

4. APPROVAL OF THE AGENDA

Related information: Draft Agenda for the October 15, 2024, MN-S PMC Meeting

It was MOVED (Glen McCallum) and SECONDED (Michelle LeClair)

That the Agenda for the October 15, 2024, Métis Nation – Saskatchewan (MN-S) Provincial Métis Council (PMC) Meeting be approved as follows:

1. Call to Order
2. Opening Prayer
3. Roll Call
4. Approval of the Agenda
5. Opening Remarks – President Glen McCallum
6. Proposed Consent Agenda Items:
 - 6.1 Approval of the Recording Secretary – Diane Parsons
 - 6.2 Review/Approval of the September 19, 2024, PMC Meeting Minutes
7. Requests for Action:
 - 7.1 Appointment of Dumont’s Scouts for the Fall 2024 General Assembly (RFA 240919-02)
8. Resolutions:
 - 8.1 Resolution on Executive Structure within the *Constitution of the Métis Nation – Saskatchewan*
 - 8.2 Resolution to Approve the Updated MNLA Order of the Day
 - 8.3 Order of the Day/Agenda for the November 23, 2024, General Assembly
 - 8.4 Amendments to the *Constitution of the Métis Nation – Saskatchewan* to Add Language to the Preamble to Support Self-Government and an Affirmation of Métis Rights
 - 8.5 Amendments to the *Constitution of the Métis Nation – Saskatchewan* for Election of Provincial Representatives for Women and Youth to be Included in the MN-S Provincial General Election Every Four Years
 - 8.6 Amendments to the *Constitution of the Métis Nation – Saskatchewan* to Include Provisions Allowing for the Creation of a Métis Judiciary
 - 8.7 Amendments to the *Constitution of the Métis Nation – Saskatchewan* to Change the General Assembly Provisions so Eligibility for Voting Will Be Open to All MN-S Citizens of Voting Age
 - 8.8 Amendments to the *Constitution of the Métis Nation – Saskatchewan* for General Clean-Up
 - 8.9 Amendments to the *MN-S Citizenship Act, 1999*
 - 8.10 Amendments to the *Saskatchewan Métis Elections Act, 2007*
 - 8.11 Amendments to the *Métis Nation of Saskatchewan Legislative Assembly Act, 1999*
9. Financial Update – Marg Friesen, Minister of Finance
10. Bringing into Record Decisions of Kishchi Mashinaayikun Ooshchi Michif Ratification Vote
 - 10.1 Kishchi Mashinaayikun Ooshchi Michif Ratification Vote Plan (June 18, 2024)
 - 10.2 MN-S - Kishchi Mashinaayikun Ooshchi Michif Voting Policy (September 19, 2024)
11. Closing Prayer
12. In-Camera Session.

CARRIED (241015-01)

5. OPENING REMARKS

President McCallum acknowledged recent and upcoming events, and commented on:

- Continuing negotiations with the federal government regarding the Kishchi Mashinaayikun Ooshchi Michif (“the Treaty”)
- Regional Directors maintaining effective communication with MN-S staff to ensure that accurate information is relayed to Local Presidents and citizens.

6. APPROVAL OF THE CONSENT AGENDA

Related information (provided with the agenda): Draft Minutes of the September 19, 2024, MN-S PMC Meeting

It was MOVED and SECONDED

That the Métis Nation – Saskatchewan Provincial Métis Council (PMC) approves the following items presented on the “Consent Agenda”:

- Appointment of Diane Parsons as Recording Secretary for the October 15, 2024, PMC Meeting; and
- Adoption of the Minutes of the September 19, 2024, PMC Meeting.

CARRIED (241015-02)

It was MOVED (Michelle LeClair) and SECONDED (Lisa McCallum)

WHEREAS it was acknowledged that the September 19, 2024, Métis Nation – Saskatchewan Provincial Métis Council In-Camera Meeting ended without a motion to conclude the meeting;

THEREFORE BE IT RESOLVED that the September 19, 2024, Métis Nation – Saskatchewan Provincial Métis Council meeting be deemed concluded.

CARRIED (241015-03)

It was MOVED (Brent Digness) and SECONDED (Michelle LeClair)

WHEREAS it was acknowledged that the September 19, 2024, Métis Nation – Saskatchewan Provincial Métis Council In-Camera Meeting concluded without a motion to come out of In Camera;

THEREFORE BE IT RESOLVED that the Métis Nation – Saskatchewan Provincial Métis Council approves coming out of In Camera on September 19, 2024.

CARRIED (241015-04)

7. REQUESTS FOR ACTION

7.1 Letter to Local Presidents and Area Directors – RFA 240919-01

It was confirmed that a letter would be sent in the coming days from President McCallum to Local Presidents and Area Directors, conveying the importance of their attendance for the entirety of the Fall 2024 MNLA to ensure all essential business was addressed.

7.2 Appointment of Dumont’s Scouts for the Fall 2024 General Assembly – RFA 240919-02

The meeting was informed that a motion to appoint Dumont's Scouts would be presented at a future PMC meeting pending the identification of Scouts for each General Assembly location. It was noted that Regional Directors would be consulted to recommend individuals to serve as Dumont’s Scouts at the General Assembly locations.

7.3 Meeting on Financial Audit and Departmental Budget Comparisons – RFA 240919-03

It was confirmed that the 2023-24 MN-S Audited Financial Statements and a 2024 Year to Date Variance Report would be reviewed at a Special PMC Meeting prior to the end of October 2024. In addition, a virtual MNLA Financial Workshop would be held prior to the November 2024 MNLA.

8. RESOLUTIONS

8.1 Resolution on Executive Structure within the *Constitution of the Métis Nation – Saskatchewan* Related information (provided with the agenda): Draft Resolution, “Resolution to Rename Executive Positions and Composition Within the Constitution of the Métis Nation - Saskatchewan”

Discussion ensued on the draft resolution to alter the structure of the Executive Committee. Comments offered in support of the resolution, related to:

- Revising the Executive structure to align with the MN-S’ journey toward self-government
- Financial oversight provided by the Minister of Finance, during the seven-and-a-half-year absence of a Treasurer on the MN-S Executive
- Feedback from citizens indicating an interest in changes to the current Executive structure.

Comments offered in opposition to the resolution, related to:

- Disagreement with a Regional Director holding the Finance portfolio, and questions related to the appointment of the Minister of Finance and Finance Committee
- Adherence to the historical and cultural structure of the MN-S Executive
- The need for further consultation with citizens, before implementing changes to the Executive structure.

It was MOVED (Marg Friesen) and SECONDED (Autumn Laing-LaRose)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the *Constitution of the Métis Nation – Saskatchewan* in Article 4 section 2 states “The Executive shall be composed of the President, Vice President, Secretary and Treasurer”;

WHEREAS the MN-S is currently negotiating a government-to-government constitutionally protected nation to nation Treaty agreement to be known as Kischi Mashinahikan Ooschi Michif (“sacred document from the Michif”) with the government of Canada that will enable the MN-S to transition from a non-profit corporation to a distinctions-based Métis government in early 2025;

WHEREAS the Métis Nation Legislative Assembly (MNLA) will be reviewing and voting on proposed constitutional amendments at the Fall 2024 MNLA on November 2 and 3, 2024, with further ratification at a General Assembly in November 2024;

WHEREAS the MN-S builds on the enshrined legacy of Louis Riel’s Provisional Government who embodied the ambitions and vision of the Métis Nation in the composition of the positions selected for leadership;

WHEREAS the MN-S is a contemporary government which draws on this legacy but structures itself and evolves to respond to the needs of Métis citizens and the need to represent them in today’s world;

WHEREAS a strengthened leadership at MN-S would be best met by a three-person Executive who are elected at the provincial level by Métis citizens consisting of a President, a Vice President and a Secretary of State;

THEREFORE BE IT RESOLVED that the PMC directs the MN-S to amend the *Constitution of the Métis Nation – Saskatchewan* to change the composition from a four-person Executive including the President, Vice President, Secretary and Treasurer to a three-person Executive composed of a President, Vice President, and Secretary of State; and

FURTHER BE IT RESOLVED that the PMC directs the MN-S to incorporate the change to the Executive names and composition into the constitutional amendments and other required legislation being considered at the Fall 2024 MNLA.

CARRIED (241015-05)

Vice President LeClair, Secretary McCallum, and Associate Minister Gervais, and Ministers McLennan and Pruden Nansel voted in opposition
Autumn Laing-LaRose abstained from the vote

Health Break

The meeting recessed at 10:20 a.m. and reconvened at 10:40 a.m.

8.2 Resolution to Approve Updated MNLA Order of the Day

Related information (provided with the agenda): Draft Resolution, “Adoption of the Order of the Day/Agenda for the Métis Nation Legislative Assembly Fall 2024”

It was MOVED (Glen McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC at their duly held meeting on November 21, 2023, resolved that a Métis Nation Legislative Assembly (MNLA) would be held November 22-24, 2024;

WHEREAS at their duly held meeting on April 19, 2024, the PMC resolved that the Fall 2024 MNLA be held on November 1-3, 2024, at the Regina Exhibition Association Limited, 1700 Elphinstone Street, Regina, Saskatchewan, to accommodate the new timeline for ratification of the Kishchi Mashinaayikun Ooshchi Michif treaty document at a General Assembly on November 23, 2024;

WHEREAS Articles 6.2 and 6.3 of the *Métis Nation Saskatchewan Legislative Assembly Act* (the Act), as amended, directs the Clerk of the MNLA, as defined in Article 2.4 of the Act, to draft an agenda for the MNLA as directed by the PMC and to compile the necessary documentation for the Order of the Day; and

WHEREAS the Order of the Day/Agenda is hereby proposed for the MNLA to be held on November 1-3, 2024;

THEREFORE BE IT RESOLVED that the PMC approves the Order of the Day/Agenda as follows for the Fall 2024 MNLA on November 1-3, 2024, as proposed by the Clerk of the MNLA:

AGENDA – TECHNICAL BRIEFING - NOVEMBER 1, 2024

- Kishchi Mashinaayikun Ooshchi Michif Treaty Session (Elected Officials Only)
- General Assembly Information:
 - o General Assembly Rules of Procedure
 - o Métis Nation Saskatchewan – Constitutional Amendments Voting Policy

AGENDA – MNLA DAY 1 – NOVEMBER 2, 2024

Day 1 Opens - Breakfast

Grand Entry:

- Lead Fiddler - Dean Smith
- Opening Prayer – Lii Vyeu Moond (“the old ones”) Elder Norman Fleury
- Métis Anthem - Loretta King, Western Region 1, MN–S
- O Canada Anthem – Recording

State of the Nation: President Glen McCallum, MN–S

Roll Call: Richard Quintal, Clerk of the Métis Nation Legislative Assembly / Voting Delegate

Motion:

- Adoption of the Agenda – Order of the Day

Proposed Consent Agenda Items:

- Adoption of the Minute Taker
- Reading of the Record of Decisions – May 24-25, 2024, MNLA Minutes
- Adoption of the May 24-25, 2024, MNLA Minutes
- Business Arising from the May 24-25, 2024, MNLA Minutes
- Accept All Reports – Executive, Regional, Ministerial, CEO and Affiliates
- Adoption of Dumont’s Scouts

Health Break

Kishchi Mashinaayikun Ooshchi Michif Update:

- Michelle LeClair, Vice President, MN-S

Motions:

- Ratification of the date of the 2025 MN-S General Election
- Appointment of the Chief Electoral Officer, Complaints Officer and Adjudicator

Lunch – Prayer, Lii Vyeu Moond (“the old ones”)

MN-S Financial Update and Audited Financial Statements:

- Approval of Audited Financial Statements for 2024-2025
- Appointment of Auditors for 2025-2026

Health Break

Constitutional Reform Presentation:

- Lisa McCallum, Secretary, MN-S
- Dorothy Myo, Deputy Chief Self Government, MN-S
- Merrilee Rasmussen, Rasmussen and Co.

Adjournment – Day 1

Closing Prayer – Lii Vyeu Moond (“the old ones”)

Dinner and Entertainment

AGENDA – MNLA DAY 2 – NOVEMBER 3, 2024

Day 2 Opens – Breakfast

Opening Prayer - Lii Vyeu Moond (“the old ones”), Elder Debra Smith

Roll Call: Richard Quintal, Clerk of the Métis Nation Legislative Assembly / Voting Delegates

Motions for Proposed Constitutional Amendments:

- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* to add language to the Preamble to support self-government and an affirmation of Métis rights
- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* for election of provincial representatives for women and youth to be included in the Métis Nation – Saskatchewan (MN-S) provincial general election every four years.
- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* to include provisions allowing for the creation of a Métis Judiciary

Health Break

Motions for Proposed Constitutional Amendments: (Continued)

- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* to change the General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age
- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* for general clean-up
- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* for changes to the executive structure

Lunch – Prayer, Lii Vyeu Moond (“the old ones”)

Motions for Proposed Legislative Amendments:

- Adopt amendments to the *Saskatchewan Métis Elections Act, 2007*
- Adopt amendments to the *MN-S Citizenship Act, 1999*
- Adopt amendments to the *Métis Nation of Saskatchewan Legislative Assembly Act* (proposed “Assemblies Act”)

Health Break

Motions for General Assembly Procedures:

- Ratification of the General Assembly Rules of Procedure

Motions:

- Voting Methods at MNLAs
- Support for Métis Harvesters

Adjournment – Day 2

Closing Prayer – Lii Vyeu Moond (“the old ones”)

CARRIED (241015-06)

8.3 Resolution to Adopt the Order of the Day / Agenda for the General Assembly Fall 2024
Related information (provided with the agenda): Draft Resolution, “Adoption of the Order of the Day / Agenda for the General Assembly Fall 2024”

In response to a query, it was confirmed that the amendments listed under "Motions" on the General Assembly Agenda will each be addressed through an individual motion.

