to perform his or her duties and to improve the Saskatchewan Métis electoral system;</p> <p>(i) cooperate with other jurisdictions and levels of government, and with organizations administering elections within Saskatchewan, to share information and resources, to learn together, to pool and train staff and to deliver better election services to Métis; and</p> <p>(j) exercise all other powers assigned to the Chief Electoral Officer by this Act.</p>	<p>General Assembly and appropriate committees of those bodies to discuss matters related to this Act;</p> <p>(f) conduct public hearings with respect to any issue related to the electoral process;</p> <p>(g) apply to intervene in any proceedings before the Métis Judicial Body or any other court in which a provision of this Act is in dispute;</p> <p>(h) implement, either alone or in cooperation with other bodies, public education and information programs intended to make the electoral process better known to the public, particularly to persons or groups likely to experience difficulties in exercising their democratic rights;</p> <p>(i) make any agreements that necessary to perform their duties and to improve the Saskatchewan Métis electoral system;</p> <p>(j) cooperate with other jurisdictions and levels of government, and with organizations administering elections within Saskatchewan, to share information and resources, to learn together, to pool and train staff and to deliver better election services to Métis; and</p>	



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	(k) exercise all other powers assigned to the Chief Electoral Officer by this Act.	
<p>Delegation            (3) The Chief Electoral Officer may delegate, in writing, generally or specifically, any of his or her powers or duties.</p>	<p><b>Delegation</b>            94 The Chief Electoral Officer may delegate, in writing, generally or specifically, any of their powers or duties, but may not delegate the power to adapt this Act described in section 95 or the power to issue directions described in section 96.</p>	<p>Clarifies that the Chief Electoral Officer cannot delegate powers to adapt the Act or issue directions.</p>
<p>Powers to adapt this Act            94. (1) The Chief Electoral Officer may adapt any provision of this Act to achieve the purposes of this Act where it appears to the Chief Electoral Officer during an election period that, because of any mistake, emergency, disaster or unusual or unforeseen circumstance, the Act does not accord with the urgent needs of the situation.</p>	<p><b>Power to adapt the Act</b>            95 The Chief Electoral Officer may adapt any provision of this Act to achieve the purposes of this Act where it appears to the Chief Electoral Officer during an election period that, because of any mistake, emergency, disaster or unusual or unforeseen circumstance, the Act does not accord with the urgent needs of the situation.</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Exception (2) Despite subsection (1), the Chief Electoral Officer has no power to extend the nomination period.</p>	<p>(2) Notwithstanding subsection (1), the Chief Electoral Officer has no power to extend the nomination period.</p>	<p>No substantive change.</p>
<p>Directives 95. The Chief Electoral Officer may issue directions (a) prescribing forms; (b) respecting fees, allowances, expenses and remuneration payable under this Act; and (c) on any matter that is to be subject to directions or approval by the Chief Electoral Officer under this Act.</p>	<p><b>Directions</b> 96 The Chief Electoral Officer may issue binding directions: (a) approving forms; (b) respecting fees, allowances, expenses and remuneration payable under this Act; and (c) relating to any matter that is stated to be subject to directions from or to be approved by the Chief Electoral Officer under this Act.</p>	<p>No substantive change.</p>
<p>Agreements 96. The Chief Electoral Officer, may enter into agreements with the government of Canada, a province or another territory, a municipal government, a Métis government or another electoral body respecting the conduct of elections.</p>	<p><b>Agreements</b> 97 The Chief Electoral Officer, may enter into agreements with: (a) the government of Canada, a province or territory, a municipal government, a Métis government or another electoral body respecting the conduct of elections;</p>	<p>No substantive change, other than the addition of clause (c) to allow the Chief Electoral Officer to enter into any agreement that may be necessary.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Agreements 14. The Chief Electoral Officer may enter into agreements with a provider of electronic information services respecting the maintenance of voter information, the privacy of that information and other related matters.</p>	<p>(b) a provider of electronic information services respecting the maintenance of voter information, the privacy of that information and other related matters; or  (c) any other person or entity for the purposes of administering this Act</p>	
<p><b>Deputy Chief Electoral Officer</b> 97. (1) The Chief Electoral Officer may appoint a Deputy Chief Electoral Officer to perform the powers duties and functions of the Chief Electoral Officer if (a) the Chief Electoral Officer is temporarily unable to act because of illness or for another reason; or (b) the Office of the Chief Electoral Officer is vacant and the Legislative Assembly is not sitting.</p>	<p><b>Deputy Chief Electoral Officer</b> 98(1) The Chief Electoral Officer may appoint a Deputy Chief Electoral Officer to assist in administering elections under this Act.</p>	<p>Allows the Chief Electoral Officer to appoint a Deputy to assist with elections, not just to act in the absence of the Chief Electoral Officer.</p>





**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
Term of Deputy Chief Electoral Officer (2) The Deputy Chief Electoral Officer holds office for a term specified in the appointment by the Chief Electoral Officer.	(2) The Deputy Chief Electoral Officer holds office for the term specified in the appointment by the Chief Electoral Officer.	No change.
Staff of the Office of the Chief Electoral Officer  Staff 98. The Chief Electoral Officer may appoint such staff as is necessary for the proper conduct of elections.	<b>Staff</b> 99(1) The Chief Electoral Officer may appoint any staff that are necessary for the proper conduct of elections.	No substantive change.
Remuneration of Chief Electoral Officer and staff 111. (1) The Chief Electoral Officer shall be paid such remuneration as the Legislative Assembly determines and the staff of the Office of the Chief Electoral Officer shall be paid such remuneration as the Chief Electoral Officer determines.	(2) The staff of the Office of the Chief Electoral Officer shall be paid any remuneration that the Chief Electoral Officer determines.	The remuneration of the Chief Electoral Officer must be included in the appointment.
General election in 2007 (2) repealed July 29, 2016. Expenses	<i>deleted</i>	Previously repealed.



