

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: M.N.B.C. Citizenship Act
Primary Offices Affected: M.N.B.C. Citizenship Act
Submitted By: M.N.G.A. Adhoc Adoption Committee
Submitted to: M.N.G.A. Clerk
Date Submitted: December 15, 2009

Whereas:

research conducted by the University of British Columbia confirmed over forty-five examples of customary Métis adoption and practices.

Whereas:

adopted children assume full rights and responsibilities of their adopted Métis citizen's parents.

Whereas:

the *R. v. Powley* requires objective proof of ancestral connection to the historic community by "birth, adoption, or other means".

Whereas:

the MNBC Senate decision of *DC vs. MNBC Secretariat* recommended that the adoption issue needs to be dealt with in the *MNBC Citizenship Act*.

Whereas:

the *B.C. Court of Appeal* stated "no declaration by this court is required to permit internal self-regulation in accordance with aboriginal traditions, if the people affected are in agreement."

Therefore be it resolved

that **Article 2.0 - Interpretation** have the additional interpretations added with the sequential numbering being adjusted accordingly:

- 2.2 "Adoption" Act of transferring parental rights and duties to someone other than the adopted person's biological parents by means of a statutory adoption or a customary Métis adoption.
- 2.2 "Adopted Métis Citizen" A Métis Citizen that has acquired their Métis Citizenship as per *Article 12* of the *MNBC Citizenship Act*.

- 2.11 “Customary Adoption” An adoption that is consistent with the historical and customary practices of the Métis Nation which has occurred at an early age by an immediate or extended family member.
- 2.12 “Extended Family Member” Is a grandparent, uncle, aunt, cousin, nephew and/or niece that is a Métis Citizen or is eligible for Métis citizenship as per the *MNBC Citizenship Act*.
- 2.13 “Historical and Customary Practices” The traditional undertaking of privately arranged adoption between a Métis Citizen’s family and another aboriginal family.
- 2.14 “Immediate Family Member” Is a parent (mother/father), child (son/daughter) or sibling (sister/brother) that is a Métis Citizen or is eligible for Métis citizenship as per the *MNBC Citizenship Act*.
- 2.21 “Statutory Adoption” An adoption that is granted under the authority of provincial and/or territorial government legislation.

Further resolved that

the following Article be added as “**Article Twelve – Adoption**” of the Citizenship Act:

- 12.0 The MNBC shall accept an application for citizenship as a Métis Citizen upon applicant providing to the Registrar objectively verifiable proof of an adoption which, if accepted by the Registrar, proves that the Applicant has been adopted by a Métis Citizen or is eligible for citizenship as per the *MNBC Citizenship Act*.
- 12.1 The adopted Métis Citizen’s citizenship is limited by a life estate termination, unless;
 - 12.2.1 The adopted Métis Citizen marries a Métis Citizen, thereby which the offspring can attain their citizenship through the Métis genealogy of the other parent.
- 12.2 An adult adoption (18 years or older) is exempt from receiving Métis Citizenship as per *Article 12.0*.

I so move

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: Assembly Procedures Act

Primary Offices Affected: MNBC Constitution/ Legislation

Submitted By: MNBC Board of Directors

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas:

1. There is currently no direction or guidance with legislative force to define, manage or guide the presentation of motions and resolutions at MNBC assemblies and the composition and procedure of MNBC assemblies.
2. The lack of legislative provisions directly dealing with the definition, management and guidance with respect to the presentation of motions and resolutions at MNBC assemblies and with the composition and procedure of MNBC assemblies may result in the inconsistent application of interpretive principles and may lead to inconsistent determination by the legislators and Métis citizens.
3. It is appropriate and expedient that legislation be enacted that provides definition, management and guidance with respect to the presentation of motions and resolutions at MNBC assemblies and with the composition and procedure of MNBC assemblies.

THEREFORE BE IT RESOLVED THAT:

4. The draft Assembly Procedures Act as presented be adopted and enacted as the governing legislation for that purpose for the Métis Nation British Columbia.

I so move.

MÉTIS NATION BRITISH COLUMBIA



ASSEMBLY PROCEDURES AND LEGISLATIVE AMENDMENT ACT

PRESENTED MARCH 2010

METIS NATION BRITISH COLUMBIA
(the “MNBC”)

ASSEMBLY PROCEDURES AND LEGISLATIVE AMENDMENT ACT
(the “Act”)

ARTICLE ONE

- 1.1 This act may be cited as the Assembly Procedures Act (the “Act”).

ARTICLE TWO – PURPOSE OF THE ACT

- 2.1 The purpose of this Act is to provide a code pursuant to which the MNBC shall carry out business at MNBC Assemblies.

ARTICLE THREE – DEFINITIONS

- 3.1 “Amending Motion(s)” means those Motions that have, as their purpose an amendment or that will result in an amendment to Legislation or the Constitution.
- 3.2 “Assembly” or “Assemblies” means general meetings of the MNBC and includes Annual General Meetings.
- 3.3 "Chartered Community" are those Métis Communities that have entered into a Community Governance Charter Agreement with the MNBC.
- 3.5 "Constitution" means the Constitution of the Métis Nation British Columbia (the "MNBC") as amended from time to time.
- 3.6 “Housekeeping Motion(s)” means those Motions that have as their purpose issues designated as Housekeeping matters as set out in the MNGA Act.
- 3.7 "Legislation" means legislative documents, laws and/or acts including amendments to existing legislative documents, laws and/or acts and, for the purpose of this Act, will include draft or proposed Legislation.
- 3.8 “Censure Motions” means those Motions that have as their purpose the removal or suspension of a director of the MNBC.
- 3.9 “Citizen” or “Citizens” means Metis Citizens as defined in the *Citizenship Act*.
- 3.10 "Métis Nation Governing Assembly" ("MNGA") means the legislative body of the MNBC as set out in the Constitution.

- 3.11 "Métis Nation British Columbia" ("MNBC") means the organization that is constituted of the Regional Directors, President, Vice-President, Chairperson of the Métis Women of British Columbia (the "MWBC") and Chairperson of the Metis Youth of British Columbia ("MYBC") that represent the Métis Citizens.
- 3.12 "Metis Provincial Council of British Columbia ("MPCBC") is the secretariat of the MNBC constituted for the purpose of carrying out the administrative duties of and at the behest the MNBC.
- 3.13 "Motion" or "Motions" means the process by which business or a proposal is presented to an Assembly and shall be designated as Amending Motions, Censure Motions; Housekeeping Motions, Regulatory Motions and Substantive Motions.
- 3.14 "Regulatory Motion(s)" are those Motions that are concerned with the procedural matters and the carrying out of the matters listed on the Assembly agenda.
- 3.15 "Resolution" or "Resolutions" means the business or proposal that is being presented to an Assembly by way of a Motion.
- 3.16 "Resolutions Committee" means the committee that is constituted for the purpose of reviewing and considering Motions brought to an Assembly by a Citizen.
- 3.17 "Substantive Motions" means those Motions that deal with the business to be conducted at an Assembly other than Amending, Censure, Housekeeping, and Regulatory Motions.