It was MOVED (Glen McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC confirmed that the Fall 2024 General Assembly would be held on November 23, 2024, in multiple locations across the province of Saskatchewan with one main location in Saskatoon at Prairieland Park, 503 Ruth Street East, Saskatoon, Saskatchewan (PMC Resolution #240618-03);

WHEREAS Articles 6.2 and 6.3 of the *Métis Nation of Saskatchewan Legislative Assembly Act* (the Act), as amended, directs the Clerk of the MNLA, as defined in Article 2.4 of the Act, to draft an agenda for the MNLA as directed by the PMC and to compile the necessary documentation for the Order of the Day;

WHEREAS the Act in Article 6.10 specifies that the Clerk of the MNLA shall also hold the seat as the Clerk of the General Assembly;

WHEREAS it is prudent for the PMC to approve an Order of the Day/Agenda for the Fall 2024 General Assembly;

WHEREAS the Order of the Day/Agenda is hereby proposed for the General Assembly to be held on November 23, 2024;

THEREFORE BE IT RESOLVED that the PMC approves the Order of the Day/Agenda as follows for the Fall 2024 General Assembly on November 23, 2024 as proposed by the Clerk of the General Assembly;

AGENDA – NOVEMBER 23, 2024

Day 1 Opens:

- Opening Prayer – Lii Vyeu Moond (“the old ones”) Elder Norman Fleury
- Métis Anthem - Loretta King, Western Region 1, MN-S
- Canada Anthem – Recording

State of the Nation: President Glen McCallum, MN-S

Constitutional Reform Presentation:

- Lisa McCallum, Secretary, MN-S
- Dorothy Myo, Deputy Chief Self Government, MN-S
- Merrilee Rasmussen, Rasmussen and Co.

Motions:

- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* to add language to the Preamble to support self-government and an affirmation of Métis rights

- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* for election of provincial representatives for women and youth to be included in the Métis Nation – Saskatchewan (MN-S) provincial general election every four years.
- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* to include provisions allowing for the creation of a Métis Judiciary
- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* to change the General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age
- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* for general clean-up
- Adopt amendments to the *Constitution of the Métis Nation – Saskatchewan* to change the composition of the Executive

Lunch – Prayer, Lii Vyeu Moond (“the old ones”)

Voting for Constitutional Amendments

Health Break

Kishchi Mashinaayikun Ooshchi Michif Presentation

- Michelle LeClair, Vice President, MN-S
- Richard Quintal, CEO, MN-S
- Erin Reid, CSO, MN-S

Closing Prayer – Lii Vyeu Moond (“the old ones”)

Adjournment

CARRIED (241015-07)

8.4 Amendments to the *Constitution of the Métis Nation – Saskatchewan* to Add Language to the Preamble to Support Self-Government and an Affirmation of Métis Rights

Related information (provided with the agenda): Draft Resolution, “Support for Adoption of Amendments to the Constitution of the Métis Nation – Saskatchewan to Add Language to the Preamble to Support Self-Government and an Affirmation of Métis Rights”

It was MOVED (Lisa McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC (PMC Resolution #240417-02) supported proceeding with constitutional amendments related to the following areas in time for consideration at the Fall 2024 session of the Métis Nation Legislative Assembly (MNLA):

- Addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*;
- Election of provincial representatives for women and youth to be included in the provincial MN-S general election every four years;
- Provisions allowing for the creation of a Métis Judiciary;
- Changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and

- General clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details);

WHEREAS the *Constitution of the Métis Nation – Saskatchewan* has been amended for the addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*; and

WHEREAS the *Métis Nation of Saskatchewan Legislative Assembly Act, 1999* requires constitutional amendments be supported by resolution of the PMC or by the signatures of five members of the MNLA, ensuring that the amendments are filed 30 days prior to the MNLA, or 14 days prior to the MNLA if the minimum 30 days' notice of the MNLA is provided;

THEREFORE BE IT RESOLVED that the PMC supports the resolution and amendments to the *Constitution of the Métis Nation – Saskatchewan* for the addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan* set out in Annex A attached to this resolution.

CARRIED (241015-08)

Annex A to Resolution 241015-08 is appended to these minutes

8.5 Amendments to the *Constitution of the Métis Nation – Saskatchewan* for Election of Provincial Representatives for Women and Youth to be Included in the Métis Nation – Saskatchewan Provincial General Election Every Four Years

Related information (provided with the agenda): Draft Resolution, “Support for Adoption of Amendments to the Constitution of the Métis Nation – Saskatchewan for Election of Provincial Representatives for Women and Youth to be Included in the Métis Nation – Saskatchewan Provincial General Election Every Four Years”

It was MOVED (Lisa McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC (PMC Resolution #240417-02) supported proceeding with constitutional amendments related to the following areas in time for consideration at the Fall 2024 session of the Métis Nation Legislative Assembly (MNLA):

- Addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*;
- Election of provincial representatives for women and youth to be included in the provincial MN-S general election every four years;
- Provisions allowing for the creation of a Métis Judiciary;
- Changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and
- General clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details);

WHEREAS the *Constitution of the Métis Nation – Saskatchewan* has been amended in order to provide for the election of women and youth representatives to the PMC in the provincial MN-S general election every four years; and

WHEREAS the *Métis Nation of Saskatchewan Legislative Assembly Act, 1999* requires constitutional amendments to be supported by resolution of the PMC or by the signatures of five members of the MNLA, ensuring that the amendments are filed 30 days prior to the MNLA, or 14 days prior to the MNLA if the minimum 30 days' notice of the MNLA is provided;

THEREFORE BE IT RESOLVED that the PMC supports the resolution and amendments to the *Constitution of the Métis Nation – Saskatchewan* in order to provide for the election of women and youth representatives to the PMC in the provincial MN-S general election every four years as set out in Annex A attached to this resolution.

CARRIED (241015-09)

Annex A to Resolution 241015-09 is appended to these minutes

8.6 Amendments to the *Constitution of the Métis Nation – Saskatchewan* to Include Provisions Allowing for the Creation of a Métis Judiciary

Related information (provided with the agenda): Draft Resolution, "Support for Adoption of Amendments to the Constitution of the Métis Nation – Saskatchewan to Include Provisions Allowing for the Creation of a Métis Judiciary"

It was MOVED (Lisa McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond ("the old ones" or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC (PMC Resolution #240417-02) supported proceeding with constitutional amendments related to the following areas in time for consideration at the Fall 2024 session of the Métis Nation Legislative Assembly (MNLA):

- Addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*;
- Election of provincial representatives for women and youth to be included in the provincial MN-S general election every four years;
- Provisions allowing for the creation of a Métis Judiciary;
- Changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and
- General clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details);

WHEREAS the *Constitution of the Métis Nation – Saskatchewan* has been amended to add provisions allowing for the creation of a Métis Judiciary; and

WHEREAS the *Métis Nation of Saskatchewan Legislative Assembly Act, 1999* requires constitutional amendments be supported by resolution of the PMC or by the signatures of five members of the MNLA, ensuring that the amendments are filed 30 days prior to the MNLA, or 14 days prior to the MNLA if the minimum 30 days' notice of the MNLA is provided;

THEREFORE BE IT RESOLVED that the PMC supports the resolution and amendments to the *Constitution of the Métis Nation – Saskatchewan* to add provisions allowing for the creation of a Métis Judiciary set out in Annex A attached to this resolution.

CARRIED (241015-10)

Annex A to Resolution 241015-10 is appended to these minutes

8.7 Amendments to the *Constitution of the Métis Nation – Saskatchewan* to Change the General Assembly Provisions so Eligibility for Voting will be Open to all MN-S Citizens of Voting Age
Related information (provided with the agenda): Draft Resolution, “Support for Adoption of amendments to the Constitution of the Métis Nation – Saskatchewan to Change the General Assembly Provisions so Eligibility for Voting will be Open to all MN-S Citizens of Voting Age”

It was MOVED (Lisa McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC (PMC Resolution #240417-02) supported proceeding with constitutional amendments related to the following areas in time for consideration at the Fall 2024 session of the Métis Nation Legislative Assembly (MNLA):

- Addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*;
- Election of provincial representatives for women and youth to be included in the provincial MN-S general election every four years;
- Provisions allowing for the creation of a Métis Judiciary;
- Changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and
- General clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details);

WHEREAS the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) has been amended for changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and

WHEREAS the *Métis Nation of Saskatchewan Legislative Assembly Act, 1999* requires constitutional amendments be supported by resolution of the PMC or by the signatures of five members of the MNLA, ensuring that the amendments are filed 30 days prior to the MNLA, or 14 days prior to the MNLA if the minimum 30 days’ notice of the MNLA is provided;

THEREFORE BE IT RESOLVED that the PMC supports the resolution and amendments to the *Constitution* for changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age as set out in Annex A attached to this resolution.

CARRIED (241015-11)

Annex A to Resolution 241015-11 is appended to these minutes

8.8 Amendments to the *Constitution of the Métis Nation – Saskatchewan* for General Clean-up
Related information (provided with the agenda): Draft Resolution, “Support for Adoption of Amendments to the Constitution of the Métis Nation – Saskatchewan for General Clean-up”

It was MOVED (Lisa McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC (PMC Resolution #240417-02) supported proceeding with constitutional amendments related to the following areas in time for consideration at the Fall 2024 session of the Métis Nation Legislative Assembly (MNLA):

- Addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*;
- Election of provincial representatives for women and youth to be included in the provincial MN-S general election every four years;
- Provisions allowing for the creation of a Métis Judiciary;
- Changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and
- General clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details);

WHEREAS the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) has been amended for general clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details); and

WHEREAS the *Métis Nation of Saskatchewan Legislative Assembly Act, 1999* requires constitutional amendments be supported by resolution of the PMC or by the signatures of five members of the MNLA, ensuring that the amendments are filed 30 days prior to the MNLA, or 14 days prior to the MNLA if the minimum 30 days' notice of the MNLA is provided;

THEREFORE BE IT RESOLVED that the PMC supports the resolution and amendments to the *Constitution* for general clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details) as set out in Annex A attached to this resolution.

CARRIED (241015-12)

Annex A to Resolution 241015-12 is appended to these minutes

8.9 Amendments to the MN-S Citizenship Act, 1999 (the "Citizenship Act")

Related information (provided with the agenda): Draft Resolution, "Support for Amendments to the MN-S Citizenship Act, 1999"

During discussion, comments were offered on:

- Maintaining a connection between citizens and their Local
- Further discussion required regarding citizenship appeals and the terms of reference for the committee appointed to hear those appeals
- Reviewing Section 5(5) of the *Citizenship Act* regarding the authority of the Registrar to "enter into agreements", as this pertains to checking MN-S registry lists against the Government of Canada's Indian Registry.

Health Break

The meeting recessed at 12:00 p.m. and reconvened at 1:00 p.m.

Roll Call

A roll call was conducted, and it was confirmed that a quorum was present.

During further discussion, it was confirmed that out-of-province citizens were currently ineligible to vote or access programs or services, and that this issue will be addressed in Phase Two of the constitutional reform initiative.

It was MOVED (Lisa McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC (PMC Resolution #240417-02) supported proceeding with constitutional amendments related to the following areas in time for consideration at the Fall 2024 session of the Métis Nation Legislative Assembly (MNLA):

- Addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*;
- Election of provincial representatives for women and youth to be included in the provincial MN-S general election every four years;
- Provisions allowing for the creation of a Métis Judiciary;
- Changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and
- General clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details);

WHEREAS amendments to the *Constitution of the Métis Nation – Saskatchewan* necessitated amendments to be made to the *MN-S Citizenship Act, 1999*; and

WHEREAS the proposed amendments to the *MN-S Citizenship Act, 1999* (the *Citizenship Act*) included in Annex A are supported by MN-S citizens, having solicited their views during community consultations undertaken in 2019, 2021, 2022, 2023 and 2024;

THEREFORE BE IT RESOLVED that the PMC supports amendments to the *Citizenship Act*, to:

- (a) clarify that MN-S citizenship is available to eligible Métis persons wherever they live;
- (b) require the Registrar to only request information to be provided by applicants that is relevant to determining their eligibility for registration as MN-S Citizens;
- (c) provide for citizenship appeals to be taken to the MNLA and heard by a committee appointed by the MNLA as an interim measure until the Métis Judiciary Act is enacted; and
- (d) revise and reorganize the provisions of the *Citizenship Act* to aid in understanding; and

FURTHER BE IT RESOLVED that the PMC supports the resolution and amendments included in Annex A to be voted on at the Fall 2024 MNLA on November 2 and 3, 2024.

CARRIED (241015-13)

Annex A to Resolution 241015-13 is appended to these minutes

8.10 Amendments to the Saskatchewan Métis Elections Act, 2007 (the Elections Act)

Related information (provided with the agenda): Draft Resolution, “Support for Amendments to the Saskatchewan Métis Elections Act, 2007”

During discussion, comments were offered on:

- Clarification regarding the appointment and roles of the complaints officer and adjudicator, which are independent of the MN-S
- Further discussion at the MNLA regarding the *Elections Act* related to: Section 92(2) regarding contribution limits; and Section 97(2) regarding the time limit for the Chief Electoral Officer to issue a report after election day

- Clarification that Métis woman voting for “a representative for Métis women on the PMC” would not need to be associated with Les Filles de Madelaine
- Further citizen consultation required regarding amendments to the *Elections Act*.

It was MOVED (Lisa McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC (PMC Resolution #240417-02) supported proceeding with constitutional amendments related to the following areas in time for consideration at the Fall 2024 session of the Métis Nation Legislative Assembly (MNLA):

- Addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*;
- Election of provincial representatives for women and youth to be included in the provincial MN-S general election every four years;
- Provisions allowing for the creation of a Métis Judiciary;
- Changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and
- General clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details);

WHEREAS amendments to the *Constitution of the Métis Nation – Saskatchewan* necessitated amendments to be made to the *Saskatchewan Métis Elections Act, 2007* (the *Elections Act*); and

WHEREAS the proposed amendments to the *Elections Act* included in Annex A are supported by MN-S citizens, having solicited their views during community consultations undertaken in 2019, 2021, 2022, 2023 and 2024;

THEREFORE BE IT RESOLVED THAT the PMC supports amendments to the *Elections Act* to:

- (a) provide for the election of women and youth representatives to the PMC;
- (b) provide for limits on contributions to candidates and election campaign spending; and
- (c) revise and reorganize the provisions of the *Elections Act* to aid in understanding;

FURTHER BE IT RESOLVED that the PMC supports the resolution and amendments included in Annex A to be voted on at the Fall 2024 MNLA on November 2 and 3, 2024.