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(3) The Chief Electoral Officer and the staff of the Office of the Chief Electoral Officer shall be reimbursed for reasonable living and travel expenses while performing their functions.	(3) The Chief Electoral Officer and the staff of the Office of the Chief Electoral Officer shall be reimbursed for reasonable living and travel expenses while performing their functions.	No change.
<p><b>Contracting services</b>            99. The Chief Electoral Officer may, hire and determine the remuneration of additional staff on a temporary basis to assist the Chief Electoral Officer and, for specific work, may contract for the services of counsel and experts.</p>	<p><b>Contracting services</b>            100 The Chief Electoral Officer may hire and determine the remuneration of additional staff on a temporary basis to assist the Chief Electoral Officer and, for specific work, may contract for the services of counsel and experts.</p>	No change.
<p><b>Regional Returning Officers Appointment</b>            101. (1) The Chief Electoral Officer shall appoint a Regional Returning Officer for each Region.</p> <p><b>Term of office</b></p>	<p><b>Regional Returning Officers Appointment</b>            101(1) The Chief Electoral Officer shall appoint a Regional Returning Officer for each Region to hold office for a term commencing, where possible, at least six months prior to the election day and ending one month after the election day following their appointment</p>	The term of office of an RRO extends to one month after the election.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(2) Each Regional Returning Officer shall hold office for a term ending one year after the election day following their appointment.	or, in the case of a recount, until the certification of the results of the recount.	
General election in 2007 (3) repealed July 29, 2016	<i>deleted</i>	Previously repealed.
Reappointment (4) A Regional Returning Officer may be re-appointed by the Chief Electoral Officer.	(2) A Regional Returning Officer may be re-appointed by the Chief Electoral Officer.	No change.
Resignation 102. (1) Any resignation of a Regional Returning Officer shall not take effect earlier than the day it is accepted by the Chief Electoral Officer.	<b>Resignation</b> 102 Any resignation of a Regional Returning Officer does not take effect earlier than the day it is accepted by the Chief Electoral Officer.	No change.
Dismissal of Regional Returning Officer 102(2) The Chief Electoral Officer may remove any Regional Returning Officer from office on the grounds that the Regional Returning Officer, for any reason,	<b>Dismissal</b> 103 The Chief Electoral Officer may remove any Regional Returning Officer from office on the grounds that the Regional Returning Officer, for any reason:	No substantive change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) has not performed, or is unable to perform, the Regional Returning Officer's duties in a satisfactory manner;            (b) has resigned his or her position as Regional Returning Officer;            (c) has not followed the directions or the instructions of the Chief Electoral Officer;            (d) has not been impartial, whether or not in the course of the Regional Returning Officer's functions;            (e) is no longer eligible to be a Regional Returning Officer; or            (f) at any time after being appointed, engages in politically partisan conduct in respect of the Métis Nation - Saskatchewan or works for or on behalf of or against a candidate, whether or not in the course of the Regional Returning Officer's functions.</p>	<p>(a) has not performed, or is unable to perform, the Regional Returning Officer's duties in a satisfactory manner;            (b) has not followed the directions or the instructions of the Chief Electoral Officer;            (c) at any time after being appointed, engages in politically partisan conduct in respect of the Métis Nation – Saskatchewan or works for or on behalf of or against a candidate, or has otherwise not been impartial, whether or not in the course of performing the Regional Returning Officer's functions; or            (d) is no longer eligible to be appointed as an election officer.</p>	
<p><b>Vacancy</b>            102(3) The Chief Electoral Officer shall appoint a new Regional Returning Officer for a Region in which the office of Regional Returning Officer becomes vacant</p>	<p><b>Vacancy</b>            104 Where a vacancy occurs in the office of Regional Returning Officer during an election period, the Chief Electoral Officer shall</p>	<p>Removes reference to by-election.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) without delay, where a by-election occurs in that Region;            (b) without delay, where the Provincial Métis Council is dissolved; and            (c) in any other case, within 60 days after the vacancy.</p>	<p>appoint a new Regional Returning Officer without delay.</p>	
<p><b>Duties of office</b>            103. (1) Each Regional Returning Officer shall, subject to the direction of the Chief Electoral Officer,            (a) take whatever reasonable measures are necessary for the proper and timely conduct of an election;            (b) ensure that deputy returning officers and poll clerks are properly trained in accordance with guidelines of the Chief Electoral Officer;            (c) take whatever reasonable measures are necessary to ensure that voter participation in the election is facilitated; and            (d) perform such other duties as may be assigned to a Regional Returning Officer by the Chief Electoral Officer or otherwise under this Act.</p>	<p><b>Duties</b>            105 Each Regional Returning Officer shall, subject to the directions of the Chief Electoral Officer:            (a) take whatever reasonable measures are necessary for the proper and timely conduct of an election;            (b) ensure that deputy returning officers and poll clerks are properly trained in accordance with the guidelines of the Chief Electoral Officer;            (c) take whatever reasonable measures are necessary to ensure that voter participation in the election is facilitated; and            (d) perform any other duties that may be assigned to a Regional Returning Officer by</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	the Chief Electoral Officer or otherwise under this Act.	
<p><b>Delegation</b> 103(2) A Regional Returning Officer may delegate to the assistant regional returning officer the Regional Returning Officer's duties and powers under this Act, in accordance with the instructions of the Chief Electoral Officer.</p> <p><b>Delegation in writing</b> (3) The Regional Returning Officer's delegation shall be in writing and shall be dated and signed by the Regional Returning Officer.</p>	<p><b>Delegation</b> 106(1) A Regional Returning Officer may delegate to the assistant regional returning officer the Regional Returning Officer's duties and powers under this Act, in accordance with the directions of the Chief Electoral Officer.</p> <p>(2) The Regional Returning Officer's delegation must be in writing, dated and signed by the Regional Returning Officer.</p>	No substantive change.
Assistant Regional Returning Officer Appointment of assistant regional returning officer	<b>Assistant regional returning officer</b> 107(1) The Chief Electoral Officer may appoint in writing an assistant regional returning officer, to hold office at the	The Chief Electoral Officer will appoint assistant regional returning officers, rather than the RRO.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>104. (1) Each Regional Returning Officer shall, without delay after being appointed, appoint in writing an assistant regional returning officer.</p> <p>Term of office (2) An assistant regional returning officer holds office at pleasure of the Regional Returning Officer.</p>	<p>pleasure of the Chief Electoral Officer, and to perform such duties as the Regional Returning Officer may assign.</p>	
<p>Other assistant regional returning officers (5) At the request of the Regional Returning Officer, the Chief Electoral Officer may (a) authorize the Regional Returning Officer to appoint an assistant regional returning officer for a specific community or area in the Region; and (b) authorize the establishment of an office for that assistant regional returning officer.</p> <p>Limitation of authorization (6) An assistant regional returning officer appointed for a community or area may exercise powers and shall perform the duties of office only for that area.</p>	<p>(2) The Chief Electoral Officer may: (a) appoint an assistant regional returning officer for a specific community or area in a Region to act only for that community or area and assign their duties; and (b) authorize the establishment of an office for that assistant regional returning officer.</p>	<p>The Chief Electoral Officer will appoint the assistant regional returning officer in specific communities or areas.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Duties (3) An assistant regional returning officer shall perform such duties as the Regional Returning Officer may assign.</p>		
<p>Dismissal 105. (1) A Regional Returning Officer who intends to revoke the appointment of an assistant regional returning officer shall do so in writing and state the reasons for the revocation.</p>	<p>(3) A Regional Returning Officer may recommend to the Chief Electoral Officer in writing that the appointment of an assistant regional returning officer should be revoked, stating the reasons for the recommendation.</p>	<p>The RRO can recommend dismissal to the Chief Electoral Officer and must provide reasons.</p>
<p>Notification of Chief Electoral Officer (3) The Regional Returning Officer shall notify the Chief Electoral Officer where the appointment of an assistant regional returning officer is revoked, or where the assistant regional returning officer resigns or dies.</p>	<p><i>deleted</i></p>	<p>The Chief Electoral Officer will dismiss.</p>
<p>Resignation (2) An assistant regional returning officer may resign by informing the Regional Returning Officer or, when the position of Regional</p>	<p>(4) An assistant regional returning officer may resign by informing the Chief Electoral Officer.</p>	<p>Resignation will be made to the Chief Electoral Officer.</p>