ARTICLE FOUR – MOTIONS

- 4.1 The provisions of this Article Four shall apply to Assemblies and the MNGA.
- 4.2 All Motions shall be comprised of a brief explanatory background to the proposed Resolution and a clear and precise statement that shall be the Resolution to be presented to the Assembly.
- 4.3 Amending Motions shall not be presented to or considered by an Assembly unless the Motion has been first provided for review and consideration to the MNGA in accordance with the provisions of the MNGA Act.
- 4.4 Housekeeping Motions may be presented to an Assembly by a Citizen who has first presented the Motion to the Resolutions Committee for review and consideration.
- 4.5 Censure Motions that have as its purpose the removal or suspension of more than one or all of the Directors of the MNBC shall not be presented to or considered by an Assembly or the MNGA.

- 4.6 Censure Motions that have as its purpose the removal or suspension of a MNBC director shall not be presented to or considered by an Assembly unless the Motion has been first presented to the MNGA for review and consideration by the MNGA and the director affected by the Motion has been provided with no less than 30 days notice of the Motion to the MNGA and shall be created in accordance with Article 4.7 of this Act.
- 4.7 Censure Motions that have as its purpose the removal of a Regional Director, shall be accompanied by a petition in support of the Motion with a statement of the purpose of the Petition clearly stated thereon and signed by no less than 15 Electors as set out in Article 6 of the Electoral Act, but not including Electors under the age of 18 years, from each of the Communities in the applicable Region who shall include their Citizenship number and shall consent to the use of their citizenship number for the purpose of verification.
- 4.8 Censure Motions that have its purpose the removal or suspension of the Chairperson of the MWBC or the Chairperson of the MYBC shall be accompanied by a petition in support of the Motion with a statement of the purpose of the Petition clearly stated thereon and signed by no less than 25 Women Electors or Youth Electors as the case may be from each MNBC Region and representing no less than 75% of the existing Chartered Communities in each Region who shall include their Citizenship number and shall consent to the use of their citizenship number for the purpose of verification
- 4.9 Censure Motions that have its purpose the removal or suspension of the President or Vice-President shall be accompanied by a petition in support of the Motion with a statement of the purpose of the Petition clearly stated thereon and signed by no less than 40 Electors from each MNBC Region and representing no less than 75% of the existing Chartered Communities in each Region who shall include their Citizenship number and shall consent to the use of their citizenship number for the purpose of verification
- 4.10 A Motions and Resolutions Committee (the “Committee”) comprised of no more than seven representatives, one from each Region, shall be appointed by the delegates at the Assembly to consider Motions and proposed Resolutions.
- 4.11 The Committee shall review each Motion not previously submitted to the MNGA to determine its validity and to designate those Motions as Amending Motions, Housekeeping Motions, Regulatory, Substantive or Censure Motions.
- 4.12 Motions provided to and reviewed by the Committee pursuant to Article 4.11 and designated by the Committee as Amending Motions or Censure Motions shall not be presented to the Assembly.

- 4.13 Motions provided to and reviewed by the Committee pursuant to Article 4.6 and designated by the Committee as Housekeeping Motions, Regulatory Motions and Substantive Motions shall be provided to the Assembly Chair(s) for presentation to the Assembly.
- 4.14 The Committee may assist Citizens to amend their Motion to comply with the requirements of this Act and shall consider the availability of funding for the proposed Motion where appropriate.

ARTICLE FIVE – PROCEDURE FOR PRESENTATION OF MOTIONS

- 5.1 The provisions of this Article Five shall apply to the MNGA.
- 5.2 Motions, accepted for presentation to an Assembly shall be made available for consideration by the Assembly as follows;
- a) all Motions that have been reviewed and considered by the MNGA and approved as in an acceptable form for presentation to the Assembly by the MNGA (the “MNGA Motions”) shall be provided to the MNBC for inclusion in the Agenda for the Assembly;
 - b) all Motions that have been reviewed and considered by the Committee and approved as in an acceptable form for presentation to the Assembly by the Committee shall be provided to the Assembly Chair for inclusion on the Agenda to be considered by the Assembly under the same item but subsequent to the MNGA Motions.

ARTICLE SIX – COMPOSITION AND PROCEDURE AT ASSEMBLIES

- 6.1 The MNBC Annual General Meeting (the “AGM”) shall be composed of the following voting designates:
- i) President;
 - ii) Vice-President;
 - iii) Chairperson of the MWBC;
 - iv) Chairperson of the MYBC;
 - v) Regional Directors; and
 - vi) Métis Citizens not including Metis Citizens under the age of eighteen years.
(hereinafter the “Voting Designates”)
- 6.2 The MNBC shall sponsor two Métis Citizens from each Chartered Community to attend as delegates at the AGM.

- 6.3 Fifty percent plus one of the Voting Designates shall constitute a quorum and shall include a majority of the MNBC Board of Directors.
- 6.4 Voting at an Assembly shall be by Visual Ballot.
- 6.5 Motions that are not adopted or ratified by the Voting Designates at an Assembly shall be deemed null and void unless returned to the MNGA for reconsideration with or without recommendations.
- 6.6 Notwithstanding any provisions of this Act, amendments to Amending Motions or Censure Motions that have the effect of changing the intent or meaning of the Motion as presented to the Assembly shall be returned to the MNGA for reconsideration with or without recommendation.
- 6.7 The Chair and Co-Chair of an Assembly shall be appointed as the Speaker and Deputy Speaker of the MNGA in accordance, *Mutatis Mutandis*, with Article 5 of the MNGA.
- 6.8 The Senate shall maintain a ceremonial role at Assemblies.
- 6.9 *Gabriel Dumont Scouts* shall be appointed in accordance with the *Veteran's Act*.
- 6.10 The following reports and regulatory items shall be presented to the Voting Designates at an Assembly for approval and/or ratification:
- i) the Agenda;
 - ii) the minutes from the previous AGM;
 - iii) the MNBC Audited Financial Statements for the applicable year; and
 - vi) the location of the following year AGM.
- 6.11 The following reports shall be presented as written reports to the Voting Designates at an Assembly;
- i) Ministerial Reports;
 - ii) Senate Reports; and
 - ii) BCMNR Reports.
- 6.12 Assembly Minutes shall be received and prepared by an independent individual or person appointed and shall be forwarded to the Assembly clerk who shall refer the Minutes to the subsequent AGM to be included in the Agenda for that Assembly.
- 6.13 The appointment of the Motions and Resolutions Committee shall be the first order of business of the Assembly who shall receive Motions for review and consideration.
- 6.14 The Agenda for an Assembly shall include, as an item prior to the presentation of the MNGA Resolutions, the report of the Motions and Resolutions Committee.