CARRIED (241015-14)

Annex A to Resolution 241015-14 is appended to these minutes

8.11 Amendments to the Métis Nation of Saskatchewan Legislative Assembly Act, 1999

Related information (provided with the agenda): Draft Resolution, “Support for Amendments to the Métis Nation of Saskatchewan Legislative Assembly Act, 1999”

It was MOVED (Lisa McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC (PMC Resolution #240417-02) supported proceeding with constitutional amendments related to the following areas in time for consideration at the Fall 2024 session of the Métis Nation Legislative Assembly (MNLA):

- Addition of language to support self-government and an affirmation of Métis rights to the Preamble of the *Constitution of the Métis Nation – Saskatchewan*;
- Election of provincial representatives for women and youth to be included in the provincial MN-S general election every four years;
- Provisions allowing for the creation of a Métis Judiciary;
- Changes to General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age; and
- General clean-up (including but not limited to minor changes to grammar, consistency, and removal of 2007 election details);

WHEREAS amendments to the *Constitution of the Métis Nation – Saskatchewan* necessitated amendments to be made to the *Métis Nation of Saskatchewan Legislative Assembly Act, 1999* (the *Legislative Assembly Act*); and

WHEREAS the proposed amendments to the *Legislative Assembly Act* included in Annex A are supported by MN-S citizens, having solicited their views during community consultations undertaken in 2019, 2021, 2022, 2023 and 2024;

THEREFORE BE IT RESOLVED that the PMC supports amendments to the *Legislative Assembly Act*, to:

- (a) provide for rules relating to the convening and holding of General Assemblies of MN-S Citizens;
- (b) revise and reorganize the provisions of the *Legislative Assembly Act* to aid in understanding;

FURTHER BE IT RESOLVED that the PMC supports the resolution and amendments included in Annex A to be voted on at the Fall 2024 MNLA on November 2 and 3, 2024.

CARRIED (241015-15)

Annex A to Resolution 241015-15 is appended to these minutes

9. FINANCIAL UPDATE

Marg Friesen, Minister of Finance, provided a financial update including comments on:

- The financial audit taking longer due to a larger sample size, reflecting the increased amount of MN-S funds under management
- Planning underway for the Financial Workshop at the end of October 2024, followed by reporting at the MNLA and General Assembly.

10. BRINGING INTO RECORD: Decisions of Kishchi Mashinaayikun Ooshchi Michif Ratification Vote

10.1 Kishchi Mashinaayikun Ooshchi Michif Ratification Vote Plan (June 18, 2024)

It was MOVED (Glen McCallum) and SECONDED (Michelle LeClair)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Lii Vyeu Moond (“the old ones” or Elders), Youth, Women and distinctive resources – which is incorporated into proposals and decisions of the Provincial Métis Council (PMC);

WHEREAS the PMC unanimously passed a resolution on April 17, 2024, to conclude the negotiation of a government-to-government treaty between MN-S and the Government of Canada and to present the treaty to the PMC for approval by the Métis Nation Legislative Assembly and ratification at a General Assembly in 2024 (Resolution #240417-02);

WHEREAS the PMC confirmed that the treaty would be known as Kishchi Mashinaayikun Ooshchi Michif which may be translated as “Sacred Document from the Michif”;

WHEREAS MN-S currently has no legislation or policy to guide the conduct of a treaty ratification vote but recognizes that the principles of good governance require that a transparent process be created and publicized, so Métis citizens are fully aware of the rules;

WHEREAS the vote on Kishchi Mashinaayikun Ooshchi Michif is historic for the Métis people of Saskatchewan, and it is important to extend voting access to the largest number of eligible MN-S citizens, many of whom may be unable to attend an in-person vote, to ensure the final ratification vote accurately represents their will;

WHEREAS there are digital voting platforms that have been successfully utilized for numerous ratification votes of this size and complexity, and proven to be a reliable, secure, and accessible method to extend the voting franchise to eligible voters;

WHEREAS the MN-S Chief Electoral Officer is independent, able to manage a fair voting process, experienced with digital voting platforms, and is capable of effectively overseeing a digital ratification process; and

WHEREAS a General Assembly has been scheduled for November 23, 2024;

THEREFORE BE IT RESOLVED that the PMC approves that the Kishchi Mashinaayikun Ooshchi Michif, a modern-day treaty between MN-S and the Government of Canada, will be presented at the Fall 2024 MNLS for approval by delegates and that approval of the treaty will require support by 75% of the votes cast, as long as the number of members present constitutes a quorum;

FURTHER BE IT RESOLVED that the PMC approves that, if passed by the MNLA, the Kishchi Mashinaayikun Ooshchi Michif and the supporting resolution of the MNLA will be presented to citizens at the General Assembly scheduled November 23, 2024;

FURTHER BE IT RESOLVED that the PMC approve that:

1. A ratification vote on the Kishchi Mashinaayikun Ooshchi Michif will be conducted following the General Assembly and that all registered citizens of Métis Nation – Saskatchewan aged 16 years of age and older will be eligible to vote;
2. The ratification vote will be overseen by the Chief Electoral Officer of the MN-S;
3. The ratification vote will be conducted using online digital voting software to allow voting participation by the greatest possible number of all registered citizens of the MN-S;
4. Voting will take place over a period of up to two weeks; and
5. The threshold for approval of the vote is set at 75% of the total number of votes cast.

FINALLY BE IT RESOLVED that future amendments to the Kishchi Mashinaayikun Ooshchi Michif will be approved and will become effective on the passage of a resolution of the MNLA that is supported by 75% of the votes cast, as long as the number of members present constitutes a quorum.

CARRIED (IC-240618-03)

10.2 Voting Policy for Kishchi Mashinaayikun Ooshchi Michif Ratification (September 19, 2024)

It was MOVED (Michelle LeClair) and SECONDED (Mervin “Tex” Bouvier)

WHEREAS the Métis Nation – Saskatchewan (MN-S) recognizes the distinctiveness of Métis identity, culture, values and language - inclusive of knowledge keepers, Elders, Youth and distinctive resources – which is incorporated into proposals and decisions of the PMC;

WHEREAS MN-S has embarked on a path to self-government, reflecting both the historical nature of our Métis nation as well as the ambitions of our citizens for the future;

WHEREAS an important element of self-government involves the establishment of a nation-to-nation relationship between MN-S and the Government of Canada;

WHEREAS the MN-S and the Government of Canada have agreed that this nation-to-nation relationship will be formalized through a negotiated treaty titled Kishchi Mashinaayikun Ooshchi Michif, subject to approval by the citizens of MN-S; and

WHEREAS a fair and transparent approval process requires clear voting rules to ensure that both MN-S citizens and all others can be certain of the validity of the voting results;

THEREFORE BE IT RESOLVED that the Provincial Métis Council approves a policy to govern the voting of Métis citizens on the Kishchi Mashinaayikun Ooshchi Michif as found in Schedule A to this motion, the document titled *Métis Nation – Saskatchewan - Kishchi Mashinaayikun Ooshchi Michif Voting Policy*.

CARRIED (IC-240919-02)

11. IN-CAMERA

It was agreed to now conclude the meeting and convene an in-camera meeting to consider:

11.1 Requests for Action:

11.1.1 Privacy Protection for citizen name on Locals documentation – RFA-240419-02

11.1.2 Funds for Transportation to General Assembly Venues Update – RFA-IC-240919-03

11.2 MN-S Economic Development Plan Update

11.3 Coming Home Resolution Update

11.4 Standing In-Camera Agenda Items:

11.4.1 Legal Update

11.4.2 Human Resources Update

CONCLUSION

It was MOVED (Laura Burnouf) and SECONDED (Autumn Laing-LaRose)

That the October 15, 2024, Métis Nation – Saskatchewan Provincial Métis Council Meeting now conclude.

CARRIED (241015-16)

Time: 2:00 p.m.

* * *

LIST OF APPENDICES

- Appendix #1: Annex A to Resolution #241015-08, “*Amendments to the Constitution of the Métis Nation – Saskatchewan to Add Language to the Preamble to Support Self-Government and an Affirmation of Métis Rights*”
- Appendix #2: Annex A to Resolution #241015-09, “*Amendments to the Constitution of the Métis Nation – Saskatchewan for Election of Provincial Representatives for Women and Youth to be Included in the Métis Nation – Saskatchewan Provincial General Election Every Four Years*”
- Appendix #3: Annex A to Resolution #241015-10, “*Amendments to the Constitution of the Métis Nation – Saskatchewan to Include Provisions Allowing for the Creation of a Métis Judiciary*”
- Appendix #4: Annex A to Resolution #241015-11, “*Amendments to the Constitution of the Métis Nation – Saskatchewan to Change the General Assembly Provisions so Eligibility for Voting will be Open to all MN-S Citizens of Voting Age*”
- Appendix #5: Annex A to Resolution #241015-12, “*Amendments to the Constitution of the Métis Nation – Saskatchewan for General Clean-Up*”
- Appendix #6: Annex A to Resolution #241015-13, “*Amendments to the MN-S Citizenship Act, 1999*”
- Appendix #7: Annex A to Resolution #241015-14, “*Amendments to the Saskatchewan Métis Elections Act, 2007*”
- Appendix #8: Annex A to Resolution #241015-15, “*Amendments to the Métis Nation of Saskatchewan Legislative Assembly Act, 1999*”

LIST OF INFORMATION ITEMS

The following items were referenced or presented for consideration at the meeting:

1. Draft Agenda for the October 15, 2024, MN-S PMC Meeting
2. Draft Minutes of the September 19, 2024, MN-S PMC Meeting
3. Draft Resolution, “*Resolution to Rename Executive Positions and Composition within the Constitution of the Métis Nation – Saskatchewan*”
4. Draft Resolution, “*Adoption of the Order of the Day/Agenda for the Métis Nation Legislative Assembly Fall 2024*”
5. Draft Resolution, “*Adoption of the Order of the Day / Agenda for the General Assembly Fall 2024*”
6. Draft Resolution, “*Support for Adoption of Amendments to the Constitution of the Métis Nation – Saskatchewan to Add Language to the Preamble to Support Self-Government and an Affirmation of Métis Rights*”
7. Draft Resolution, “*Support for Adoption of Amendments to the Constitution of the Métis Nation – Saskatchewan for Election of Provincial Representatives for Women and Youth to be Included in the Métis Nation – Saskatchewan Provincial General Election Every Four Years*”
8. Draft Resolution, “*Support for Adoption of Amendments to the Constitution of the Métis Nation – Saskatchewan to Include Provisions Allowing for the Creation of a Métis Judiciary*”
9. Draft Resolution, “*Support for Adoption of amendments to the Constitution of the Métis Nation – Saskatchewan to Change the General Assembly Provisions so Eligibility for Voting will be Open to all MN-S Citizens of Voting Age*”
10. Draft Resolution, “*Support for Adoption of Amendments to the Constitution of the Métis Nation – Saskatchewan for General Clean-up*”
11. Draft Resolution, “*Amendments to the Métis Nation - Saskatchewan Citizenship Act, 1999*”
12. Draft Resolution, “*Amendments to the Saskatchewan Métis Elections Act, 2007*”
13. Draft Resolution, “*Amendments to the Métis Nation of Saskatchewan Legislative Assembly Act, 1999*”

ANNEX A

DATE:	November 2-3, 2024	Resolution #MNLA2411XX-XX
SUBJECT:	Constitutional Reform, Legislation	
MOVED BY:	Michelle LeClair	Vice President
SECONDED BY:	Lisa McCallum	Secretary
TITLE:	Adopt amendments to the <i>Constitution of the Métis Nation – Saskatchewan</i> to add language to the Preamble to support self-government and an affirmation of Métis rights	

WHEREAS the Métis Nation Legislative Assembly (MNLA) established a committee to review the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) and related legislation and directed that the committee would consult across the province of Saskatchewan on changes to the *Constitution* and related legislation (MNLA Resolution #190302-06);

WHEREAS after initial consultation it was determined that constitutional reform was needed and the MNLA supported continued consultation that would result in proposed amendments to the *Constitution* and legislation to be considered at a future date by the MNLA (MNLA Resolution #190414-11);

WHEREAS the Métis Nation – Saskatchewan (MN-S) undertook community consultations with citizens throughout the province in 2019, 2021, 2022, 2023 and in 2024 to solicit their views on constitutional reform and has incorporated this information into a substantial package of proposed constitutional amendments and legislation;

WHEREAS the Provincial Métis Council (PMC) approved of a phased approach to constitutional reform to ensure thoughtful consideration by Métis citizens and by the officials elected to represent them (PMC Resolution #240417-01);

WHEREAS it is necessary to amend the *Constitution* in order to strengthen the preamble by adding language to support self-government and affirm Métis rights; and

WHEREAS amending the *Constitution* in order to strengthen the preamble by adding language to support self-government and affirm Métis rights is supported by resolution of the PMC in alignment with the requirements for constitutional amendments in the *Métis Nation Legislative Assembly Act, 1999*, Section 12, subsection 1;

THEREFORE BE IT RESOLVED that the *Constitution* be amended to add language to the Preamble to support self-government and an affirmation of Métis rights as set out in Annex A attached to this resolution.

(Annex A is attached to this resolution)

ANNEX A

The preamble to the Constitution of the Métis Nation – Saskatchewan is deleted and replaced with the following:

“The Métis Nation is a distinct Indigenous people. The Métis are distinct from the Indians and Inuit and are the descendants of the historic Métis who evolved in what is now Western Canada and part of the northern United States as a people with a common political will and consciousness, history, culture, language and values.

We the Métis Nation within Saskatchewan:

- Affirm that the values of waahkoomiwayhk / wâhkôhtowin / ëlëlot'inë (“kinship and connectedness to each other”), shakihwayhk / sâkihítowin / bëghañonëta hëł (love) and aen manaachihítowin / manâchihítowin / Ęta Bëk'ësorídlı - (“mutual respect”) are central values of the Métis Nation within Saskatchewan;
- Recognize Kaa tipaymishooyaahk (“we who own ourselves”) / Otipemisiwak (“our own boss”) / Dënë bëdagharı (“The people own themselves”) - that the Métis Nation within Saskatchewan is its own boss. This is a fundamental principle of Métis identity with deep historical roots. The Métis Nation within Saskatchewan has the existing inherent right to self-determination and has been governing itself for generations through the laws of the Prairie including the laws of St. Laurent, the laws of the Buffalo Hunt, the *Manitoba Act* proposed by the Riel Provisional Government and Louis Riel, the first premier of the province of Manitoba, and bylaws and constitutions for Métis representative organizations in Saskatchewan;
- Affirm that the Métis Nation within Saskatchewan’s self-determination, including its authority to govern itself is recognized and affirmed by Section 35 of the *Constitution Act, 1982*; the United Nations Declaration on the Rights of Indigenous Peoples; and the Métis Nation within Saskatchewan Self-Government Recognition and Implementation Agreement between Métis Nation – Saskatchewan and His Majesty the King in Right of Canada, dated February 23, 2023 and the Métis Government Recognition and Self-Government Agreement between Métis Nation – Saskatchewan and Canada dated June 27, 2019;
- Affirm the *Daniels* decision in which Métis fall within subsection 91(24) of the Constitution Act, 1867, and the bilateral government to government relationship between the Métis Nation within Saskatchewan and the federal government of Canada; and
- Affirm that Lii Vyeu Moond (“Elders”) are our knowledge keepers and serve as the voice to carry our history, and Lii Zaanfaan (“Children”) are our future. The Métis Nation-Saskatchewan will hold children at the centre.