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
Returning Officer is vacant, the Chief Electoral Officer.		
Absence or inability of Regional Returning Officer (4) Where the office of Regional Returning Officer is vacant, or the Regional Returning Officer is absent or unable to act, the assistant regional returning officer shall inform the Chief Electoral Officer and shall perform the duties of the Regional Returning Officer on an interim basis.	(5) Where the office of Regional Returning Officer is vacant, or the Regional Returning Officer is absent or unable to act, the assistant regional returning officer shall inform the Chief Electoral Officer and shall perform the duties of the Regional Returning Officer on an interim basis if the Chief Electoral Officer so directs.	No change.
Authorization of other functions (7) The Chief Electoral Officer may authorize an assistant regional returning officer or an additional assistant regional returning officer to perform the functions of a deputy returning officer at an advance vote or a mobile poll.	(6) The Chief Electoral Officer may authorize an assistant regional returning officer or an additional assistant regional returning officer to perform the functions of a deputy returning officer or poll clerk at a poll for an advance vote or a mobile poll.	No change.



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Other Election Officers Appointment of deputy returning officer 106. The Regional Returning Officer shall, as soon as possible after the issuance of the declaration of election, appoint a deputy returning officer, poll clerk and registration clerk for each polling station.</p>	<p><b>Election Officers</b> <b>Appointment</b> 108 The Regional Returning Officer shall appoint a deputy returning officer and poll clerk for each polling station.</p>	<p>Registration clerks are no longer necessary in polling stations.</p>
<p>Form of appointments 108. All appointments under this Act must be in the approved form</p>	<p><i>deleted</i></p>	<p>Since the Chief Electoral Officer will make the appointments, they will be in the “approved” form.</p>
<p>Qualifications of Election Officers Eligibility 107. (1) Unless authorized otherwise by the Chief Electoral Officer to be eligible for appointment as an election officer, other than a registration clerk, a person must be entitled to vote for an Executive Member.</p>	<p><b>Qualifications</b> 109(1) Unless otherwise authorized by the Chief Electoral Officer and subject to subsections (2) and (3), to be eligible for appointment as an election officer a person must be a voter.</p>	<p>No substantive change.</p>
<p>Disqualification 107(2) No person is be eligible to be an election officer if they</p>	<p>(2) No person is eligible to be an election officer who: (a) is a candidate or works on behalf of a candidate;</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) are a candidate or work on behalf of a candidate;</p> <p>(b) are a member of the Provincial Métis Council, or were a member during the previous session;</p> <p>(c) holds elected office pursuant to the Elections Act, 1996 (Saskatchewan); the Local Government Election Act (Saskatchewan) or the Canada Elections Act;</p> <p>(d) is a judge of any court, other than a citizenship court;</p> <p>(e) is not a resident of Saskatchewan;</p> <p>(f) committed an offence in relation to elections within the previous 10 years; or</p> <p>(g) committed an indictable offence within the previous five years.</p> <p>Family members of candidates</p> <p>(3) No parent, brother, sister or other member of the family of a candidate is eligible to be an election officer.</p>	<p>(b) is a member of the Provincial Métis Council or was a member during the immediately previous sitting of the Métis Nation Legislative Assembly;</p> <p>(c) holds elected office pursuant to <i>The Elections Act, 1996</i> (Saskatchewan), <i>The Local Government Election Act</i> (Saskatchewan) or the <i>Canada Elections Act</i>;</p> <p>(d) is a judge of the Métis Court or of any other court, other than a citizenship court;</p> <p>(e) is not a resident of Saskatchewan;</p> <p>(f) committed an offence in relation to elections within the previous 10 years; or</p> <p>(g) committed an indictable offence within the previous five years;</p> <p>(h) is a member of the family of a candidate.</p>	
<p>Family members of Regional Returning Officers</p>	<p>(3) No member of the family of a Regional Returning Officer is eligible to be appointed as an assistant regional returning officer.</p>	