ARTICLE SEVEN – CONSEQUENTIAL AMENDMENTS OF LEGISLATION

6.1 The following Legislation is deemed amended as a consequence of this Act:

a) The *MNGA Act*:

“4.2.3 All Motions and Resolutions ...”

“4.3. Motions Resolutions and Ratifications ...”

“4.4. The MNGA shall, at a Governing Assembly, draft, review and consider Legislation, amendments to the Constitution for first reading, also referred to as Ratification herein and Motions for presentation to the MNBC and to Assemblies of the MNBC including MNBC Annual General Meetings;”

“4.5. Ratification of Legislation, amendments to the Constitution or Censure Motions that are properly before...”

“4.6. Legislation, amendments to the Constitution and/or Motions that have been ratified...”

“4.7 Legislation, amendments to the Constitution and/or Motions which have been ratified...”

b) The *Senate Act*:

“9.0 a) Hear and provide written decisions on all matters and appeals properly before the Senate including appeals from the decision of the MNGA and the Motions and Resolutions Committee with respect to the designation of a Motion as Amending, Housekeeping or Censure”

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Interpretation Act

Primary Offices Affected: MNBC Constitution/all Legislation

Submitted By: MNBC Board of Directors

Submitted to: M.N.G.A. Clerk

Date Submitted: January 28, 2010

Whereas:

1. Métis Nation British Columbia Legislation currently contains definitions of terms and words that are used in and/or applicable to two or more enactments.
2. Commonly used words and terms used in Métis Nation British Columbia legislation may be given meanings that are particular to the Métis Nation British Columbia governance structure.
3. The definition and meaning ascribed to words and terms in Métis Nation British Columbia legislation should be consistent throughout all legislation, regulations and policy and procedure as inconsistency in the definitions may result in inconsistency in the interpretation and application of the provisions of the legislation.
4. Clearly defined terms and words contained in a single enactment would assist Métis citizens to interpret legislation by providing a single source for locating definitions of terms and words.
5. It is appropriate and expedient for legislation containing terms and words applicable to and used in Métis Nation British Columbia legislation, regulations and policy and procedure be drafted.

THEREFORE BE IT RESOLVED THAT:

6. The draft Interpretation Act as presented be adopted and enacted as the Interpretation Act for the Métis Nation British Columbia.

I so move

MÉTIS NATION BRITISH COLUMBIA



Interpretation Act

Presented March 2010

METIS NATION BRITISH COLUMBIA
(the “MNBC”)

INTERPRETATION ACT
(the “Act”)

ARTICLE ONE - CITATION

1.1 This act may be cited as the Interpretation Act (the “Act”).

ARTICLE TWO – PURPOSE OF THE ACT

2.1 This Act applies to every enactment whether enacted before or after the ratification of this Act. The purpose of this Act is to define terms and words to be applied in the interpretation of MNBC legislation and regulations.

ARTICLE THREE – CALCULATION OF TIME

3.1 If the time for performing an act falls or expires on a holiday, the time is extended to the next day that is not a holiday.

ARTICLE FOUR – ENACTMENT TO BE REMEDIAL

4.1 Every enactment shall be construed as remedial and shall be given such construction and interpretation as best ensures its objects.

ARTICLE FIVE – TITLE AND PREMABLE

5.1 The title and preamble of an enactment are part of it and shall be interpreted in a manner that assists in explaining its meaning.

ARTICLE SIX – REPEAL AND AMENDMENT

6.1 Acts must be construed in a manner that preserves the right of the Assembly at an MNBC Annual General Meeting in accordance with the provisions of the *MNGA Act* to repeal or amend it and to revoke, restrict or modify a power or privilege that the Act vests in any person.

ARTICLE SEVEN - CORPORATE RIGHTS AND POWER

7.1 A corporation has perpetual succession and has the power to do any of the following

- a) sue or be sued;
- b) contract or be contracted in its corporate name;
- c) acquire and dispose of property for its purposes; and
- d) regulate its own procedure and business.

7.2 The majority of the members of the corporation may bind the others and the corporation by their acts and decisions.

7.3 Individual members of a corporation established by an enactment who do not contravene the enactment are exempt from personal liability for the corporation’s

debts, obligations, decisions or acts.

ARTICLE EIGHT – ANCILLIARY POWERS

8.1 If power is given to a person to perform or to enforce the performance or an act or thing, all the power that is required or necessary to enable the person to do or enforce the doing of the act or thing are deemed to be given.

ARTICLE NINE – FORMS AND WORDS

9.1 If a form is prescribed under an Act and a form is submitted in a form that deviates from the prescribed form but it does not affect the substance or is not calculated to mislead, the form used is not invalidated.

9.2 Terms in an enactment that are gender specific includes both genders and corporations.

9.3 Words in an enactment that are expressed in the singular include the plural and words in the plural include the singular.

9.4 Words or expressions defined in an enactment, other parts of speech and grammatical forms of the same word or expression shall be given corresponding meanings.

ARTICLE TEN – CITATION INCLUDES AMENDMENTS

10.1 A reference to an enactment in an enactment includes the enactment as amended, whether amended before or after the commencement of the enactment or an amendment to the enactment.

ARTICLE ELEVEN – MUTATIS MUTANDIS

11.1 If an enactment provides that another enactment applies, it applies with the necessary changes and so far as it is applicable.

11.2 The definitions set out herein shall apply mutatis mutandis to the legislation as applicable.

ARTICLE TWELVE – DEFINITIONS

12.1 “**Act**” means an Act of the MNBC whether referred to as a Statute, Code, Legislation or by any other name and including past Legislation.

12.2 “**Addendums**” are Ministerial approved supplements to enactments that enables the development of annually renewed regulations or policy and procedure.

12.3 “**Adoption**” or “**Adopt**” means the act of adoption as defined in the *Citizenship Act*.