Having experienced physical and political conflict and dispossession in the late 1800's we are still engaged in a continuing struggle to rebuild our social cause and revive our cultural heritage and pride.

As such, we are striving for the political, legal and constitutional recognition and guarantees of the rights of our People, including the right to a land and resource base, self-government and self-government institutions through Treaty, land claims and all other measures necessary.

In order to achieve these objectives we are hereby re-establishing a strong and revitalized government within the province of Saskatchewan which must involve all sectors within our Society.

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

Whereas section 35 of the *Constitution Act 1982* recognizes and affirms Métis as one of the three Aboriginal peoples of Canada and whereas the Métis Nation — Saskatchewan has adopted the national definition of Métis, we are further committed to promote National Registration of Métis Citizens.

We the citizens of the Métis Nation within Saskatchewan recognize:

- The inherent dignity and equality and rights that can never be taken away from Métis people is the foundation of Freedom, Justice and Peace in the Métis Nation;
- The ideal of all Métis enjoying civil and political freedom can only be achieved if conditions are created whereby every Métis may enjoy their civil, political rights, economic, social and cultural rights;
- The promotion of universal respect for and observance of all the collective and individual rights and freedoms of all Métis; and
- The Métis individual, having duties to other Métis individuals and to the Métis community to which they are a part has the responsibility to strive for the promotion and observance of all Métis rights.

Therefore, we the citizens of the Métis Nation within Saskatchewan agree to the following articles:

- 1) All Métis have the right to self-determination. By virtue of that right we the citizens of the Métis Nation within Saskatchewan will freely determine our political status and freely pursue our economic, social and cultural development;
- 2) The Métis Nation – Saskatchewan undertakes to respect and ensure the rights of all individuals within the nation and subject to its jurisdiction without distinction of any kind such as race, colour, sex, language, religion, political or other opinions;
- 3) To ensure that any Métis person whose rights or freedoms as herein recognized is entitled to be heard by a competent authority of the Métis Nation – Saskatchewan as provided for by law;
- 4) To ensure competent authorities as authorized pursuant to laws enacted by the Métis Nation Legislative Assembly shall enforce such remedies when granted;
- 5) The Métis Nation – Saskatchewan undertakes to ensure the equal right of persons to enjoy all civil and political rights set forth in these articles;
- 6) Every Métis citizen shall have the right to liberty of movement to choose their residence;
- 7) No Métis citizen shall be deprived of the right to join a local in the community where they reside;
- 8) All Métis persons shall be equal before the Métis Nation Legislative Assembly in Saskatchewan;
- 9) No Métis Person shall be subject to arbitrary or unlawful interference with their privacy, family, home or correspondence, nor to unlawful attacks on their honour or reputation;
- 10) Every Métis Person shall have the right to freedom of thought, conscience and religion;
- 11) No Métis Person shall be subject to coercion that would impair their freedom to have or adopt a belief of their choice;
- 12) The Métis Nation – Saskatchewan shall have respect for the liberty of parents or guardians to ensure moral education of their children is in conformity with their own convictions;
- 13) Every Métis Person has the right to hold opinions without interference;
- 14) Every Métis Person shall have the right to expression including the freedom to seek, receive and import information and ideas of all kinds either in writing or print, in the form of art, or through any media of their choice;
- 15) The right of Métis People to assemble and organize at the community level is recognized;

- 16) Every Métis Person has the right of association subject only to a restriction that is prescribed by the Métis Nation Legislative Assembly and is necessary to protect the interests of the Métis Nation within Saskatchewan;
- 17) The family is the natural and fundamental group of the Métis Nation within Saskatchewan and is entitled to protection by the Métis Nation – Saskatchewan;
- 18) Every Métis child born of a Métis person is entitled to be registered as a citizen of the Métis Nation – Saskatchewan;
- 19) Every Métis Person has the right to:
 - (a) Take part in the conduct of public affairs, directly, or through freely chosen representatives;
 - (b) To vote and to be elected to a Local or Regional Council, the Executive, the Provincial Métis or the Métis Nation Legislative Assembly, subject only to appropriate restrictions on age or residence;
 - (c) All votes shall be of equal and universal suffrage and shall be held by secret ballot which guarantees the free expression of the will of the electors; and
 - (d) All Métis shall have the right to access all public services offered through the Métis Nation affiliates.
- 20) All Métis persons are equal and entitled to protection by the Métis Nation - Saskatchewan.”

ANNEX A

DATE:	November 2-3, 2024	#MNLA2411XX-XX
SUBJECT:	Constitutional Reform, Legislation	
MOVED BY:	Michelle LeClair	Vice President
SECONDED BY:	Lisa McCallum	Secretary
TITLE:	Adopt amendments to the <i>Constitution of the Métis Nation – Saskatchewan</i> for election of provincial representatives for women and youth to be included in the Métis Nation – Saskatchewan (MN-S) provincial general election every four years	

WHEREAS the Métis Nation Legislative Assembly (MNLA) established a committee to review the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) and related legislation and directed that the committee would consult across the province of Saskatchewan on changes to the *Constitution* and related legislation (MNLA Resolution #190302-06);

WHEREAS after initial consultation it was determined that constitutional reform was needed and the MNLA supported continued consultation that would result in proposed amendments to the *Constitution* and legislation to be considered at a future date by the MNLA (MNLA Resolution #190414-11);

WHEREAS the Métis Nation – Saskatchewan (MN-S) undertook community consultations with citizens throughout the province in 2019, 2021, 2022, 2023 and in 2024 to solicit their views on constitutional reform and has incorporated this information into a substantial package of proposed constitutional amendments and legislation;

WHEREAS the Provincial Métis Council (PMC) approved of a phased approach to constitutional reform to ensure thoughtful consideration by Métis citizens and by the officials elected to represent them (PMC Resolution #240417-01);

WHEREAS citizens have shown their support through constitutional reform consultations to amend the *Constitution* in order to provide for the election of women and youth representatives to the PMC; and

WHEREAS amending the *Constitution* in order to provide for the election of women and youth representatives to the PMC is supported by resolution of the PMC:

THEREFORE BE IT RESOLVED that the *Constitution* be amended to provide for election of provincial representatives for women and youth to be included in the MN-S provincial general election every four years as set out in Annex A attached to this resolution.

(Annex A is attached to this resolution)

ANNEX A

Constitution amended

1. The *Constitution of the Métis Nation – Saskatchewan* is amended as set out in this Annex in order to provide for the election of women and youth representatives to the Provincial Métis Council.

Article 3 amended

2. Article 3 relating to the Provincial Métis Council is amended by deleting Article 3-1 and substituting the following:

“1. The Provincial Métis Council is composed of:

- (a) the Regional Representatives;
- (b) the members of the Executive;
- (c) a Métis woman to represent Métis women who is elected in a province-wide election held every four years; and
- (d) a Métis youth to represent Métis youth between the ages of 16 and 29 who is elected in a province-wide election held every four years”.

Article 8 amended

3. Article 8 relating to elections is amended by:

- (a) deleting Article 8-1; and
- (b) deleting Article 8-2 and substituting the following:

“2. Election for the Executive, Regional Representatives and the Women and Youth Representatives to the Provincial Métis Council shall be held within four years of the previous election”.

Article 12 amended

4. Article 12 relating to the Senate, Women and Youth is amended by:

- (a) deleting the heading and substituting “Article 12: Women and Youth”;
- (b) deleting Articles 12-1, 12-2 and 2.1 and substituting the following:

“1. The Métis Nation Legislative Assembly shall involve Women and Youth in the determination of their role and responsibilities within the Métis Nation – Saskatchewan.

“2. The Métis Women of Saskatchewan shall be designated 4 seats in the Métis Nation Legislative Assembly. This provision shall cease to apply when women have achieved equitable representation in the Provincial Métis Council and Métis Nation Legislative Assembly.

“2.1 The Provincial Métis Youth Council shall be designated 4 seats at the Métis Nation Legislative Assembly”.

ANNEX A

DATE:	November 2-3, 2024	Resolution #MNLA2411XX-XX
SUBJECT:	Constitutional Reform, Legislation	
MOVED BY:	Michelle LeClair	Vice President
SECONDED BY:	Lisa McCallum	Secretary
TITLE:	Adopt amendments to the <i>Constitution of the Métis Nation – Saskatchewan</i> to include provisions allowing for the creation of a Métis Judiciary	

WHEREAS the Métis Nation Legislative Assembly (MNLA) established a committee to review the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) and related legislation and directed that the committee would consult across the province of Saskatchewan on changes to the *Constitution* and related legislation (MNLA Resolution #190302-06);

WHEREAS after initial consultation it was determined that constitutional reform was needed and the MNLA supported continued consultation that would result in proposed amendments to the *Constitution* and legislation to be considered at a future date by the MNLA (MNLA Resolution #190414-11);

WHEREAS the Métis Nation – Saskatchewan (MN-S) undertook community consultations with citizens throughout the province in 2019, 2021, 2022, 2023 and in 2024 to solicit their views on constitutional reform and has incorporated this information into a substantial package of proposed constitutional amendments and legislation;

WHEREAS the Provincial Métis Council (PMC) approved of a phased approach to constitutional reform to ensure thoughtful consideration by Métis citizens and by the officials elected to represent them (PMC Resolution #240417-01);

WHEREAS it is necessary to amend the *Constitution* in order to clarify and confirm the jurisdiction of the MNLA to enact laws to establish a Métis Judiciary; and

WHEREAS amending the *Constitution* in order to clarify and confirm the jurisdiction of the MNLA to enact laws to establish a Métis Judiciary is supported by resolution of the PMC;

THEREFORE BE IT RESOLVED that the *Constitution* be amended to include provisions allowing for the creation of a Métis Judiciary as set out in Annex A attached to this resolution.

(Annex A is attached to this resolution)

ANNEX A

The *Constitution of the Métis Nation – Saskatchewan* relating to the Métis Nation Legislative Assembly is amended by deleting Article 2-3 and substituting the following:

"3. The Métis Nation Legislative Assembly has the jurisdiction and authority:

- (a) to govern the affairs and conduct of the Métis Nation within Saskatchewan by adopting resolutions, rules and directives, making proclamations, and enacting legislation in relation to any matter;
- (b) to establish courts, tribunals or other entities, mechanisms or processes to resolve disputes relating to:
 - (i) compliance with this *Constitution*;
 - (ii) the validity, interpretation, application or alleged violation of legislation enacted by the Métis Nation Legislative Assembly or policies adopted by the Métis Nation – Saskatchewan; or
 - (iii) disputes between or involving Métis individuals.

"3.1 Any Métis entities, processes or mechanisms established pursuant to Article 2-3(b) must be independent and impartial and must result in competent and fair decisions".

ANNEX A

DATE:	November 2-3, 2024	Resolution #MNLA2411XX-XX
SUBJECT:	Constitutional Reform, Legislation	
MOVED BY:	Michelle LeClair	Vice President
SECONDED BY:	Lisa McCallum	Secretary
TITLE:	Adopt amendments to the <i>Constitution of the Métis Nation – Saskatchewan</i> to change the General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age	

WHEREAS the Métis Nation Legislative Assembly (MNLA) established a committee to review the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) and related legislation and directed that the committee would consult across the province of Saskatchewan on changes to the *Constitution* and related legislation (MNLA Resolution #190302-06);

WHEREAS after initial consultation it was determined that constitutional reform was needed and the MNLA supported continued consultation that would result in proposed amendments to the *Constitution* and legislation to be considered at a future date by the MNLA (MNLA Resolution #190414-11);

WHEREAS the Métis Nation – Saskatchewan (MN-S) undertook community consultations with citizens throughout the province in 2019, 2021, 2022, 2023 and in 2024 to solicit their views on constitutional reform and has incorporated this information into a substantial package of proposed constitutional amendments and legislation;

WHEREAS the Provincial Métis Council (PMC) approved of a phased approach to constitutional reform to ensure thoughtful consideration by Métis citizens and by the officials elected to represent them (PMC Resolution #240417-01);

WHEREAS it is necessary to amend the *Constitution* in order to confirm the right of all MN-S citizens of voting age to vote in a General Assembly; and

WHEREAS amending the *Constitution* in order to confirm the right of all MN-S citizens of voting age to vote in a General Assembly is supported by resolution of the PMC in alignment with the requirements for constitutional amendments in the *Métis Nation of Saskatchewan Legislative Assembly Act, 1999*, Section 12, subsection 1;

THEREFORE BE IT RESOLVED that the *Constitution* be amended to change the General Assembly provisions so eligibility for voting will be open to all MN-S citizens of voting age as set out in Annex A attached to this resolution.

(Annex A is attached to this resolution)

ANNEX A

Constitution amended

1. The *Constitution of the Métis Nation – Saskatchewan* is amended as set out in this Schedule.

Article 11 replaced

2. Article 11 relating to the General Assembly is deleted and the following substituted:

"1. "The Métis Nation Legislative Assembly shall convene a General Assembly annually and when necessary to ratify amendments to this Constitution."

"2. The members of the General Assembly are those persons who are Métis citizens registered with the Métis Nation – Saskatchewan".

Article 15 amended

3. Article 15 is amended by deleting Article 15-2 and substituting the following:

"2. All proposed amendments to the *Constitution* must be registered with the Clerk of the Métis Nation Legislative Assembly thirty days prior to the sitting of the Métis Nation Legislative Assembly where reasonable advance notice of the Legislative Assembly is provided. Where the minimum 30 days' notice is provided under Article 2-8, all proposed amendments must be registered 14 days prior to the sitting of the Métis Nation Legislative Assembly."