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(4) No parent, brother, sister or other member of the family of the Regional Returning Officer is eligible to be an assistant regional Returning Officer.		
<p style="text-align: center;"><b>General Duties of Office</b></p> <p><b>Duty of impartiality</b> 109. (1) Election officers and the staff of the Office of the Chief Electoral Officer shall act impartially and shall not, in the performance of functions under this Act, in any way favour a particular candidate.</p>	<p><b>Duty of impartiality</b> 110(1) Election officers and the staff of the Office of the Chief Electoral Officer shall act impartially and shall not, in the performance of functions under this Act, in any way favour a particular candidate.</p>	No change.
<p><b>Training</b> (2) Deputy returning officers and poll clerks must satisfactorily complete any elections training required by the Chief Electoral Officer.</p>	<i>deleted</i>	Not necessary to include in the Act.
<p><b>Holding a single office</b> 110. (1) The Regional Returning Officer and assistant regional returning officer shall not hold any other office under this Act.</p>	<i>deleted</i>	Not necessary to include in the Act.



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Prohibited activities            (2) No election officer shall, while in office,            (a) accept or hold any office or employment or participate in an activity that is inconsistent with the person's duties under this Act;            (b) assist or make a contribution to a candidate; or            (c) incur an election expense for or on behalf of a candidate.</p>	<p>(2) No election officer shall, while in office:            (a) accept or hold any office or employment or participate in an activity that is inconsistent with the officer's duties under this Act;            (b) assist or make a contribution to a candidate; or            (c) incur an election expense for or on behalf of a candidate.</p>	<p>No change.</p>
<p>Specific tasks            (3) No Regional Returning Officer or assistant regional returning officer shall act as deputy returning officer or poll clerk at a polling station.</p>	<p><i>deleted</i></p>	<p>Not necessary; the Chief Electoral Officer controls appointments.</p>
<p>Oaths and Affirmations            Oath of office            114. (1) Before taking office, all election officers shall take the oath or affirmation of office in the approved form.             Transmission of oaths</p>	<p><b>Oath of office</b>            111 Before taking office, all election officers shall take the oath or affirmation of office in the approved form, and the Regional Returning Officer shall immediately send the original written copy to the Chief Electoral Officer.</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(2) The Regional Returning Officer shall, without delay, send to the Chief Electoral Officer the original written copy of</p> <p>(a) the Regional Returning Officer's own oath or affirmation; and</p> <p>(b) the appointment and oath or affirmation of the assistant regional returning officer and every other election officer in the Region.</p>		
<p style="text-align: center;"><b>Notices</b></p> <p>Manner of giving notice</p> <p>112. When an election officer is authorized or required to give a public notice by this Act and no special method of notification is indicated, the notice may be by advertisement, placard, handbill or otherwise as the election officer considers will best achieve the purpose.</p>	<p style="text-align: center;"><b>Miscellaneous</b></p> <p><b>Notices</b></p> <p>112 When an election officer is authorized or required to give a public notice by this Act and no special method of notification is indicated, the notice may be given by posting on the Chief Electoral Officer's website or otherwise as the election officer considers will best achieve the purpose.</p>	<p>No substantive change.</p>
<p>Electronic transmission of election documents</p> <p>113. The Chief Electoral Officer may</p>	<p><i>deleted</i></p>	<p>Not necessary to be included in the Act.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(a) authorize the transmission of election documents by facsimile or other means of electronic transmission; and            (b) establish a presence on the Internet to provide the public with information relevant to elections.</p>		
<p>Prohibition of fees            114(3) All oaths, affirmations or affidavits administered under this Act should be administered without charge.</p>	<p><b>Oaths, etc., without charge</b>            113 All oaths, affirmations or affidavits administered under this Act should be administered without charge.</p>	<p>No change.</p>
<p>Marks in lieu of signatures            9. A voter who must sign a document under this Act, but is unable to write, may place a distinctive mark on the document instead, if a witness who can attest to the voter's identity also signs the document.</p>	<p><b>Marks in lieu of signatures</b>            114. A voter who must sign a document under this Act, but is unable to write, may place a distinctive mark on the document instead, if a witness who can attest to the voter's identity also signs the document.</p>	<p>No change.</p>
<p>Finality of Decisions            Decisions final</p>	<p><b>Decisions final</b>            115(1) Except as explicitly provided in this Act, every order or decision of the Chief</p>	<p>No substantive change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
115. (1) Every order or decision of the Chief Electoral Officer is final and is not subject to appeal to the Legislative Assembly or the General Assembly.	Electoral Officer is final and is not subject to appeal to the Métis Judicial Body or any other court, the MNLA or the General Assembly.	
Amendment and revocation (2) The Chief Electoral Officer may amend or revoke an order or decision made by the Chief Electoral Officer at any time.	(2) The Chief Electoral Officer may amend or revoke an order or decision made by the Chief Electoral Officer at any time.	No change.
None	<b>Regulations</b> 116 The Provincial Métis Council may make regulations with respect to any matter that is required by this Act to be prescribed and generally for carrying out the purposes of this Act.	There is only one thing to be “prescribed” at present and that is the amount of the deposit to be provided by candidates. It may be preferable to include the amount in the Act and delete this provision. These details will be enacted in regulations to be made by the PMC.
None  PART VI ENFORCEMENT Offences Related to Voting	Generally  PART VI ENFORCEMENT <b>Offences</b>	This is a general provision stating that any breach of the Act is an offence and providing