12.4 “**Advance Poll**” means a vote held prior to Election Day so as to allow those voters who may be unable to attend a polling station the ability to vote;

- 12.5 **“Assembly”** or **“Assemblies”** means general, special or extraordinary meetings of the MNBC and includes Annual General Meetings.
- 12.6 **“BCMANR”** means the British Columbia Métis Assembly of Natural Resources which is a non-political committee that manages the natural resources on behalf of the MNBC.
- 12.7 **“Board of Directors”** or **“Board”** means the governing body of the MNBC made up of the President, Vice-President, the Regional Directors, the Chairperson of the Métis Women of British Columbia, and the Chairperson of the British Columbia United Métis Youth Circle;
- 12.8 **“By-election”** or **“Bi-election”** means an election to replace or fill a vacancy in the Board of Directors, the British Columbia Métis Women’s regional representatives and/or the regional representatives of the Métis Youth of British Columbia when such vacancy is created by the removal, resignation or disqualification of the person previously holding the office as set out in Article 23 of the Constitution.
- 12.9 **“Chartered Community”** or **“Governance Chartered Communities”** are those Métis Communities that have entered into a Community Governance Charter Agreement with the MNBC.
- 12.10 **“Chief Electoral Officer”** means a contractor appointed in writing after final approval of the Métis Nation Governing Assembly. The Métis Nation British Columbia Board of Directors is charged with developing a call for proposals and short listing potential contractors to operate elections for the Métis Nation British Columbia. This short list will be presented to the MNGA for final approval of the successful Chief Electoral Officer;
- 12.11 **“Commencement”** in relation to an Act means the date that the Act or portion of an Act comes into force unless the Act contains a provision providing for the commencement of that Act or portion of that Act.
- 12.12 **“Community”** (collectively referred to as **“Communities”**) means those organizations or societies as defined as a Métis Community or Métis Communities in the Constitution.
- 12.13 **“Community Governance Charter”** means the written document that shall set out the terms of the relationship between a Community and the MNBC.
- 12.14 **“Conflict of Interest”** means the circumstances in which there is a real, potential or apparent conflict between the private interests of a person and the interests of the Métis Nation. This also includes circumstances in which a person represents or is a director/ officer of an organization, association or party whose interests are

- in conflict with the interests of the MNBC;
- 12.15 **"Constitution"** means the Constitution of the Métis Nation British Columbia (the "MNBC") as amended from time to time.
- 12.16 **"Director of Children and Families"** means a person that is employed by the MNBC Secretariat and has expertise and/or has demonstrated knowledge and has experience in the area of children and families.
- 12.17 **"Director of Citizenship"** means a person that is employed by the MNBC Secretariat and has demonstrated knowledge and has experience in the area of Métis.
- 12.18 **"Director of Culture"** means a person employed by the MNBC Secretariat and has expertise and/or has experience in Métis culture.
- 12.19 **"Director of Economic Development"** means a person that is employed by the MNBC Secretariat and has expertise and/or demonstrated knowledge and has experience in the area of economic development.
- 12.20 **"Director of Education"** means a person that is employed by the MNBC Secretariat and has demonstrated knowledge and has experience in the area of education.
- 12.21 **"Director of Elders"** means a person that is employed by the MNBC Secretariat and has expertise and has demonstrated knowledge and/or has experience from the perspective of the Métis youth.
- 12.22 **"Director of Employment and Training"** means a person that is employed by the MNBC Secretariat and has expertise and has demonstrated knowledge and/or has experience in the area of employment and training.
- 12.23 **"Director of Health"** means a person that is employed by the MNBC Secretariat and has expertise and has demonstrated knowledge and/or has experience from the perspective of the Métis youth.
- 12.24 **"Director of Housing"** means a person that is employed by the MNBC Secretariat and has expertise and has demonstrated knowledge and/or has experience in the area of housing.
- 12.25 **"Director of Justice"** means a person that is employed by the MNBC Secretariat and has expertise and has demonstrated knowledge and/or has experience in the natural resource
- 12.26 **"Director of Natural Resources"** means a person that is employed by the MNBC Secretariat and has expertise and/or has demonstrated knowledge and

- experience in the natural resource sector as defined in the *Natural Resources Act*.
- 12.27 **“Director of Sport”** means a person that is employed by the MNBC Secretariat and has expertise and has demonstrated knowledge and/or has experience in the natural resource sector.
- 12.28 **“Director of Veterans”** means a person that is employed by the MNBC Secretariat and has expertise and has demonstrated knowledge and/or has experience from the perspective of Métis women.
- 12.29 **“Director of Women”** means a person that is employed by the MNBC Secretariat and has expertise and/or demonstrated knowledge and has experience to represent the perspective of Métis women.
- 12.30 **“Director of Youth”** means a person that is employed by the MNBC Secretariat and has expertise and/or demonstrated knowledge and has experience to represent the perspective of the Métis youth.
- 12.31 **“Documentary Evidence”** is a document that, if probative of a fact or matter in issue, may be used as evidence by a person, corporation or body to make a finding or a determination of a matter in question.
- 12.32 **“Election(s)”** means an election or By-Election called by the Métis Nation British Columbia for the election of a President, Vice-President, Regional Directors, Chairperson or Regional Youth Representative of British Columbia United Métis Youth Circle, and Chairperson and Regional Representatives of the Métis Women of British Columbia as set out in the Métis Nation British Columbia Constitution;
- 12.33 **“Elector”** means a Métis citizen who, pursuant to the Métis Nation British Columbia’s Constitution, is no less than 18 years of age as of the date of the election, has been registered as a Métis citizen pursuant to the Métis Nation British Columbia Citizenship Act, and has resided in British Columbia for a minimum of twelve (12) months for a provincial office or six (6) months for voting in regional offices. Any female Métis citizen who is eighteen (18) years of age or older may vote or seek elected office within the Métis Women of British Columbia. Any Métis citizen who is between fifteen (15) years of age and thirty (30) years of age may vote or seek elected office within the British Columbia United Métis Youth Circle.
- 12.34 **“Enact”** means to issue, make, establish or prescribe an Act and “Enactment” means an Act or part of an Act.
- 12.35 **“Executive”** shall mean the Executive members of the MNBC who are elected province-wide and which includes the President, Vice-President, Treasurer, and Secretary.