Article 16 amended

4. Article 16 relating to implementation is deleted and the following substituted:

"1. This *Constitution* as amended is effective when the amendments are approved by the Métis Nation Legislative Assembly and ratified by the General Assembly".

ANNEX A

DATE:	November 2-3, 2024	Resolution #MNLA2411XX-XX
SUBJECT:	Constitutional Reform, Legislation	
MOVED BY:	Michelle LeClair	Vice President
SECONDED BY:	Lisa McCallum	Secretary
TITLE:	Adopt amendments to the <i>Constitution of the Métis Nation – Saskatchewan</i> for general clean-up	

WHEREAS the Métis Nation Legislative Assembly (MNLA) established a committee to review the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) and related legislation and directed that the committee would consult across the province of Saskatchewan on changes to the *Constitution* and related legislation (MNLA Resolution #190302-06);

WHEREAS after initial consultation it was determined that constitutional reform was needed and the MNLA supported continued consultation that would result in proposed amendments to the *Constitution* and legislation to be considered at a future date by the MNLA (MNLA Resolution #190414-11);

WHEREAS the Métis Nation – Saskatchewan (MN-S) undertook community consultations with citizens throughout the province in 2019, 2021, 2022, 2023 and in 2024 to solicit their views on constitutional reform and has incorporated this information into a substantial package of proposed constitutional amendments and legislation;

WHEREAS the Provincial Métis Council (PMC) approved of a phased approach to constitutional reform to ensure thoughtful consideration by Métis citizens and by the officials elected to represent them (PMC Resolution #240417-01);

WHEREAS it is necessary to amend *Constitution* in order to provide for general clean-up of provisions including matters such as minor changes relating to grammar, numbering, consistency, the grouping of similar items for ease of reference, and removal of provisions relating to the 2007 election; and

WHEREAS amending the *Constitution* in order to provide for general clean-up of provisions including matters such as minor changes relating to grammar, numbering, consistency, the grouping of similar items for ease of reference, and removal of provisions relating to the 2007 election is supported by resolution of the PMC;

THEREFORE BE IT RESOLVED that the *Constitution* be amended for general clean-up as set out in Annex A attached to this resolution.

(Annex A is attached to this resolution)

ANNEX A

Métis Nation – Saskatchewan An Act respecting Métis Citizenship

Constitution amended

1. The *Constitution of the Métis Nation – Saskatchewan* is amended as set out in this Annex.

Article 1 replaced

2. Article 1 is deleted and the following substituted:

“ARTICLE 1: TITLE

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

Article 2 amended

3. Article 2 relating to the Métis Nation Legislative Assembly is amended by:

- (a) adding the following Article after Article 2-2:

“2.1 The loyalty of the members of the Métis Nation Legislative Assembly must be to the Métis Nation within Saskatchewan, and each member shall swear an Oath of Allegiance prior to taking their seat in the Assembly”.

Article 3 amended

4. Article 3 relating to the Provincial Métis Council is amended:

- (a) by deleting the word “Organization” wherever it occurs in Article 3-4 and in each case substituting “Métis Nation – Saskatchewan”; and

- (b) by deleting “Métis Legislative Assembly” and substituting “Métis Nation Legislative Assembly”.

Article 4 amended

5. Article 4 is amended by deleting Article 4-4(a) and substituting the following:

“4(a) The President shall be the head of the Executive, and chief political spokesperson for the Métis Nation – Saskatchewan”.

Article 5 amended

6. Article 5 is amended by:

- (a) deleting Article 5-4 and substituting the following:

“4. The Regional Councils shall establish regional administrative offices that are accessible to the people and leadership”;

- (b) deleting Article 5-6 and substituting the following:

“6. The Regional Council shall enact a constitution that is not inconsistent with this Constitution and shall file a copy of it, and any amendments to it, with the Clerk of the Métis Nation Legislative Assembly”; and

(c) deleting Article 5-10 and substituting the following:

“10. The Regional Council shall provide direction to their representatives on the Provincial Métis Council with respect to all matters, including the aims, objectives and aspirations of the Métis Nation – Saskatchewan, and for their respective Regions”.

Article 7 amended

7. Article 7 relating to Locals is amended by:

(a) deleting Article 7-1 and substituting the following:

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

(b) adding the following Articles after Article 7-2:

“2.1 An individual shall only belong to one Local.

“2.2 An individual must have resided in the community where the Local is situated for at least 6 months to be eligible for membership in the Local, although a Local may make exceptions for educational and medical purposes.

“2.3 A member of a Local must be ordinarily resident in the community where the Local is situated in order to retain membership in the Local, otherwise, the member must transfer their membership to the Local in the community to which they have relocated.

“2.4 In communities where no Locals exist, Métis persons shall apply to the Local nearest their residence”;

(c) by deleting Article 7-6 and substituting the following:

“6. Each Local shall be governed by a council, consisting of a president, a vice-president and the number of other members determined in accordance with the constitution of the Local, which may include terms of one to three years and elections may be by ballot box or conducted at a general meeting of the members of the Local.

“6.1 Each Local shall submit the names of their elected leadership to the Regional Council and the Clerk of the Métis Nation Legislative Assembly within 30 days of their election”; and

(d) by deleting Articles 7-8 and 7-9 and substituting the following:

“8. Each Local shall enact a constitution that is not inconsistent with this Constitution, including the establishment of portfolios, committees or other bodies required to address community and other issues, and shall file a copy of it, and any amendments to it, with the Clerk of the Métis Nation Legislative Assembly.

“9. The Locals shall provide yearly updates of their membership to the Regional Council and the Clerk of the Métis Nation Legislative Assembly, separating those members who are under 16 years of age from those 16 and over”.

Article 9 amended

8. Article 9 relating to the Métis Nation – Saskatchewan is amended by deleting Articles 9-1 and 9-2 and substituting the following:

“1. The seat of government of the Métis Nation – Saskatchewan is in Saskatoon”.

Article 10 amended

9. Article 10 relating to citizenship is amended by deleting Articles 10-2 to 10-6.

Article 13 amended

10. Article 13 relating to Métis independence is amended by:

(a) deleting Article 13-1 and substituting the following:

“1. Whereas the Métis are in the process of implementing self-government as one of three orders of government within Canada, the Métis Nation – Saskatchewan shall be non-sectarian and non-partisan”;

(b) deleting Article 13-2; and

(c) deleting Article 13-4 and substituting the following:

“4. Members of the Métis Nation – Saskatchewan are not precluded from joining political parties of the two other orders of government, being the federal and provincial levels of government”.

Article 14 amended

11. Article 14 relating to affiliates is amended by deleting Article 14-4 and substituting the following:

“4. All Affiliates shall have representation from the 12 Regions of the Métis Nation – Saskatchewan, unless otherwise decided by the Métis Nation Legislative Assembly based upon the recommendations of the Provincial Métis Council”.

Article 17 repealed

12. Article 17 relating to the 2007 Election is deleted.

ANNEX A

DATE:	November 2-3, 2024	Resolution #MNLA2411XX-XX
SUBJECT:	Constitutional Reform, Legislation	
MOVED BY:	Michelle LeClair	Vice President
SECONDED BY:	Lisa McCallum	Secretary
TITLE:	Approve Amendments to the <i>Métis Nation - Saskatchewan Citizenship Act, 1999</i>	

WHEREAS the Métis Nation Legislative Assembly (MNLA) established a committee to review the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) and related legislation and directed that the committee would consult across the province of Saskatchewan on changes to the *Constitution* and related legislation (MNLA Resolution #190302-06);

WHEREAS after initial consultation it was determined that constitutional reform was needed and the MNLA supported continued consultation that would result in proposed amendments to the *Constitution* and legislation to be considered at a future date by the MNLA (MNLA Resolution #190414-11);

WHEREAS the Métis Nation – Saskatchewan (MN-S) undertook community consultations with citizens throughout the province in 2019, 2021, 2022, 2023 and in 2024 to solicit their views on constitutional reform and has incorporated this information into a substantial package of proposed constitutional amendments and legislation;

WHEREAS the Provincial Métis Council (PMC) approved of a phased approach to constitutional reform to ensure thoughtful consideration by Métis citizens and by the officials elected to represent them (PMC Resolution #240417-01); and

WHEREAS it is necessary to revise and amend the *Métis Nation - Saskatchewan Citizenship Act, 1999* (the *MN-S Citizenship Act*) in order to:

- (a) clarify that MN-S citizenship is available to eligible Métis persons wherever they live;
- (b) require the Registrar to only request information to be provided by applicants that is relevant to determining their eligibility for registration as MN-S Citizens;
- (c) provide for citizenship appeals to be taken to the MNLA and heard by a committee appointed by the MNLA as an interim measure until the Métis Judiciary Act is enacted; and
- (d) revise and reorganize the provisions of the Act to aid in understanding;

THEREFORE BE IT RESOLVED THAT the MNLA, having confirmed a phased approach to constitutional reform that necessitated changes to the *MN-S Citizenship Act, 1999*, adopt “An Act respecting Métis Citizenship”, being the “Citizenship Act, 2024”, attached to this resolution as Annex A.

(Annex A is attached to this resolution)

ANNEX A

Métis Nation – Saskatchewan An Act respecting Métis Citizenship

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 6. Application for registration
 7. Improper registrations
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 9. Removal from registry by request
 10. Repeal
 11. Coming into force
-

The Métis Nation Legislative Assembly, in accordance with the authority granted to it by the Métis Nation within Saskatchewan through its *Constitution*, enacts as follows:

Short title

1. This Act may be cited as the *Citizenship Act, 2024*.

Definitions

2. In this Act:

“Constitution” means the *Métis Nation – Saskatchewan Constitution*;

“Métis” means a person who is Métis as defined in the Constitution;

“MnLA” means the Métis Nation Legislative Assembly provided for in the Constitution;

“MN-S Citizen” means a Métis person who is registered in the registry as a citizen of the Métis Nation – Saskatchewan;

“PMC” means the Provincial Métis Council provided for in the Constitution;

“Registrar” means the Registrar appointed pursuant to section 3;

“registry” means the central registry of MN-S Citizens maintained by the Registrar in accordance with section 5;

“Registry Office” means the Registry Office established pursuant to section 4.

Registrar

3. (1) The MnLA shall appoint a Registrar to administer the Registry.

(2) The Registrar shall:

(a) administer this Act;

(b) establish and implement a process to seek out and encourage the registration of all persons who are entitled to be registered as MN-S Citizens;

(c) maintain the registry and manage the staff of the Registry Office;

(d) accept and review each citizenship application received, decide whether the applicant is entitled to be registered as an MN-S Citizen, and provide a written decision to the applicant in relation to each application;

- (e) remove individuals from the registry when requested to do so in accordance with section 9;
- (f) forward any appeals together with the relevant files to the Clerk of the MNLA;
- (g) obtain a seal of office to be affixed to official documents issued by the registry;
- (h) deliver a report to the Provincial Métis Council and to the Clerk of the MNLA at least 60 days prior to each sitting of the MNLA.

Registry office

4. (1) A Registry Office is established consisting of the Registrar and the staff of the Registry Office, who shall act impartially and in good faith in the exercise of the functions of the Registry Office.
- (2) The Registry Office is separate and independent from the public service of the Métis Nation – Saskatchewan, but the staff of the Registry Office are to be considered as members of the public service for the purpose of employment benefits.
- (3) The PMC shall establish the remuneration and employment benefits of the Registrar, and the staff of the Registry Office based on available fiscal resources.

Central registry

5. (1) The Registrar shall maintain a central registry comprising a uniform system for the registration of MN-S Citizens containing, at a minimum, the following information with respect to each person registered:
- (a) name;
 - (b) address or place of residence;
 - (c) date of birth;
 - (d) marital status and the name of any spouse;
 - (e) dates of any marriages;
 - (f) names and dates of birth of any children of the person;
 - (g) the mother's full name and date of birth;
 - (h) the father's full name and date of birth;
 - (i) the other information submitted in support of the person's application for registration; and
 - (j) any genealogical information that may exist to establish the person's Métis ancestry.
- (2) The Registrar may collect and register additional demographic information about MN-S Citizens.
- (3) The Registrar and the staff of the Registry Office shall treat the registry as confidential.
- (4) The Registrar shall cause the registry system to be kept safely by administrative, physical and technological safeguards that are reasonable and consistent with this Act.
- (5) The Registrar may, with the consent of the PMC, enter into agreements with the government of a province or territory or with the government of Canada respecting the collection and exchange of information for the better functioning of the registry system but may not disclose confidential information in relation to an individual without the individual's consent.
- (6) The Registry shall be maintained separate from the political structure of the Métis Nation – Saskatchewan.

Application for registration

6. (1) A person who is Métis in accordance with the criteria set out in the Constitution is entitled to be registered as a citizen of the Métis Nation – Saskatchewan, whether or not the person resides in Saskatchewan.

- (2) A person described in subsection (1) may apply to the Registrar by submitting a completed application in the form provided by the Registrar together with the documents and records necessary to establish the person's entitlement to registration.
- (3) The application form provided by the Registrar may only include questions relating to the definition of Métis contained in the Constitution.
- (4) The parent or guardian of a child under 16 years of age may apply for registration on behalf of the child.
- (5) The guardian of a person who is under a mental or legal disability may apply for registration on behalf of the person.
- (6) No person is obliged to apply for registration as an MN-S Citizen.
- (7) The Registrar shall review each application and shall:
 - (a) if the person is entitled to be registered, register the person as an MN-S Citizen in the registry; or
 - (b) otherwise, reject the application; and in all cases shall notify the applicant in writing of the decision.
- (8) If the Registrar registers a person as an MN-S Citizen, the Registrar shall forward a citizenship card to the person to whom it relates, and only a citizenship card issued by the Registrar constitutes proof of MN-S citizenship.

Improper registrations

7. Where the Registrar determines that any person has obtained registration as an MN-S Citizen by providing inaccurate, incorrect or fraudulent information, the Registrar may remove that person's name from the registry and shall notify the person of that decision.