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	<p>116.01 Any person who contravenes any provision of this Act is guilty of an offence.</p> <p>(2) Any MN-S citizen may refer an alleged offence to the Métis Judicial Body as a complaint to be resolved, if possible, through the Kwayaskastasowin process.</p> <p>(3) Where it is determined by the Métis Judicial Body that a contravention of this Act has occurred, the Métis Judicial Body may have access to any of the following consequences, as are consistent with the principles of Kwayaskastasowin and appropriate in all of the circumstances of the offence:</p> <p>(a) an order that a person cease an activity that is prohibited or perform one that is required;</p> <p>(b) an order that an individual perform a specific community service within a specified time;</p> <p>(c) an order for restitution;</p> <p>(d) the imposition of a fine of not more than \$1,000.00;</p>	<p>for the complaint to be dealt with by the Métis Judicial Body.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	(e) a declaration of ineligibility to hold any elected or appointed office in the Métis Nation – Saskatchewan for a period of up to 10 years from the date the offence was committed; (f) any other consequence that may be authorized by this Act.	
none	<b>Voters lists and voters information</b> 116.1 A person is guilty of an offence if the person: (a) contravenes subsection 11(2); or (b) fails to comply with any direction of the Chief Electoral Officer relating to the use of voters lists or voters information.	Misuse of the voters list or information is made an offence.
<b>Voter offences</b> 125. (1) A person is guilty of an offence if he or she (a) registers, votes or attempts to vote at an election knowing that he or she is not entitled to vote in the election;	<b>Voter offences</b> 117 A person is guilty of an offence if the person: (a) votes or attempts to vote at an election knowing that they are not entitled to vote in the election;	Reference to applying to register to vote is removed.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(b) votes or attempts to vote more than once in an election;            (c) applies under this Act to be registered in the name of some other person, whether the name belongs to a person living or dead or is fictitious;            (d) applies for a ballot paper in the name of some other person, whether the name belongs to a person living or dead or is fictitious;            (e) induces or procures another person to vote at an election knowing that the other person is not entitled to vote at the election;            or            (f) knowingly makes a false statement when attempting to register to vote.</p>	<p>(b) votes or attempts to vote more than once in an election;            (c) applies for a ballot paper in the name of some other person, whether the name belongs to a person living or dead or is fictitious; or            (d) induces or procures another person to vote at an election knowing that the other person is not entitled to vote at the election.</p>	
<p>Offence relating to votes            125(2) A person is guilty of an offence if he or she contravenes or fails to comply with the provisions of this Act and that causes            (a) a vote to be received which should not have been cast; or            (b) a vote properly cast not to be received.</p>	<p><b>Offence relating to votes</b>            118 A person is guilty of an offence if the person contravenes or fails to comply with the provisions of this Act and as a result causes:            (a) a vote to be received which should not have been cast; or            (b) a vote properly cast not to be received.</p>	<p>No change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Ballot offences            (3) A person is guilty of an offence if he or she            (a) forges a ballot paper or puts a forged ballot paper into circulation;            (b) fraudulently alters, defaces or destroys a ballot paper or the initials of the deputy returning officer signed on the ballot;            (c) without authority under this Act, supplies a ballot paper to any person; (d) not being a person entitled under this Act to be in possession of a ballot paper, has, without authority, any ballot paper in his or her possession; (e) fraudulently puts or causes to be put into a ballot box a ballot paper or any other paper;            (f) fraudulently takes a ballot paper out of the polling station or other polling place;            (g) without authority under this Act, destroys, takes, opens or otherwise interferes with a ballot box or book or packet of ballot papers;            (h) without authority under this Act, prints any ballot paper or what purports to be or is</p>	<p><b>Ballot offences</b>            119 A person is guilty of an offence if the person:            (a) forges a ballot paper or puts a forged ballot paper into circulation;            (b) fraudulently alters, defaces or destroys a ballot paper or the initials of the deputy returning officer signed on the ballot;            (c) without authority under this Act, supplies a ballot paper to any person;            (d) not being a person entitled under this Act to be in possession of a ballot paper, has, without authority, any ballot paper in his or her possession;            (e) fraudulently puts or causes to be put into a ballot box a ballot paper or any other paper;            (f) fraudulently takes a ballot paper out of the polling station or other polling place;            (g) without authority under this Act, destroys, takes, opens or otherwise interferes with a ballot box or book or packet of ballot papers;</p>	<p>No change.</p>