- 12.36 **“Gabriel Dumont Scout”** or **“Gabriel Dumont Scouts”** shall mean the individual or individuals appointed and responsible for the keeping of the peace at the MNGA, named in honor of Gabriel Dumont’s peacemakers historically called ‘Scouts.’
- 12.37 **“Holiday”** means the following days New Years Day (January 1); Good Friday (varies); Victoria Day (First Monday before May 25); Canada Day (July 1); BC Day (first Monday in August); Labour Day (First Monday in September); Thanksgiving Day (second Monday in October); Remembrance Day (November 11); Christmas Day (December 25); Easter (varies); Easter Monday (varies); Aboriginal Day (June 21); Louis Riel Day (November 16); Boxing Day (December 26).
- 12.38 **“Legislation”** means legislative documents, laws and/or acts including amendments to existing legislative documents, laws and/or acts and, for the purpose of this Act, will include draft or proposed Legislation.
- 12.39 **“Metis”, “Métis Citizen”** or **“Citizen”** is a Métis individual as defined in the Constitution and the Citizenship Act;
- 12.40 **“Métis Community”** shall mean the Métis Nation British Columbia communities as set out in the Constitution;
- 12.41 **“Métis Nation British Columbia”** (“MNBC”) means the organization that is constituted of the Regional Directors, President, Vice-President, Chairperson of the Métis Women of British Columbia (the “MWBC”) and Chairperson of the Metis Youth of British Columbia (“MYBC”) that represent the Métis Citizens.
- 12.42 **“Métis Nation British Columbia Senate”** or **“Senate”** means the judicial arm of the of the Métis Nation British Columbia and in accordance with Senate Act;
- 12.43 **“Métis Nation Governing Assembly”** (“MNGA”) means the legislative body of the MNBC as set out in the Constitution.
- 12.44 **“Metis Provincial Council of British Columbia”** (“MPCBC”) is the secretariat of the MNBC constituted for the purpose of carrying out the administrative duties of and at the behest the MNBC.
- 12.45 **“Ministry of Youth”** means the secretariat department that is responsible for all youth issues under the authority of the Ministry of Youth, the Director of Youth and the MYBC Committee.
- 12.46 **“Motion” or Motions”** means the process by which business or a proposal is presented to an Assembly and shall be designated as Amending Motions, Censure Motions; Housekeeping Motions, Regulatory Motions and Substantive Motions.

- 12.47 **“Ordinarily Resident”** means a Métis citizen who actually lives and has lived continuously in British Columbia for at least twelve (12) full months prior to the date of the election. In making such determination, temporary absences from British Columbia for reasons such as travel, education, medical treatment, military service or incarceration shall be considered periods of residence provided the person was ordinarily resident prior to such temporary absences. A person can have only one place of Ordinarily Residence;
- 12.48 **“Parties”** for the purpose of consultation means government, proponents, regulatory agencies and other external entities whose mandate includes Aboriginal consultation.
- 12.49 **“Person”** means an individual, corporation, society or other entity that has Federal or Provincial legal standing.
- 12.50 **“Region”** means one of the seven (7) regions of the Métis Nation British Columbia as defined in Constitution;
- 12.51 **“Regional Director”** means a person who holds the position of Regional Director of one of the seven (7) Métis Nation British Columbia regions after being elected pursuant to the Electoral Act or after a By-Election pursuant to Section 47 of the Métis Nation British Columbia Constitution;
- 12.52 **“Resolution”** or **“Resolutions”** means the business or proposal that is being presented to an Assembly by way of a Motion.

ARTICLE THIRTEEN – ENACTMENT

- 13.1 This Act comes into force upon approval by the MNGA and final ratification at the MNBC Annual General Meeting. It is binding on all citizens of the MNBC and its organizations.
- 13.2 This Act has been received ratification by the Métis Nation Annual General Meeting this ___ day of March 2010.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Constitution
Primary Offices Affected: Housekeeping
Submitted By: MNBC Board of Directors
Submitted to: M.N.G.A. Clerk
Date Submitted: January 30, 2010

Whereas:

Article 26 refers to bi-election process in “Article 47”, bi-elections are referred to in “Article 46”

Therefore be it Resolved: Article 26 is revised to read:

“Should there no longer be a President of the MNBC pursuant to Article 23 and 25, the Vice- President shall fulfill the Office of the President until a by-election is held to elect a new President in accordance with Article 46”.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Electoral Act

Primary Offices Affected: Housekeeping

Submitted By: MNBC Board of Directors

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas:

Article 3.9 states

““Election(s)” means an election or By-Election called by the Métis Nation British Columbia for the election of a President, Vice President, Regional Directors, Chairperson or Regional Youth Representative of Métis Youth of British Columbia, and Chairperson and Regional Representatives of the Métis Women of British Columbia as set out in the Métis Nation British Columbia Constitution.

And whereas:

“or” is used between Chairperson *or* Regional Youth representative, “and” should be used instead.

Therefore be it Resolved: Article 3.9 is revised to read:

“Election(s)” means an election or By-Election called by the Métis Nation British Columbia for the election of a President, Vice President, Regional Directors, Chairperson and Regional Youth Representative of Métis Youth of British Columbia, and Chairperson and Regional Representatives of the Métis Women of British Columbia as set out in the Métis Nation British Columbia Constitution

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: Métis Nation Governing Assembly Act

Primary Offices Affected: Housekeeping

Submitted By: MNBC Board of Directors

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas: Article 1 states:

“This Act may be cited as “*The Métis Nation Governing Assembly Act, 2006*”.

And whereas:

The Act is more relevant than 2006

Therefore be it Resolved: Article 1 is revised to read:

This Act may be cited as “*The Métis Nation Governing Act*”

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: Métis Nation Governing Assembly Act

Primary Offices Affected: Housekeeping

Submitted By: MNBC Board of Directors

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas: Articles 3.2 and 3.3 state:

3.2 “In the event a Community President is unable to attend a General Assembly, the Community’s Vice-President may represent that Community.

3.3 “He/She is registered with the Métis Nation British Columbia Central Registry in accordance with the Métis Nation British Columbia Citizenship Act.

And Whereas:

It is unclear who article 3.3 is referring to, and all member of the MNGA must be registered with Métis Nation British Columbia.

Therefore be it Resolved: Articles 3.2 and 3.3 are revised to read:

3.2 “In the event a Community President is unable to attend a General Assembly, the Community’s Vice-President may represent that Community.

3.3 “All MNGA voting delegates must be registered with the Métis Nation British Columbia Central Registry in accordance with the Métis Nation British Columbia Citizenship Act.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: Métis Nation Governing Assembly Act

Primary Offices Affected: Housekeeping

Submitted By: MNBC Board of Directors

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas: Articles 7.2 states:

The Senate shall, in relation to the MNGA

7.2 “ Be Available to the MNGA for advice and direction as required.