Citizenship appeals

8. (1) The appellant bears the burden of proof on any appeal.
 - (2) Any person whose application for registration as an MN-S Citizen is denied or whose name is removed from the registry is entitled to appeal by forwarding a written notice of appeal within 30 days of the Registrar's decision to the Clerk of the MNLA.
 - (3) A notice of appeal must include the following:
 - (a) the name and address of the appellant;
 - (b) the evidence submitted as proof of Métis ancestry;
 - (c) copies of all correspondence regarding the application and appeal;
 - (d) the signature of the appellant; and
 - (e) the date of submission of the appeal.
 - (4) The MNLA shall appoint a committee consisting of three of its members to hear an appeal under this section and the committee shall report to the MNLA recommending either, that the appeal:
 - (a) be dismissed; or
 - (b) be allowed and the Registrar directed to register the appellant as an MN-S Citizen in the registry.
 - (5) All appeals are confidential and shall be treated as such by all involved parties.

Removal from registry by request

9. (1) Any person who is registered as an MN-S Citizen may apply to the Registrar to have their name removed from the registry and, on receipt of the application and the person's citizenship card, the Registrar shall remove the person's name from the registry.

(2) A person whose name has been removed from the registry may reapply for registration in accordance with section 6.

Repeal

10. "The Métis Nation - Saskatchewan Citizenship Act, 1999" is repealed.

Coming into force

11. This Act comes into force when it is enacted by the Métis Nation Legislative Assembly.

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ANNEX A

DATE:	November 2-3, 2024	Resolution #MNLA2411XX-XX
SUBJECT:	Constitutional Reform, Legislation	
MOVED BY:	Michelle LeClair	Vice President
SECONDED BY:	Lisa McCallum	Secretary
TITLE:	Approve Amendments to the <i>Saskatchewan Métis Elections Act, 2007</i>	

WHEREAS the Métis Nation Legislative Assembly (MNLA) established a committee to review the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) and related legislation and directed that the committee would consult across the province of Saskatchewan on changes to the *Constitution* and related legislation (MNLA Resolution #190302-06);

WHEREAS after initial consultation it was determined that constitutional reform was needed and the MNLA supported continued consultation that would result in proposed amendments to the *Constitution* and legislation to be considered at a future date by the MNLA (MNLA Resolution #190414-11);

WHEREAS the Métis Nation – Saskatchewan (MN-S) undertook community consultations with citizens throughout the province in 2019, 2021, 2022, 2023 and in 2024 to solicit their views on constitutional reform and has incorporated this information into a substantial package of proposed constitutional amendments and related legislation;

WHEREAS the Provincial Métis Council (PMC) approved of a phased approach to constitutional reform to ensure thoughtful consideration by Métis citizens and by the officials elected to represent them (PMC Resolution #240417-01); and

WHEREAS it is necessary to revise and amend the *Saskatchewan Métis Elections Act, 2007* (the *Elections Act*) in order to:

- (a) provide for the election of women and youth representatives to the PMC;
- (b) provide for limits on contributions to candidates and election campaign spending; and;
- (c) revise and reorganize the provisions of the Act to aid in understanding;

THEREFORE, BE IT RESOLVED that the MNLA, having confirmed a phased approach to constitutional reform that necessitated changes to the *Elections Act*, adopt “An Act respecting An Act respecting election of members of the Provincial Métis Council”, being the “Elections Act, 2024”, attached to this resolution as Annex A.

(Annex A is attached to this resolution)

ANNEX A

Métis Nation – Saskatchewan An Act respecting election of members of the Provincial Métis Council

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PART I
GENERAL PROVISIONS

Short title

1. This Act may be cited as the *Election Act, 2024*.

Purpose

2. The purpose of this Act is to establish a dependable regime that promotes the meaningful exercise of the democratic rights and freedoms of the Métis Nation within Saskatchewan.

Definitions

3. In this Act:

“**Adjudicator**” means the person appointed under section 137 to hear complaints under this Act;

“**advance vote**” means a vote held before election day;

“**approved**” means as approved by the Chief Electoral Officer;

“**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;

“**candidate**” means a person:

(a) who is a candidate for election as a member of the PMC o; and

(b) whose nomination papers are accepted by the Chief Electoral Officer;

“**Chief Electoral Officer**” means the Chief Electoral Officer appointed under section 90;

“**close of nominations**” means 2:00 pm on the 30th day before election day;

“**Complaints Officer**” means the person appointed under section 136 to enforce compliance with this Act;

“**Constitution**” means the *Métis Nation – Saskatchewan Constitution*;

“**election day**” means the day determined in accordance with section 19;

“**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
- (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;

“**Executive Members**” means the members of the Executive described in the Constitution;

“**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;

“**MNLA**” means the Métis Nation Legislative Assembly described in the Constitution;

“**MN-S Citizen**” means a person who meets the criteria described in Article 10 of the Constitution and is registered in accordance with the *Citizenship Act, 2024*;

“**nomination period**” means the period of five consecutive days ending on the close of nominations, during which nominations of prospective candidates may be submitted;

“**PMC**” means the Provincial Métis Council provided for in the Constitution;

“**polling record**” means the document containing the name and other particulars of 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;

“**Region**” means a Region as described in the Constitution;

“**Regional Representative**” means the representative elected in each Region to serve on the PMC as provided for in the Constitution;

“**voter**” means a person who has the right to vote in an election under this Act;

“**youth**” means a person between the ages of 16 and 29 years.

Application

4. This Act applies to the election of all members of the PMC.

PART II DEMOCRATIC RIGHTS Voters

Right to vote

5. An individual who is registered as an MN-S citizen is an eligible voter and entitled to vote during an election, if on election day, the person:
 - (a) is at least 16 years of age;
 - (b) is a resident of Saskatchewan for at least six months prior to election day; and
 - (c) in the case of an election for:
 - (i) a Regional Representative, is ordinarily resident in the Region;
 - (ii) a representative for Métis women on the PMC, is a Métis woman;
 - (iii) a representative for Métis youth on the PMC, is a Métis youth.

Secret ballot

6. Every voter has the right to vote by secret ballot.

One vote

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.

Voting location

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.

Determining voter's residence

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.
- (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.
- (3) A voter's ordinary residence is not lost by reason of a temporary absence from the voter's usual residence.
- (4) A voter who remains in Saskatchewan is deemed not to have lost their ordinary residence until the voter acquires another.
- (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.
- (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.
- (7) A voter who leaves their ordinary residence in Saskatchewan:
- (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;
 - (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
 - (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;
 - (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; 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.
- (8) A voter who is in a penal or correctional institution in Saskatchewan must choose one of the following Regions and, on that choice, 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.
- (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.
- (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.

Languages of election officers

10. (1) Election officers should be appointed to represent the languages spoken in the community in which they will be performing their functions.

- (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.
- (3) The failure to comply with any provision of this section does not affect the validity of an election.

Voters list

11. (1) The Registrar appointed by the MNLA to administer the Central Registry under the Citizenship Act, 2024 shall, no later than 15 days prior to the election, provide the Chief Electoral Officer with a list of all MN-S Métis Citizens who are entitled to vote in the election.
- (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.

Candidates

Right to be a candidate

12. (1) Every person has a right to be a candidate in an election if, on close of nominations, the person is:
 - (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
 - (b) not disqualified under this section.
- (2) A person is not qualified to be a candidate if, on close of nominations, the person:
 - (a) holds elected office pursuant to *The Elections Act, 1996* (Saskatchewan); *The Local Government Election Act, 2015* (Saskatchewan) or the *Canada Elections Act* or is a member of the Senate of Canada;
 - (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, is not a resident of the Region;
 - (e) 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;
 - (f) is confined to a penal or correctional institution and is serving a sentence of confinement that extends to at least election day;
 - (g) committed an offence in relation to elections within the previous 10 years; or
 - (h) committed an indictable offence within the previous five years.
- (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 exercising freedom of action in the elected position.
- (4) No person may be a candidate for more than one elected office at the same election.
- (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 PMC, resign from the other office before assuming his or her duties.

Number of nominators required

13. (1) Any five or more voters may nominate a candidate for the office of Executive Member.

- (2) Any five or more voters who are women may nominate a candidate for youth representative on the PMC.
- (3) Any five or more voters who are youth may nominate a candidate for women's representative on the PMC.
- (4) Any five or more voters in a Region may nominate a candidate for the office of Regional Representative.
- (5) 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 pm on the 30th day before election day.

Nomination papers

14. (1) The nomination papers must be in the approved form and must include the following information:
 - (a) the name of the office for which the person seeks to be a candidate;
 - (b) a warning that if the person is nominated as a candidate for more than one office, all nominations for that person are void;
 - (c) the full legal name of the prospective candidate and their contact information;
 - (d) any request to use a name on the ballot by which the prospective candidate is commonly known;
 - (e) an oath or affirmation from the prospective candidate that they are eligible to be a candidate and agree to be nominated;
 - (f) the signature of the prospective candidate signed in front of a voter who signs as a witness;
 - (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;
 - (h) the full name, postal or civic address and signature of each voter who witnessed any person sign the nomination papers;
 - (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 of \$100 in the approved form.
- (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.
- (3) A candidate cannot be a witness to any signature in their own nomination papers.

Refusal of nomination

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.

(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.

(3) Where a person has been nominated as a candidate for more than one office, all the nominations for that person are void.

(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.

Notice of suspected ineligibility

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.

(2) The prospective candidate must make any submissions to the Chief Electoral Officer immediately on being notified of the suspicion of being ineligible.

(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.

Withdrawal or death of candidate

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.

(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.

Election by acclamation

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.

(2) When, as a result of the withdrawal or death of a candidate there is only one candidate left for election to that office, no election shall be held and the remaining candidate is deemed to be elected by acclamation.

(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.

PART III HOLDING AN ELECTION Preliminaries

Election day

19. Election day is the day fixed by resolution of the MNLA.

Vacancy on PMC

20. (1) Where the office of a member of the PMC 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.

(2) No declaration 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 general election to be held in accordance with the Constitution.

(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 voters and provides voting security at least equivalent to the provisions of this Act.

Notice of election

- 21.** (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.

Establishment of office of Chief Electoral Officer

- 22.** (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.
- (2) The Chief Electoral Officer may establish additional offices.

Establishment of polling stations

- 23.** (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.
- (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.
- (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.
- (4) The Chief Electoral Officer shall ensure that each polling station is furnished with the required material.
- (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.

Ballots and election materials

- 24.** (1) The ballots used at an election for the candidates for each office must be in the approved form.

- (2) 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 approved by the Chief Electoral Officer; and
 - (d) state the year of the election and the name of its printer on its reverse side.
- (3) Where two or more candidates have the same surname and first name, the Chief Electoral Officer shall use their other names to distinguish them.
- (4) The printer of the ballots shall deliver to the Chief Electoral Officer a declaration, in the approved form, setting out:
 - (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.
- (5) 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.
- (6) 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.
- (7) All voting compartments must be placed to ensure that each voter may be screened from observation and mark their ballot paper without interference or interruption.
- (8) 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.

Materials provided to returning officers

- 25.** (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.
- (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.

Safekeeping

- 26.** 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.

Methods of voting

27. 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.

Secrecy of the vote

28. (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;
- (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.

(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.

(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.

(4) Subsection (3) does not limit any enforcement provisions of this Act.

(5) No person shall mark a ballot in a way that may identify the voter.

(6) No person may be forced to reveal the candidate for whom the person has voted.

Voting in office of Regional Returning Officer

29. (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 such modifications as the circumstances require or as the Chief Electoral Officer may direct.

(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.

(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;
- (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;
- (d) count the votes in the office of the Regional Returning Officer at the close of the polls on election day; and

- (e) secure the ballot papers and other material associated with the voting after the counting of the votes.

Advance Vote

Advance vote required

- 30. An advance vote must be held in each Region on the 7th day before election day from noon to 7:00 pm at the polling stations designated by the Chief Electoral Officer.

Voting procedure

- 31. 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.

Polling record

- 32. 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.

Procedure at close of poll

- 33. (1) After the close of the poll at the advance vote, the deputy returning officer shall:
 - (a) count the number of voters who voted at the polling station and record the total on the polling record;
 - (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;
 - (c) count the number of unused ballots that are not detached from the books of ballots, and record the total on the polling record;
 - (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;
 - (e) count the number of used ballots from the ballot book and record the total on the polling record;
 - (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.
- (2) 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.

Mobile Poll

Request

- 34. (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.
- (2) A request for a mobile poll must be made before 5:00 p.m. on the 12th day before election day.

Establishment

35. 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.

Itinerary

36. (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.

(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.

Voting procedures

37. 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.

Procedure at close of poll

38. 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.

Recording Early Voters

After each advance or mobile poll

39. 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.

Operation of Polling Stations

Maintaining peace and order

40. (1) The Regional Returning Officer, during an election, and the deputy returning officer, during the hours that the polls are open, shall take reasonable measures to maintain peace and order.

(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.

(3) The Chief Electoral Officer may arrange in advance for peace officers to be ready to maintain peace and order throughout election day.

Presence of candidates or representatives

41. (1) A candidate or the candidate's authorized representative may be present at all operations relating to the poll and may remain for the counting of the ballots.

(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.

(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.

(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:

(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.

Political activities prohibited

42. No person shall, in or within 50 metres 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.

Hours of operation

43. (1) On election day, the polling stations shall be open from 9:00 am to 8:00 pm.

(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.

Extension of hours

44. (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.

(2) An extension in accordance with subsection (1) cannot result in the polling station being open for a total period exceeding 12 hours.

(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.

(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.

Initiailling ballots

45. (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;

(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.

(2) The deputy returning officer shall not, while initialling the ballots, detach them from the books in which they are bound or stapled.

(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.

Inspection of ballot box

46. (1) The deputy returning officer shall, at the time fixed for opening the polling station and in full view of all present, open the ballot box and establish that it is empty.

(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.

Polling record

47. 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.

Opening the polling station

48. (1) A deputy returning officer shall, immediately after the ballot box is sealed, call on voters to cast their ballots.

(2) A deputy returning officer shall admit the voters into the polling station and see that they are not disturbed.

(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.

(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.

Proof of entitlement to vote

49. (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.

(2) A person who refuses to provide proof pursuant to subsection (1) is not allowed to receive a ballot and vote.

Ballot Procedures

Delivery of ballot

50. 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.

Instructions to voter

51. The deputy returning officer shall instruct the voter on how to properly mark and handle the ballot.

Marking a ballot

- 52.** (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.
- (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.

Handling marked ballot

- 53.** (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 who deposits it in the ballot box or, if the voter so requests, deposit the ballot in the ballot box for the voter.
- (2) The poll clerk shall record, in the polling record, the name of the voter who has voted.
- (3) The voter shall leave the polling station in a reasonably expeditious manner after the voter’s ballot is deposited in the ballot box.