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>capable of being used as a ballot paper at an election;</p> <p>(i) being authorized by the Chief Electoral Officer to print the ballot papers for an election, fraudulently prints more ballot papers than he or she is authorized to print;</p> <p>(j) constructs or has in his or her possession a ballot box containing a compartment, appliance, device or mechanism by which a ballot paper may be secretly placed or manipulated;</p> <p>(k) supplies or causes to be supplied to an election officer, or uses for the purposes of an election, a ballot box containing a compartment, appliance, device or mechanism by which a ballot paper may be secretly placed or manipulated; or</p> <p>(l) makes a written record of the printed serial number appearing on the counterfoil of a ballot paper.</p>	<p>(h) without authority under this Act, prints any ballot paper or what purports to be or is capable of being used as a ballot paper at an election;</p> <p>(i) being authorized by the Chief Electoral Officer to print the ballot papers for an election, fraudulently prints more ballot papers than they are authorized to print;</p> <p>(j) constructs or has in their possession a ballot box containing a compartment, appliance, device or mechanism by which a ballot paper may be secretly placed or manipulated;</p> <p>(k) supplies or causes to be supplied to an election officer, or uses for the purposes of an election, a ballot box containing a compartment, appliance, device or mechanism by which a ballot paper may be secretly placed or manipulated; or</p> <p>(l) makes a written record of the printed serial number appearing on the counterfoil of a ballot paper.</p>	
<p>Offences for Improperly Influencing Voters</p>	<p><b>Inducement of voters</b></p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Inducement of voters Receipt of money or other valuable consideration 126. (1) Any person who, personally or through another person, during an election, directly or indirectly offers, procures, provides or promises to procure or provide money, office, employment, food, drink, gifts or other valuable consideration to induce a person to vote or refrain from voting is guilty of an offence.</p>	<p>120(1) Any person who, personally or through another person, during an election, directly or indirectly offers, procures, provides or promises to procure or provide money, office, employment, food, drink, gifts or other valuable consideration to induce a person to vote or refrain from voting is guilty of an offence.</p>	
<p>(2) Any person who accepts or receives money, office, employment, food, drink, gifts or other valuable consideration to vote or refrain from voting is guilty of an offence.</p>	<p>(2) Any person who accepts or receives money, office, employment, food, drink, gifts or other valuable consideration to vote or refrain from voting is guilty of an offence.</p>	<p>No change.</p>
<p>Exemptions (3) This section does not apply to (a) a meal or non-alcoholic refreshments provided at a meeting of voters assembled for the purpose of promoting the election of a candidate;</p>	<p>(3) This section does not apply to: (a) a meal or non-alcoholic refreshments provided at a meeting of voters assembled for the purpose of promoting the election of a candidate; (b) a meal or non-alcoholic refreshments provided to a candidate or the representative of a candidate at a polling station; or</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>(b) a meal or non-alcoholic refreshments provided to a candidate or the representative of a candidate at a polling station; or            (c) the provision of transportation to or from a polling station or other place of voting.</p>	<p>(c) the provision of transportation to or from a polling station or other place of voting.</p>	
<p><b>Undue influence</b>            127. A person is guilty of an offence if, by intimidation, duress or any pretence or contrivance, he or she            (a) compels, induces or prevails upon a person to vote or refrain from voting at an election; or            (b) represents to a person that the ballot or the manner of voting at an election is not secret.</p>	<p><b>Undue influence</b>            121 A person is guilty of an offence if, by intimidation, duress or any pretence or contrivance, the person:            (a) compels, induces or prevails upon a person to vote or refrain from voting at an election; or            (b) represents to a person that the ballot or the manner of voting at an election is not secret.</p>	<p>No change.</p>
<p>127.1 No person shall disturb the peace and good order at a polling station.</p>	<p><b>Disturbing peace at polling station</b>            122 No person shall disturb the peace and good order at a polling station.</p>	<p>No change.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>127.2 (1) Any person who places or displays campaign material in or on any premises used as a polling station is guilty of an offence; and,</p> <p>(2) Any person who uses, wears or displays or causes to be used, worn or displayed any flag, ribbon, label, badge, or similar object in a polling station as campaign material is guilty of an offence.</p>	<p><b>Displaying campaign material at or near polling station</b>            123 Any person who contravenes section 38.1 is guilty of an offence.</p>	<p>Section 38.1 prohibits this activity.</p>
<p><b>Offences Related to Information</b>            Failure to protect secrecy of vote            128. Any person who contravenes or fails to observe any provision of this Act respecting the secrecy of the vote is guilty of an offence.</p>	<p><b>Failure to protect secrecy of vote</b>            124 Any person who contravenes or fails to observe any provision of this Act respecting the secrecy of the vote is guilty of an offence.</p>	<p>No change.</p>
<p><b>Prohibition on telecommunication devices</b>            129. (1) No person, other than an election officer, shall use any telecommunications device, including a mobile telephone or text messaging device, in a polling station.</p>	<p><b>Prohibition on telecommunication devices</b>            125 No person, other than an election officer, shall use any telecommunications device, including a mobile telephone, to make a phone call or send a text message, in a polling</p>	<p>No change.            Candidates and their representatives are allowed to use phones to communicate with their offices eg re who has voted.</p>