And Whereas:

The MNGA is a political arena, and the Senate is non-political

Therefore be it Resolved: Articles 7.2 is removed.

Resolutions for Métis Nation Governing Assembly

March 20-21, 2010

Motion Subject: M.N.B.C. Natural Resource Act

Primary Offices Affected: Captain's Assembly

Submitted by: M.N.B.C. Board of Directors

Submitted to: M.N.G.A. Clerk

Whereas, adoption of the MNBC *Natural Resource Act* as MNBC legislation has created a fundamental shift in the responsibilities of the BCMANR Captains Assembly, from a constituency based advisory body to a geographic management body,

Whereas, management of natural resources under the MNBC *Natural Resource Act* is land based and the Regional Captains of Natural Resources represent land based regions of the Métis Nation BC,

Whereas, the previous non-voting Youth and Women Captains represent constituencies that are not land based,

Therefore be it,

Resolved, that Article 2 section 4 is changed to read: "Captain's Assembly" consists of the seven voting regional Captains of Natural Resources.

I so move

Resolution for Métis Nation Governing Assembly

March 20-21, 2010

Motion Subject: M.N.B.C. Natural Resource Act

Primary Offices Affected: Captain's Assembly

Submitted by: M.N.B.C. Board of Directors

Submitted to: M.N.G.A. Clerk

Whereas, the Minister of Natural Resources is a key member of the Ministry of Natural Resources,

Whereas, the Minister is required to be fully engaged in the operation of the Natural Resource Ministry,

Whereas, the President of MNBC would be well served by having input on selection criteria for the Minister,

Therefore be it,

Resolved, that Article 2, Section 12 is changed to read: "Minister of Natural Resources" means the MNBC Board Member that has been assigned the Natural Resource Ministry by the President of the MNBC. This Board Member should, where possible, meet or exceed minimal criteria developed by the Captains Assembly.

I so move

Resolutions for Métis Nation Governing Assembly

March 20-21, 2010

Motion Subject: M.N.B.C. Natural Resource Act

Primary Offices Affected: M.N.B.C. Natural Resource Act

Submitted by: M.N.B.C. Board of Directors

Submitted to: M.N.G.A. Clerk

Whereas, current case law and government permits use the term Social as a replacement for the older term Societal,

,

Therefore be it,

Resolved, that Article 6 Section 2 will be changed to read:

Only permits harvesting by Métis Citizens for food, social and ceremonial purposes

I so move

Resolutions for Métis Nation Governing Assembly

March 20-21, 2010

Motion Subject: M.N.B.C. Natural Resource Act

Primary Offices Affected: M.N.B.C. Natural Resource Act

Submitted by: M.N.B.C. Board of Directors

Submitted to: M.N.G.A. Clerk

Whereas, government funding of natural resource management, protection, enhancement, and education is commonly acquired through funds flowing from natural resource development and exploitation,

Whereas, MNBC is a government organization with legislation applying to Natural Resources through the MNBC *Natural Resource Act*),

Whereas, the Ministry of Natural Resources must undertake activities and projects aimed at preserving and protecting Métis interests and uses of Natural resources including seeking legal clarification regarding Métis Rights through advancing judicial questions and/or government challenges,

Whereas, funding for these activities and projects do not exist internally within MNBC,

Therefore be it,

Resolved, that a BCMANR Natural Resource fund is established to fund projects and activities related to natural resource management, protection, enhancement, education and legal challenges,
and that a BCMANR Natural Resource fund policy is developed to ensure management of the fund by BCMANR is strategic, effective and transparent.

I so move

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Veterans Act

Primary Offices Affected: Ministry of Veterans

Submitted By: Ministry of Veterans (Lissa Smith)

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas:

1. The Métis Veterans of British Columbia have been organized and operate as a Ministry within the governance structure of the Métis Nation British Columbia.
2. The Métis veterans seek recognition and expediency through Legislation specifically dealing with the administration and procedure of the Veterans' Ministry.
3. It is appropriate for legislation to recognize the Veterans' Ministry within the governance structure of the Métis Nation British Columbia.

THEREFORE BE IT RESOLVED THAT:

4. The draft Veterans Act as presented be adopted and enacted as the governing legislation for that purpose for the Métis Nation British Columbia.

I so Move

MÉTIS NATION BRITISH COLUMBIA



Veteran ACT

Presented March, 2010

METIS NATION BRITISH COLUMBIA
(the “MNBC”)

MNBC VETERANS ACT

ARTICLE ONE

1.1 This act may be cited as the Veterans Act (the “Act”).

ARTICLE TWO – PURPOSE OF THE ACT

2.1 The purpose of this Act is to define the role and position of the Métis Veterans of British Columbia (the “MVBC”) within the MNBC.

ARTICLE THREE – MEMBERSHIP

3.1 Métis who have received a MNBC Citizenship Card and who are serving or have served in the Regular Forces or Reserve Forces, Canadian Coast Guard, RCMP or other applicable Police forces, Merchant Navy (the “Veterans”) shall, upon submission of proof of service and Métis Citizenship and upon application to the MVBC being approved, be the members of the MVBC (hereinafter “Members”).

3.2 The spouses and children of MNBC Veterans shall, upon acceptance and approval of an application submitted to the MVBC, shall become an associate member of the MVBC (the “Associate Member” or “Associate Members” as the case may be).

3.3 A Veteran member of a chartered community whose citizenship to MNBC is pending can apply to MVBC as an associate member.

3.4 Associate Members shall not be permitted to participate or vote at a meeting of the MVBC and shall not be entitled to appointment to the MVBC Committee.

ARTICLE FOUR – METIS VETERANS COMMITTEE

4.1 The MNBC- Métis Veterans Committee (the “MVBC Committee”) shall be constituted of seven Métis Veteran Representatives (the “Regional Representatives”), and a Women’s Representative being a MVBC member.