Spoiled ballot

- 54.** (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.
- (2) The deputy returning officer shall treat any misprinted ballot as a spoiled ballot.

Assistance to Voters

By deputy returning officer

- 55.** 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.

By third parties

- 56.** (1) A friend or relative may accompany a voter requiring assistance into the voting compartment to assist the voter in voting.
- (2) No person, other than an election officer, shall assist more than one voter in marking a ballot.
- (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
 - (d) have not assisted, during the current election, another person to vote.

(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.

Disabled voter

57. (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.

(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.

(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.

Challenge at Poll

Procedure

58. (1) Where a person alleges that someone has committed or is attempting to commit the offence of impersonation or voting 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.

(2) The deputy returning officer, or a peace officer, may:

- (a) evict from the polling station any person believed to have committed an offence under this Act; and
- (b) remove or have removed anything that in the opinion of the deputy returning officer has been used in the commission of the offence.

PART IV ELECTION RESULTS

Time of counting

59. 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; and
 - (ii) count the votes at the Regional Returning Office.

Who may be present

60. 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.

Procedure for counting the votes

61. 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.

Rejection of ballots

62. (1) When counting the ballots, the deputy returning officer shall reject any ballot that was:

- (a) not supplied by the Chief Electoral Officer;
- (b) not marked in favour of a candidate;
- (c) marked in a way that does not clearly indicate the voter's intent;
- (d) marked in favour of a person who is not a candidate;
- (e) marked for more than one candidate;
- (f) marked in a place other than the circular space provided, unless the mark clearly indicates the voter's intention; or
- (g) marked in a way that identifies the voter.

(2) No ballot shall be rejected pursuant to subsection (1) for the sole reason that the deputy returning officer:

- (a) placed a note, number or mark on it; or
- (b) did not remove the counterfoil when the voter voted.

(3) The deputy returning officer shall give a full opportunity to those present to look at, but not to touch, each ballot paper.

Effect of failure to initial

63. 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.

Objections

64. (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.

(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.

(3) The deputy returning officer shall:

- (a) record each objection in the polling record setting out the name of the objector, the grounds of the objection and an identifying number;
- (b) inscribe the number of the objection on the back of the ballot; and
- (c) initial the ballot.

Statement of the poll

65. (1) The deputy returning officer shall prepare a statement of the poll that sets out:

- (a) the total number of valid votes cast;
- (b) the number of votes in favour of each candidate;

- (c) the number of rejected and spoiled ballots; and
- (d) any other information that may be required by the Chief Electoral Officer.

(2) The deputy returning officer shall make copies of the statement of the poll, and distribute them as follows:

- (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.

Handling of ballots

66. (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.

(2) The deputy returning officer shall seal each envelope, noting the contents on the outside, and the deputy returning officer and the poll clerk, as well as any other person present who wishes to, shall each sign the seals on all the envelopes containing ballots.

(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.

(4) The deputy returning officer shall place the large envelope in the ballot box and seal it, in accordance with the directions of the Chief Electoral Officer and send the ballot box immediately to the Regional Returning Officer.

Election Results

Informal notification

67. (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.

(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.

(3) On the evening of election day the Chief Electoral Officer may release the content of the information received under this section to the public, but that information is unofficial until it is verified in accordance with this Act.

Verification of votes

68. (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.

(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.

(3) The aggregate of all adjournments shall not exceed two weeks.

(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.

(5) Where a ballot box or statement of the poll has been lost or has not been returned, 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.

Regional election report

69. (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, the office of the Regional Representative, and the offices of women's and youth representatives to the PMC, according to the verified statements of the poll in that Region.

(2) The regional election report must be completed as soon as the verification of all the votes is completed, unless, in exceptional circumstances, the Chief Electoral Officer authorizes otherwise.

(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.

(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.

Provincial election report

70. 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 PMC, according to the consolidated regional election reports from all Regions.

Declaration of elected candidate

71. 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 PMC who obtained the greatest number of votes in the provincial election report; and

(b) the candidate for Regional Representative who obtained the greatest number of votes in the regional election report for each Region.

Delay for recount or addition

72. If a recount or addition is requested in accordance with section 73, 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 Adjudicator.

Recount or Addition

Request

73. (1) The Chief Electoral Officer shall apply to the Adjudicator 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.

(2) A candidate may apply to the Adjudicator 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 69 or 70 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.

Date for recount

74. (1) Where an application for a recount or addition is made, the Adjudicator shall, by order, fix a time and place at which the recount or addition will be held.

(2) Within four days after the Adjudicator 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.

Procedure

75. (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 Adjudicator may be present at the recount or addition.

(2) At the time and place fixed for the recount or addition, the Adjudicator shall:

- (a) in the case of an addition, make the addition from the ballot paper accounts and poll statements and the returning officers' statements;
- (b) in the case of a recount, recount all the votes and ballots and open all the sealed envelopes containing:
 - (i) the ballots that have been counted;
 - (ii) the rejected ballots; and
 - (iii) the spoiled ballot papers.

(3) The Adjudicator may use any evidence or summon any person the Adjudicator considers necessary in the review of the ballots.

(4) There is no appeal from the decision of the Adjudicator on an application for a recount or addition.

Certification of votes

76. (1) The Adjudicator shall immediately certify the result of the recount or addition to the Chief Electoral Officer.

(2) On receiving the Adjudicator's certificate, the Chief Electoral Officer shall immediately declare to be elected the candidate having the largest number of votes.

(3) If the Adjudicator certifies a tie in the number of votes for an office, the Adjudicator shall cause the names of the candidates who are tied to be written on identical slips of paper and placed in a container from which the Adjudicator shall withdraw one name and declare that person to be elected.

Costs

77. No costs arising out of the recount or addition are recoverable from any party.

Voiding an Election

Making the application

78. (1) Any MN-S Citizen may apply to the Adjudicator to void an election:

- (a) after any application for a recount is decided;
- (b) no later than 15 days after the latest of:
 - (i) the day of publication of the regional or provincial election report, as the case may be; and
 - (ii) the day the Adjudicator renders its decision on any application for a recount or addition; and
- (c) 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 PMC as a member.

(2) Notwithstanding subsection (1), the Chief Electoral Officer may file an application no later than 90 days after the publication of the election result.

(3) An applicant shall serve a copy of the application within 20 days after it is filed with the Adjudicator on:

- (a) the affected candidates;
- (b) the Regional Returning Officer and Chief Electoral Officer, unless they are the applicant; and
- (c) the PMC.

(4) The Adjudicator may award costs and make any other order the Adjudicator 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.

(5) There is no appeal from the decision of the Adjudicator on an application to void an election. Jurisdiction of the Adjudicator

79. If it appears to the Adjudicator 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 Adjudicator 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.

Persons entitled to sit

80. (1) Where the Adjudicator determines that a person was not lawfully elected that person is not entitled to sit or vote in the regional council, PMC or the MNLA.

(2) The Adjudicator 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 PMC and in the MNLA.

New election

81. If the Adjudicator invalidates an election, it may order a new election to be held in the same manner as a by-election with respect to some or all of the seats on the PMC, as the circumstances may require.

Management of Election Material

Ballot boxes

82. (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.

(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 report it in writing to the Chief Electoral Officer.

Remission

83. 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.

Delivery to Regional Returning Officer

84. 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.

Delivery to Chief Electoral Officer

85. 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.

Preservation

86. The Chief Electoral Officer shall ensure that all election materials is stored safely and securely.

Destruction

87. 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.

Documents of Chief Electoral Officer

88. 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.

Public records

89. (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;
- (c) all decisions or rulings by the Chief Electoral Officer on points arising under this Act.

(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.

(3) Any copies of documents purporting to be certified by the Chief Electoral Officer are admissible in evidence without further proof.

Removal of campaign material

90. Each candidate shall ensure that all their campaign material is removed from public display within 10 days after election day.

Contributions, Expenses and Advertising

Contributions only from voters

91. (1) In this section, “contribution” includes money, services and goods provided during an election period to promote or oppose the election of a candidate.

(2) Subject to section 92, any voter may make a contribution to another individual for the purpose of supporting that individual as a candidate at an election.

(3) No candidate shall accept a contribution from a person who is not a voter.

(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:

- (a) the name of each person who made a contribution to the candidate;
- (b) the amount of each contribution; and
- (c) the date on which each contribution was received.

Contribution limits

92. (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.

(2) A candidate who receives contributions in excess of \$30,000 in total shall pay the excess to an approved charity.

Election expenses

93. (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.

(2) A candidate shall not incur election expenses in excess of \$30,000.

(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.

Advertising

94. All campaign material must identify the candidate for whom it is made in accordance with the guidelines of the Chief Electoral Officer.

PART V ADMINISTRATION Chief Electoral Officer

Appointment

95. (1) The Chief Electoral Officer is appointed to hold office by resolution of the MNPA and may be removed only for cause by resolution of the MNLA.

(2) The MNLA shall ensure that a Chief Electoral Officer is appointed at least six months prior to the election day.

(3) The term of office of the Chief Electoral Officer is 10 years.

(4) The Chief Electoral Officer shall, before taking office, take an oath or affirmation of office.

(5) If the Office of the Chief Electoral Officer is vacant and the MNLA is not sitting, the PMC may appoint a new Chief Electoral Officer if exigent circumstances exist.

(6) The Chief Electoral Officer may formally resign by giving 30 days’ written notice to the President.

Obligations

96. The Chief Electoral Officer is an independent officer of the Métis Nation – Saskatchewan and shall:

- (a) maintain a position independent from the PMC 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.

Duties

97. (1) The Chief Electoral Officer shall:

- (a) formulate policies regarding the conduct of elections;
- (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;

- (c) prepare guidelines with respect to the electoral process for candidates, election officers and other interested groups or persons;
- (d) establish and approve any forms that may be required under this Act;
- (e) provide direction to and manage the staff of the Office of the Chief Electoral Officer;
- (f) issue instructions or directions to election officers;
- (g) coordinate the election process with bodies responsible for other elections elsewhere in Canada; and
- (h) perform any other functions related to the purpose of this Act or otherwise provided for under this Act.

(2) The Chief Electoral Officer shall submit a report to the MNLA, no later than 280 days after election day, 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
- (f) recommendations to improve this Act and the election process.

Administrative powers

98. 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, PMC, MNLA and General Assembly and appropriate committees of those bodies to discuss matters related to this Act;
- (f) conduct public hearings with respect to any issue related to the electoral process;
- (g) intervene, with leave, in any proceedings before the Adjudicator or any other court in which a provision of this Act is in dispute;
- (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;
- (i) make any agreements that necessary to perform their duties and to improve the Saskatchewan Métis electoral system;
- (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
- (k) exercise all other powers assigned to the Chief Electoral Officer by this Act.

Delegation

99. 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 100 or the power to issue directions described in section 101.

Power to adapt the Act

100. (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.

(2) Notwithstanding subsection (1), the Chief Electoral Officer has no power to extend the nomination period.

Directions

101. 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.

Agreements

102. 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;
- (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.

Deputy Chief Electoral Officer

103. (1) The Chief Electoral Officer may appoint a Deputy Chief Electoral Officer to assist in administering elections under this Act.

(2) The Deputy Chief Electoral Officer holds office for the term specified in the appointment by the Chief Electoral Officer.

Staff

104. (1) The Chief Electoral Officer may appoint any staff that are necessary for the proper conduct of elections.

(2) The staff of the Office of the Chief Electoral Officer shall be paid any remuneration that the Chief Electoral Officer determines.

(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.

Contracting services

105. 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.

Regional Returning Officers

Appointment

106. (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 or, in the case of a recount, until the certification of the results of the recount.

(2) A Regional Returning Officer may be re-appointed by the Chief Electoral Officer.

Resignation

107. Any resignation of a Regional Returning Officer does not take effect earlier than the day it is accepted by the Chief Electoral Officer.

Dismissal

108. The Chief Electoral Officer may remove any Regional Returning Officer from office on the grounds that the Regional Returning Officer, for any reason:

- (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.

Vacancy

109. Where a vacancy occurs in the office of Regional Returning Officer during an election period, the Chief Electoral Officer shall appoint a new Regional Returning Officer without delay.

Duties

110. 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 the Chief Electoral Officer or otherwise under this Act.

Delegation

111. (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.

(2) The Regional Returning Officer's delegation must be in writing, dated and signed by the Regional Returning Officer.

Assistant regional returning officer

- 112.** (1) The Chief Electoral Officer may appoint in writing an assistant regional returning officer, to hold office at the pleasure of the Chief Electoral Officer, and to perform such duties as the Regional Returning Officer may assign.
- (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.
- (3) A Regional Returning Officer may recommend to the Chief Electoral Officer that the appointment of an assistant regional returning officer should be revoked in writing and stating the reasons for the recommendation.
- (4) An assistant regional returning officer may resign by informing the Chief Electoral Officer.
- (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.
- (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.

Election Officers

Appointment

- 113.** The Regional Returning Officer shall appoint a deputy returning officer and poll clerk for each polling station.

Qualifications

- 114.** (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 entitled to vote for an Executive Member.
- (2) No person is eligible to be an election officer who:
- (a) is a candidate or works on behalf of a candidate;
 - (b) is a member of the PMC or was a member during the immediately previous sitting of the MNLA;
 - (c) holds elected office pursuant to *The Elections Act, 1996* (Saskatchewan), *The Local Government Election Act* (Saskatchewan) or the *Canada Elections Act*;
 - (d) is a member of any court, other than a citizenship court;
 - (e) is not a resident of Saskatchewan;
 - (f) committed an offence in relation to elections within the previous 10 years;
 - (g) committed an indictable offence within the previous five years; or
 - (h) is a member of the family of a candidate.
- (3) No member of the family of a Regional Returning Officer is eligible to be appointed as an assistant regional returning officer.

Duty of impartiality

115. (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.

(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.

Oath of office

116. 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.

Miscellaneous

Notices

117. 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.

Oaths, etc., without charge

118. All oaths, affirmations or affidavits administered under this Act should be administered without charge.

Marks in lieu of signatures

119. 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.

Decisions final

120. (1) Except as explicitly provided in this Act, every order or decision of the Chief Electoral Officer is final and is not subject to appeal to the Adjudicator or any court, the MNLA or the General Assembly.

(2) The Chief Electoral Officer may amend or revoke an order or decision made by the Chief Electoral Officer at any time.