**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	station, except in accordance with the directions of the Chief Electoral Officer.	
<b>Cameras and recorders</b> 129(2) No person shall use any device to record images or sound in a polling station, except for use by the news media before the polling station is open for voting with the approval of the Chief Electoral Officer.	<b>Prohibition on cameras and recorders</b> 126 No person shall use any device to record images or sound in a polling station, except in accordance with the directions of the Chief Electoral Officer.	Candidates and their representatives take photos of polling records and the vote count at the end of the night so DRO doesn't have to transcribe and make copies.
<b>False statement of withdrawal</b> 130. Any person who, before or during an election publishes a false statement of the withdrawal of a candidate, for the purpose of promoting the election of another candidate, is guilty of an offence.	<b>False statement of withdrawal</b> 127 Any person who, before or during an election publishes a false statement of the withdrawal of a candidate, for the purpose of promoting the election of another candidate, is guilty of an offence.	No change.
<b>Offences Involving Candidates</b> <b>Offence</b> 131. (1) Any person who signs his or her nomination papers consenting to be a candidate at an election knowing that he or	<b>Offences by candidates</b> 128 Any person who signs nomination papers consenting to be a candidate at an election knowing that they are ineligible to be a	No substantive change.



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
she is ineligible to be a candidate in the election is guilty of an offence.	candidate in the election is guilty of an offence.	
Single candidacy (2) Any person who is a candidate for more than one office at the same time is guilty of an offence.	<i>deleted</i>	It is not possible to be a candidate for more than one office.
<p style="text-align: center;"><b>Offences Involving Election Officers</b></p> <p><b>Delay</b> 132. (1) Any election officer who wilfully fails to promptly perform his or her functions respecting the holding of an election is guilty of an offence.</p>	<p><b>Offences involving election officers</b> 129(1) Any election officer who wilfully fails to promptly perform their functions respecting the holding of an election is guilty of an offence.</p>	No substantive change.
<p><b>Liability of election officers</b> (2) Despite anything in this Act, any election officer who contravenes or refuses to comply with this Act is guilty of an offence, unless the election officer establishes that (a) the election officer was acting in good faith in contravening, failing or refusing to comply;</p>	<p>(2) Notwithstanding any other provision of this Act, an election officer is not in contravention of this Act unless it is established that: (a) the election officer was not acting in good faith; (b) the contravention was not reasonable; and</p>	No substantive change.



**Metis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(b) the contravention, failure or refusal was reasonable; and (c) the election officer did not intend to affect the result of the election.	(c) the election officer intended to affect the result of the election.	
<b>Improper advice</b> 132(4) Any deputy returning officer or poll clerk who, in administering an oath or affirmation, incorrectly asserts that a fact or circumstance is a qualification or disqualification under this Act is guilty of an offence.	<b>Improper advice</b> 130 Any deputy returning officer or poll clerk who, in administering an oath or affirmation, incorrectly asserts that a fact or circumstance is a qualification or disqualification under this Act is guilty of an offence.	No change.
<b>Offence</b> 132(3) Any person who, in any manner, makes a count of the votes other than at the time and in the manner provided by this Act is guilty of an offence.	<b>Improper vote count</b> 131 Any person who, in any manner, makes a count of the votes other than at the time and in the manner provided by this Act is guilty of an offence.	No change.



Métis Nation – Saskatchewan Election Act

DRAFT

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
Complaints Officer 16. (1) The Métis Nation Legislative Assembly shall appoint a Complaints Officer to enforce compliance with this Act.	<i>deleted</i>	Complaints will be made to the Métis Court.
Term of office (2) The Complaints Officer holds office for a term specified in his or her appointment, not exceeding five years.	<i>deleted</i>	As above.
General election in 2007 (3) (repealed July 29, 2016).	<i>deleted</i>	As above.
Complaints and Investigations Making a complaint 117. (1) Any person who believes that an offence under this Act has been, is being or may be committed may make a complaint to the Complaints Officer.	<b>Complaints</b> <b>Making a complaint</b> 132(1) Any person who believes that an offence under this Act has been, is being or may be committed may make a complaint to the Métis Judicial Body .	Complaints will be made to the Métis Court.
Limitation period (2) A complaint may be made during an election, but no complaint may be made more than 90 days after election day.	(2) A complaint may be made during an election, but no complaint may be made more than 90 days after election day.	No change.