- 4.2 The MVBC Committee shall elect from among them a Chairperson, Secretary, and Treasurer who, together with the Women's Representative, shall collectively act and be known as the "Executive Committee".
- 4.3 The MVBC Committee shall be responsible for the following duties and functions on behalf of the Métis Veterans British Columbia:
- a) the creation and maintenance of policy and procedures relating to the conduct and mandate of the Métis Veterans and Associate Members;
 - b) the creation and maintenance of a list of all Métis Veterans and Associate Members in British Columbia as defined by article three (3);
 - c) prepare an annual report for presentation at the MNBC Annual General Meeting;
 - d) co-ordinate and organize the policies and procedures of the *Gabriel Dumont Scouts* as may be requested by MNBC from time to time;
 - e) appoint a sergeant at arms to co-ordinate and organize flag processions as may be requested or appropriate from time to time; and other duties as required;
 - f) conduct promotions and other activities for the purpose of enhancing the status of Métis Veterans;
 - g) provide service and support to Métis Veterans in British Columbia.
- 4.4 Subject to available funding, the MVBC Committee shall meet at least twice per year at a location chosen by the MVBC Committee and may be held in conjunction with the MNBC Annual General Meeting or MNBC Métis Nation Governing Assembly.
- 4.5 Meetings of the MVBC Committee shall be called by the Chairperson, or in the event that the Chairperson is unwilling or unable to call a meeting, by the Vice-Chairperson, or by any three MVBC Committee members, on no less than fourteen days notice to all of the MVBC Committee members.

ARTICLE FIVE – MVBC MINISTER

- 5.1 The Minister shall provide Provincial and Federal representation on behalf of the MVBC and be accountable to the MVBC Committee and the MNBC Board of Directors.
- 5.2 For the purpose of official business, the voice of the Métis Veterans in British Columbia shall be brought to the MNBC, Métis National Council, Federal and Provincial Governments, organizations and associations through the Minister at the direction of the MVBC Committee.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Youth Act

Primary Offices Affected: Ministry of Youth

Submitted By: Métis Youth of British Columbia (Stephanie Albiston)

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas:

1. The Métis youth in British Columbia have representation and a written and unwritten process for conducting their affairs.
2. The Métis Youth of British Columbia seek recognition of their place within the governance structure of the Métis Nation British Columbia.
3. It is appropriate and expedient for the Métis Youth of British Columbia to be recognized by legislation and have a defined process to govern the conduct of their affairs as the Youth Ministry within the Métis Nation British Columbia.

THEREFORE BE IT RESOLVED THAT:

4. The draft Youth Act as presented be adopted and enacted as the governing legislation for that purpose for the Métis Nation British Columbia.

I so move

MÉTIS NATION BRITISH COLUMBIA



Youth Act

Presented March 2010

MÉTIS NATION BRITISH COLUMBIA
(“The MNBC”)

YOUTH ACT

ARTICLE ONE

1.1 This act may be cited as the Youth Act (the “Act”).

ARTICLE TWO – PURPOSE OF THE ACT

2.1 The purpose of this Act is to entrench the Métis Youth of British Columbia (the “MYBC”) in the MNBC governance structure to ensure that Métis Youth are equally represented and engaged in all levels of governance.

ARTICLE THREE – DEFINITIONS

- 3.1 “MYBC Committee” means the seven elected youth representatives, one from each Region and the Chairperson also known as the Minister Responsible for Youth.
- 3.2 “Legislation” means legislative documents, laws and/or acts including amendments to existing legislative documents, laws and/or acts.
- 3.3 “MYBC” means the Métis Youth of British Columbia.
- 3.4 “Minister Responsible for Youth” means the person elected as MNBC Provincial Youth Chairperson in accordance with the provisions of the MNBC Electoral Act, and appointed as the Minister Responsible for Youth by the MNBC President.
- 3.5 “The Provincial Youth Chairperson” the MNBC Youth representative elected in a Province wide election in accordance with the provisions of the MNBC Electoral Act.
- 3.6 “Regional Youth Representative” means the MNBC Youth Representative elected to represent the Métis Youth of a Region in accordance with the provisions of the MNBC Electoral Act.
- 3.7 “Métis Youth” means those Métis Citizens between 15 to and including 30 years of age.

ARTICLE FOUR – GENERAL OBJECTIVES

4.1 The MYBC Committee acknowledges and accepts the MNBC Constitution as the supreme law governing the MYBC and agrees to comply with the provisions of the Constitution and MNBC Legislation.

- 4.2 The objective of MYBC is to advance and enhance valuable Métis Youth perspectives, and to acknowledge Métis Youth for the benefit of the Métis Nation.
- 4.3 The voice of the Métis Youth in British Columbia shall be brought to the MNBC, Métis National Council, Federal and Provincial Governments, organizations and associations through the MYBC Committee.

ARTICLE FIVE - MYBC GOVERNANCE STRUCTURE

- 5.1 The MYBC Committee shall, subject to available funding, attend every MNGA Assembly and MNBC Assembly.
- 5.2 The Provincial Youth Chairperson is a voting director on the MNBC Board of Directors.
- 5.3 The Provincial Youth Chairperson shall provide Provincial and Federal representation and be accountable to the MYBC Committee and the MNBC Board of Directors
- 5.4 The seven Regional Youth Representatives each shall hold voting seats on their respective Regional Governance Councils.
- 5.5 The Regional Youth Representatives shall be accountable to MYBC Committee.
- 5.6 The MYBC Committee shall elect, from among its members, a Co-Chair, a Secretary and Treasurer, who shall collectively be known as the “Executive”.
- 5.7 The MYBC Committee shall, subject to available funding, hold no less than four meetings, including telephone or in person meetings, each year called by the Minister Responsible for Youth or, in the event the Minister Responsible for Youth is unwilling or unable to call a meeting shall be called by the Co-Chair.
- 5.8 MYBC shall prepare and maintain written minutes of all meetings and conference calls (the “MYBC Minutes”).
- 5.9 MYBC Minutes shall be retained in the office of the Director of Youth.
- 5.10 The MYBC Committee shall, on behalf of the MYBC take such action or hold such functions as may be deemed appropriate to enhance the status of Métis Youth or for funding purposes.

ARTICLE SIX- ELECTORAL PROCESS

- 6.1 Métis Youth seeking elected office must meet all eligibility requirements as set out in the Constitution and the MNBC Electoral act.

- 6.2 The MYBC Committee shall be elected for a 4 year term in conjunction with the MNBC Electoral Act and MNBC Guidelines.
- 6.3 In the event a vacancy in the MYBC Committee shall arise due to the resignation, removal, suspension or otherwise of a MYBC Committee Member, the MYBC Committee shall hold a by-election in accordance with the MNBC Electoral Act.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Constitution

Primary Offices Affected: Article 68-Financial Administration

Submitted By: Cowichan Valley Métis Association (Bill Delorme)

Submitted to: M.N.G.A. Clerk

Date Submitted: January 28, 2010

Whereas:

The Métis Nation British Columbia Constitution reads in article 68:

68. An Annual General Meeting of the Métis Nation British Columbia shall be held annually during the month of September. The precise dates and locations of an AGM shall be determined at the AGM immediately preceding that AGM. The Agenda for each AGM shall include:

- 68.1. Audited Financial Report for Previous Fiscal Year
- 68.2. President's Report for Previous Fiscal Year
- 68.3. Business of the Métis Nation Governing Assembly
- 68.4. Métis Provincial Council of British Columbia Secretariat Annual Report.