PART VI ENFORCEMENT Offences

Generally

121. Any person who contravenes any provision of this Act is guilty of an offence.

Voters lists and voters' information

122. A person is guilty of an offence if the person fails to comply with any direction of the Chief Electoral Office relating to the use of voters lists or voters' information.

Voter offences

- 123.** 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;
 - (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.

Offence relating to votes

- 124.** 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.

Ballot offences

- 125.** 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 their 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 capable of being used as a ballot paper at an election;
 - (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;
 - (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;
 - (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
 - (l) makes a written record of the printed serial number appearing on the counterfoil of a ballot paper.

Inducement of voters

- 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.
- (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.
- (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
- (c) the provision of transportation to or from a polling station or other place of voting.

Undue influence

127. A person is guilty of an offence if, by intimidation, duress or any pretense 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.

Disturbing peace at polling station

128. No person shall disturb the peace and good order at a polling station.

Prohibition on telecommunication devices

129. 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 station, except in accordance with the directions of the Chief Electoral Officer.

Prohibition on cameras and recorders

130. 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.

False statement of withdrawal

131. 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.

Offences by candidates

132. Any person who signs their nomination papers consenting to be a candidate at an election knowing that they are ineligible to be a candidate in the election is guilty of an offence.

Offences involving election officers

133. (1) Any election officer who wilfully fails to promptly perform their functions respecting the holding of an election is guilty of an offence.

(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
- (c) the election officer intended to affect the result of the election.

Improper advice

134. 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.

Improper vote count

135. 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.

Complaints, Investigations and Adjudication

Complaints Officer

136. (1) The MNLA shall appoint a Complaints Officer to enforce compliance with this Act.

(2) The Complaints Officer holds office for the term specified in their appointment, not exceeding five years.

(3) The Complaints Officer is an independent officer of the Métis Nation – Saskatchewan.

Adjudicator

137. (1) The MNLA shall appoint an Adjudicator to hear any complaint referred by the Complaints Officer.

(2) The Adjudicator holds office for the term specified in their appointment, not exceeding five years.

(3) The Adjudicator is an independent officer of the Métis Nation – Saskatchewan.

Prohibited activities

138. 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.

Making a complaint

139. (1) Any MN-S Citizen who believes that an offence under this Act has been, is being or may be committed may make a complaint to the Complaints Officer to be resolved, if possible, through a consensual process.

(2) A complaint may be made during an election, but no complaint may be made more than 90 days after election day.

Review and investigation

140. (1) 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 the Complaints Officer considers warranted in the circumstances.

(2) For the purposes of an investigation, the Complaints Officer may engage the services of legal counsel, investigators, experts or other persons.

(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 141.

Order to cease activity or take action

141. (1) The Complaints Officer may make an order requiring a MN-S 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.

(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.

(3) An order made under subsection (1) expires no later than the 5th 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.

Adjudication

142. (1) The Adjudicator shall hear all complaints referred to the Adjudicator by the Complaints Officer and, in doing so, shall act fairly, independently and impartially.

(2) The Adjudicator may:

- (a) make rules respecting procedure and the conduct of the hearing of complaints;
- (b) determine whether a person is guilty of committing an offence under this Act;
- (c) determine any other matter related to a complaint; and
- (d) make an order in the nature of an order described in subsection 141 and confirm, vary or reverse any order made by the Complaints Officer under that section.

(3) A decision of the Adjudicator is final and cannot be appealed to the PMC or the MNLA or to the Saskatchewan courts.

Ineligibility to hold office

143. Any person who is found guilty of committing an offence under this Act 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.

PART VII REPEAL AND COMING INTO FORCE

Repeal

144. The former Election Act is repealed.

Coming into force

145. This Act comes into force on the day on which it is enacted by the Métis Nation Legislative Assembly.

ANNEX A

DATE:	November 2-3, 2024	Resolution MNLA2411XX-XX
SUBJECT:	Constitutional Reform, Legislation	
MOVED BY:	Michelle LeClair	Vice President
SECONDED BY:	Lisa McCallum	Secretary
TITLE:	Approve amendments to the <i>Métis Nation of Saskatchewan Legislative Assembly Act, 1999</i>	

WHEREAS the Métis Nation Legislative Assembly (MNLA) established a committee to review the *Constitution of the Métis Nation – Saskatchewan* (the *Constitution*) and related legislation and directed that the committee would consult across the province of Saskatchewan on changes to the *Constitution* and related legislation (MNLA Resolution #190302-06);

WHEREAS after initial consultation it was determined that constitutional reform was needed and the MNLA supported continued consultation that would result in proposed amendments to the *Constitution* and legislation to be considered at a future date by the MNLA (MNLA Resolution #190414-11);

WHEREAS the Métis Nation – Saskatchewan (MN-S) undertook community consultations with citizens throughout the province in 2019, 2021, 2022, 2023 and in 2024 to solicit their views on constitutional reform and has incorporated this information into a substantial package of proposed constitutional amendments and related legislation;

WHEREAS the Provincial Métis Council (PMC) approved of a phased approach to constitutional reform to ensure thoughtful consideration by Métis citizens and by the officials elected to represent them (PMC Resolution #240417-01); and

WHEREAS it is necessary to revise and amend the *Métis Nation of Saskatchewan Legislative Assembly Act, 1999* (the “*Legislative Assembly Act*”) in order to:

- (a) provide for rules relating to the convening and holding of General Assemblies of MN-S Citizens; and
- (b) revise and reorganize the provisions of the *Legislative Assembly Act* to aid in understanding;

THEREFORE, BE IT RESOLVED that the MNLA, having confirmed a phased approach to constitutional reform which necessitated amendments to *Legislative Assembly Act* adopt “An Act respecting the Métis Nation Legislative Assembly and the General Assembly of Citizens of the Métis Nation within Saskatchewan”, being the “Assemblies Act, 2024”, attached to this resolution as Annex A in order.

(Annex A is attached to this resolution)

ANNEX A

Métis Nation – Saskatchewan An Act respecting the Métis Nation Legislative Assembly and the General Assembly of Citizens of the Métis Nation within Saskatchewan

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The Métis Nation Legislative Assembly, in accordance with the authority granted to it by the Métis Nation within Saskatchewan through its Constitution, enacts as follows:

PART I GENERAL

Short title

1. This Act may be cited as the *Assemblies Act*.

Definitions

2. In this Act:

“**affiliate**” means those organizations and structures established by the Métis Nation - Saskatchewan to provide programs and services to and on behalf of the Métis of Saskatchewan;

“**Constitution**” means the *Métis Nation – Saskatchewan Constitution*;

“**Deputy Speaker**” means the Deputy Speaker of the MNLA appointed pursuant to section 3;

“**Executive**” mean the Executive members described in the Constitution;

“**General Assembly**” means the meeting of the General Assembly of MN-S Citizens as set out in the Constitution;

“**Local**” means a Local as described in the Constitution;

“**MNLA**” means the Métis Nation Legislative Assembly provided for in the Constitution;

“**MN-S Citizen**” means a Métis person who is registered in the registry as a citizen of the Métis Nation – Saskatchewan;

“**MN-S Judicial Body**” means the Judicial Body established pursuant to the *Kwayaskastasowin Judiciary Act*;

“**Order of the Day**” means the compilation of documentation for members of the MNLA that includes the agenda, reports, minutes, and draft resolutions, legislation, and constitutional amendments that are to be tabled at a sitting of the MNLA;

“**PMC**” means the Provincial Métis Council provided for in the Constitution;

“**Regional Representative**” means the representative elected in each Region to serve on the PMC as provided for in the Constitution;

“**Speaker**” means the Speaker of the MNLA appointed pursuant to section 3.

PART II MÉTIS NATION LEGISLATIVE ASSEMBLY

Speaker and Deputy Speaker

3. (1) The PMC shall, by resolution, appoint a Speaker and Deputy Speaker to hold office for a term of two years and until their successors are appointed.

(2) The appointments of the Speaker and Deputy Speaker are effective on ratification by resolution of the MNLA.

(3) Any person who is an MN-S Citizen is eligible to be appointed as Speaker or Deputy Speaker, whether or not a member of the MNLA, and may be reappointed.

(4) The Speaker is responsible for the procedures, rules, debates and decorum of the MNLA and shall:

- (a) receive the list of members and seating arrangements of the MNLA from the Clerk as established by the Roll Call prepared pursuant to section 6;
- (b) approve all participation in debates and voting;
- (c) secure a written record of the MNLA and certify the minutes; and
- (d) ensure that only members are seated in the MNLA with all other observers seated in designated areas.

(5) The Deputy Speaker shall act as Speaker in the absence or inability of the Speaker to act.

Dumont’s Scouts

4. The PMC may appoint one or more MN-S Citizens to hold the office of Dumont’s Scout, named in honour of Dumont’s peacekeepers historically called “Scouts”, and to be responsible for maintaining order during sittings of the MNLA at the direction of the Speaker.

Clerk

5. (1) The PMC shall appoint Clerk of the MNLA, whose appointment must be ratified by the MNLA, to hold office at the pleasure of the MNLA.

(2) The Clerk shall:

- (a) compile or cause the necessary documents for the Order of the Day to be compiled;
- (b) approve all documentation to be circulated to members of the MNLA;
- (c) prepare the agenda of the MNLA in accordance with the direction of the PMC;
- (d) ensure the independent recording of the minutes of the MNLA and provide a copy to the Speaker to be certified;
- (e) obtain a certified copy of the minutes of the MNLA from the Speaker and ensure their safekeeping;

- (f) provide a certified copy of the minutes of the MNLA to each member; and
- (g) ensure that the necessary staff are in place to provide for the efficient and effective administration of the MNLA, including the appointment of a Deputy Clerk.

Roll Call

6. The Clerk shall compile the Roll Call, being the list of members of the MNLA, and shall use the Roll Call at the opening of each sitting of the MNLA and as required to determine if a quorum is present and who is entitled to vote.

Proposing resolutions

7. (1) A member of the MNLA may table a proposed resolution with the Clerk to be included in the Order of the Day at least 30 days prior to the sitting of the MNLA at which it is to be considered.

(2) The Clerk shall include a proposed resolution in the Order of the Day if it is legally valid, funds are available for its implementation if adopted, and it is not administrative in nature.

Adoption of resolutions

8. (1) A resolution to enact legislation, ratify an appointment, provide a directive, make a proclamation, or otherwise reflect a decision of the MNLA is adopted when it is supported by a majority of the votes cast, as long as the number of members present constitutes a quorum.
(2) A resolution to adopt an amendment to the Constitution is adopted when it is supported by 75% of the votes cast, as long as the number of members present constitutes a quorum.

(3) A resolution to adopt a Treaty or settle a claim is adopted when it is supported by 75% of the votes cast, as long as the number of members present constitutes a quorum.

Order of the Day

9. The Order of the Day must include the following documents, which are tabled by the Clerk at the commencement of each sitting of the MNLA:
 - (a) the agenda for the sitting;
 - (b) the minutes of the previous sitting;
 - (c) except in the case of a special sitting of the MNLA, the written reports of the Executive, each Regional Representative, ministerial reports, reports of affiliates and their audits, and any other reports required by the Constitution or any legislation; and
 - (d) any draft resolutions, legislation, or constitutional amendments being proposed.

Proposed legislation

10. (1) Only a member of the MNLA may propose new legislation or amendments to existing legislation and shall table any such proposal with the Clerk at least 30 days prior to the sitting of the MNLA at which it is to be considered.

(2) Legislation is enacted when it is ratified by a resolution of the MNLA supported by a majority of the votes cast, as long as the number of members present constitutes a quorum.

(3) Legislation comes into force on the date specified in the legislation or, if no date is specified, when it is enacted.

Proposed Constitutional amendments

11. (1) Only a member of the MNLA may propose an amendment to the Constitution and shall table any such proposal with the Clerk at least 30 days prior to the sitting of the MNLA at which it is to be considered.
- (2) A proposal to amend the Constitution must be accompanied by:
 - (a) a resolution of the PMC approving the proposal; or
 - (b) the signatures of five members of the MNLA approving the proposal.

Reports

12. Each affiliate shall, within 90 days of the end of its fiscal year, submit an annual report including its audited financial statements to the Clerk of the MNLA for inclusion in the Order of the Day at the next sitting of the MNLA.

PART III GENERAL ASSEMBLY

Convening

13. A meeting of the General Assembly required by the Constitution shall be held on the date, at the time and place, and in the manner determined by the PMC.

Officials

14. (1) The Speaker and Deputy Speaker shall serve as chair and co-chair of the General Assembly.
- (2) The Speaker is responsible for the procedures, rules, debates and decorum of the General Assembly and shall:
 - (a) approve all participation in debates and voting; and
 - (b) secure a written record of the General Assembly and certify the minutes.
- (3) The Clerk shall also act as Clerk to the General Assembly and shall:
 - (a) approve all documentation to be circulated to members of the General Assembly;
 - (b) prepare the agenda of the General Assembly in accordance with the direction of the PMC;
 - (c) ensure the independent recording of the minutes of the General Assembly and provide a copy to the Speaker to be certified;
 - (d) obtain a certified copy of the minutes of the General Assembly from the Speaker and ensure their safekeeping;
 - (e) ensure that a certified copy of the minutes of the General Assembly is accessible by every MN-S Citizen; and
 - (f) ensure that the necessary staff are in place to provide for the efficient and effective administration of the General Assembly.

Procedure

15. The PMC shall establish rules to govern a meeting of the General Assembly subject to the following principles:
 - (a) all MN-S Citizens must have been provided with 30 days' notice of the meeting of the General Assembly;
 - (b) the meeting of the General Assembly must include a reasonable period of time set aside for questions and discussion;
 - (c) in the case of a General Assembly called for the purpose of ratifying amendments to the Constitution that have been adopted by the MLNA:
 - (i) the text of the specific constitutional amendments that have been approved by the MNLA, and an explanation of them, must be available to all MN-S Citizens prior to the General Assembly;

- (ii) notice of the time or times at which voting will occur on each constitutional amendment approved by the MNLA must be provided prior to the General Assembly; and
- (iii) voting on each constitutional amendment approved by the MNLA must occur at the time scheduled in the notice.

PART IV
REPEAL AND COMING INTO FORCE

Repeal

16. The Métis Nation Legislative Assembly Act, 1999 is repealed.

Coming into force

17. This Act comes into force when it is enacted by the Métis Nation Legislative Assembly.