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Investigations 118. (1) Any person may request the Complaints Officer to investigate an alleged offence under this Act.</p> <p>Review of complaint (2) The Complaints Officer shall review a complaint made under this Act, and shall investigate the complaint, or any possible offence that otherwise comes to the attention of the Complaints Officer, to the extent that he or she considers warranted in the circumstances.</p>	<p><b>Inquiry by Métis Judicial Body</b> 133 The Metis Judicial Body shall conduct an initial inquiry in accordance with its rules of procedure to determine whether a complaint made under the Act can be resolved in a manner other than by conducting a formal hearing and in accordance with principles of restorative justice.</p>	<p>The Métis Court would determine how to handle any complaint it receives in accordance with its own rules of procedure.</p>
<p>none</p>	<p><b>Resolution by consent</b> 133.1 Where a complaint is resolved without a formal hearing, the Métis Judicial Body shall issue a decision with the consent of the parties recording the resolution that is reached.</p>	<p>If a complaint is resolved informally, the Métis Court would issue a decision or order to document the resolution reached.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Complaint justified            (3) If after investigation the Complaints Officer considers that the complaint is justified, the Complaints Officer shall refer the complaint to the Adjudicator for a hearing and may make an order in accordance with section 119.</p>	<p><b>Formal hearing</b>            133.2 Where a complaint cannot be resolved by consent, the Métis Judicial Body shall hold a hearing to determine if an offence under this Act has occurred.</p>	<p>If resolution through informal processes is not possible, the Métis Court would hold a formal hearing and make a decision.</p>
<p>Punishment            Ineligibility to hold office            133. Any person who is found guilty of committing an offence under this Act by a court or the Adjudicator is ineligible to hold any elected or appointed office in the Métis Nation – Saskatchewan for a period of 10 years from the date the offence was committed.</p>		<p>Dealt with in section 116.01</p>
<p>Services of counsel and experts            118(4) For the purposes of an investigation, the Complaints Officer may engage the services of legal counsel, investigators, experts or other persons.</p>	<p><i>deleted</i></p>	<p>A provision of this nature is included in the Métis Judiciary Act to be generally available to it.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Other Matters Prohibited activities 122. No Complaints Officer or Adjudicator shall, while in office, (a) accept or hold any office or employment or participate in an activity that is inconsistent with the person’s duties under this Act; (b) assist or make a contribution to a candidate; or (c) incur an election expense for or on behalf of a candidate.</p>	<p><i>deleted</i></p>	<p>There will no longer be a complaints officer or adjudicator.</p>
<p>Order to cease activity or take action 119. (1) The Complaints Officer may make an order requiring a Métis citizen to (a) cease an activity, where it appears to the Complaints Officer that the activity is in contravention of this Act; or (b) take action, where it appears to the Complaints Officer that such action is required by this Act.</p>	<p><b>Order to cease activity or take action</b> 134(1) The Métis Judicial Body may make an order requiring an MN-S citizen to (a) cease an activity, where it appears to the court that the activity is in contravention of this Act; or (b) take action, where it appears to the court that such action is required by this Act.</p>	<p>The Métis Court may make orders to cease an activity or to perform one that is required.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Grounds for order            (2) An order may be made under subsection (1) without a hearing by the Adjudicator if, in the opinion of the Complaints Officer,            (a) there exist urgent circumstances that justify making the order without first holding a hearing; and            (b) the length of time needed for the holding of a hearing would be prejudicial to the effectiveness of the order.</p> <p>Temporary order            (3) An order made under subsection (1) expires no later than the 5<sup>th</sup> day after it is made but, where a hearing is commenced by the Adjudicator before the expiry of the order, the Complaints Officer may extend the order for the duration of the hearing, with or without variation.</p>	<p>(2) An order may be made under subsection (1) without a hearing if, in the opinion of the court:            (a) there exist urgent circumstances that justify making the order without first holding a hearing; and            (b) the length of time needed for the holding of a hearing would be prejudicial to the effectiveness of the order.</p> <p>(3) An order made under subsection (1) expires no later than the 5<sup>th</sup> day after it is made unless, where a hearing is commenced by the court before the expiry of the order, the court extends the order for the duration of the hearing, with or without variation.</p>	
None	<p><b>Decision of Métis Judicial Body final</b>            134.1 The decisions of the Métis Judicial Body are final and cannot be appealed to the</p>	The decisions of the Métis Judicial Body are final.





**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
	Provincial Métis Council, the MNLA, or the Saskatchewan courts.	
<p style="text-align: center;"><b>Adjudication</b></p> <p>Appointment of Adjudicator 120. (1) The Métis Nation Legislative Assembly shall appoint an Adjudicator to hear any complaint referred by the Complaints Officer.</p> <p>Term of office (2) The Adjudicator holds office for a term not exceeding five years.</p> <p>General election in 2007 (3) repealed July 29, 2016.</p> <p>Status of Adjudicator (4) The Adjudicator is an independent officer of the Métis Nation – Saskatchewan and is not to be considered an election officer for the purposes of this Act.</p>	<p><i>deleted</i></p>	<p>There will no longer be an Adjudicator.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
<p>Functions 121. (1) The Adjudicator shall hear all complaints referred by the Complaints Officer and shall, in the conduct of his or her functions, act fairly, independently and impartially.</p> <p>Powers (2) The Adjudicator may (a) make rules respecting procedure and the conduct of the hearing of complaints; (b) conduct hearings into any complaint under this Act; (c) determine whether a person is guilty of committing an offence under this Act; (d) determine any other matter related to a complaint; and (e) make an order in the nature of an order described in subsection 119(1) and confirm, vary or reverse any order made by the Complaints Officer under section 119.</p> <p>Decision final</p>	<p><i>deleted</i></p>	<p>There will no longer be an Adjudicator. Complaints will be handled by the Métis Judicial Body.</p>



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

Existing	Proposed	Explanation
(3) A decision of the Adjudicator is final and cannot be appealed to the Provincial Métis Counsel or the Legislative Assembly.		
Enforcement protocol 123. A protocol among the Chief Electoral Officer, the Complaints Officer and the Adjudicator may be arranged respecting the enforcement of this Act.	<i>deleted</i>	There will no longer be a complaints officer or adjudicator.
Publication of Offences Public information 124. The Chief Electoral Officer shall take reasonable measures to inform the public, especially candidates, what actions constitute offences under this Act.	<i>deleted</i>	Not necessary to include in the Act
Repeal Former elections rules 134. The former Elections Act and all rules and regulations respecting elections for the	PART VII REPEAL AND COMING INTO FORCE <b>Repeal</b> 135 The <i>Election Act</i> is repealed.	



**Métis Nation – Saskatchewan Election Act**

**DRAFT**

for discussion purposes only subject to change based on feedback received

<b>Existing</b>	<b>Proposed</b>	<b>Explanation</b>
Métis Provincial Council – Saskatchewan are repealed.		
Coming into Force Commencement 135. This Act comes into force on the day it is ratified by the General Assembly of the Métis Nation – Saskatchewan.	<b>Coming into force</b> 136 This Act comes into force on the day on which it is enacted by the Métis Nation Legislative Assembly.	

DRAFT