And Whereas:

There have or may have been caused the need for Métis Nation British Columbia (MNBC) or Métis Provincial Council of British Columbia (MPCBC) to create subsidiary companies or corporations limited or otherwise for the purpose of conducting business.

And Whereas:

Financial audit or audits for subsidiary companies or corporations limited or otherwise for the purpose of conducting businesses should supply separate and independent of MNBC corporate audit and annual report.

Therefore be it resolved:

Under Annual General Meeting article 68 – 68.5 be added to the Métis Nation British Columbia Constitution to read as follows.

68.5 Separate audited financial annual reports for each subsidiary company/companies, limited corporations or sole proprietorship registered under the Métis Provincial Council of British Columbia MPCBC shall be appended to the MNBC Financial Audited Report.

I so move.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Constitution

Primary Offices Affected: Article 32- Financial Administration

Submitted By: Cowichan Valley Métis Association (Bill Delorme)

Submitted to: M.N.G.A. Clerk

Date Submitted: January 28, 2010

Whereas:

The Métis Nation British Columbia Constitution reads in article 32 reads:

32. The Métis Nation Governing Assembly shall meet at least once per year in British Columbia at a meeting called by the MNBC. The meeting shall be held at least five (5) months prior to the MNBC Annual General Meeting.

And Whereas:

There may arise from time to time as the case may be were a special Métis Nation Governing Assembly is required to address special circumstances affecting the Métis Nation as a whole.

Therefore be it resolved

Article 32.1 and 32.2 is added to the MNBC Constitution:

32.1 A special Métis Nation Governing Assembly Meeting shall be called by the MNBC with no less than thirty (30) days notice to the MNGA Members where fifty (50) percent plus one (1) of the member of the Métis Nation Governing Assembly has requested a special Métis Nation Governing Assembly meeting in writing submitted to the MNBC Board of Directors.

32.2 Fifty (50) per cent plus one (1) of the Members of the Métis Nation Governing Assembly constitutes a quorum for a special Métis Nation Governing Assembly meeting.

I so move.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: Senate Act

Primary Offices Affected: Senate Clerk

Submitted By: Cowichan Valley Métis Association (Bill Delorme)

Submitted to: M.N.G.A. Clerk

Date Submitted: January 28, 2010

Whereas:

The Métis Nation British Columbia Senate Clerk responsibilities is defined in the MNBC Senate Policy and Procedures, however there is no reference made to the Senate clerk in any MNBC legislation particularly in the MNBC Senate Act itself.

And Whereas:

The MNBC Senate Clerk shall operate independent of MNBC so as to eliminated any conflict of interest or perceived conflict of interest and is responsible to carry out duties for purposes solely directly related to the MNBC Senate and under the direction of the MNBC Senate.

Therefore be it resolved

Article 13 is added to the MNBC Senate Act

- 13. The Clerk of the Senate shall:
 - 13.1 Operate independent of MNBC;
 - 13.2 Operate under the authority and direction of the MNBC Senate;
 - 13.3 Shall be remunerated by the MNBC;
 - 13.4 Shall hold no other seat as MNGA/AGM Clerk or administrator/staff personnel within MNBC.

I so move.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Constitution
Primary Offices Affected: Board of Directors
Submitted By: Kootenay Region Presidents
Submitted to: M.N.G.A. Clerk
Date Submitted: January 30, 2010

Whereas:

Métis Nation British Columbia Board of Directors is accountable to their Métis Chartered Communities, Regional Governance Councils and Métis citizens as per the Métis Provincial Council of British Columbia Secretariat Bylaws, MNBC Constitution and MNBC Legislation;

And Whereas:

Métis Nation British Columbia Board of Directors is elected to a 4 year term as per the MNBC Constitution;

And Whereas:

Métis citizens supported and elected 11 MNBC Board of Directors on September 13th, 2008;

And Whereas;

We believe the Métis Nation British Columbia Board of Directors has improperly suspended three duly elected MNBC Board of Directors on January 21st, 2010:

1. Gerry Legare – Kootenay Regional Director
2. Rene Therrien – Northwest Regional Director
3. Rose Bortolon - Métis Women of British Columbia Chairperson

And Whereas:

MNBC has provided misleading and incorrect public information regarding the alleged rationale provided by the remaining MNBC Board of Directors in subsequent MNBC letters dated and circulated January 23rd, 2010 and January 27th, 2010.

Therefore Be it Resolved:

The three MNBC suspended Directors are immediately reinstated as Board members without delay and provided all retroactive benefits and support afforded to the MNBC Board of Directors effective January 23rd, 2010;

And Further Be Resolved;

The three MNBC Directors immediately resume their membership and voting role at the March, 2010 Métis Nation Governing Assembly.

I so move

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Constitution
Primary Offices Affected: Board of Directors
Submitted By: Kootenay Region Presidents
Submitted to: M.N.G.A. Clerk
Date Submitted: January 30, 2010

Whereas:

Métis Nation British Columbia Board of Directors is accountable to their Métis Chartered Communities, Regional Governance Councils and Métis citizens as per the Métis Provincial Council of British Columbia Secretariat Bylaws, MNBC Constitution and MNBC Legislation;

And Whereas:

Métis Nation British Columbia Board of Directors is elected to a 4 year term as per the MNBC Constitution;

And Whereas

The Métis Nation Governing Assembly has Constitution and Legislative Authority;

And Whereas:

Métis Nation British Columbia Board of Directors has failed in their fiduciary duty, as per Article 23.8 of the Constitution, to properly manage the governance of the MNBC;

And Whereas:

The members of the Métis Nation Governing Assembly members have the legislative authority to suspend as per Article 34.7 and 35;

And Whereas:

MNBC following 8 Board of Directors:

- | | |
|--------------------------------------|--|
| ▪ President Bruce Dumont | ▪ Thompson/Okanagan Regional Director |
| ▪ Vice President Dave Hodgson | Bob Trumbley |
| ▪ Vancouver Island Regional Director | ▪ North Central Regional Director |
| Lissa Smith | Annette Maurice |
| ▪ Lower Mainland Regional Director | ▪ Northeast Regional Director Dan Pope |
| Henry Hall | ▪ Provincial Youth Representative |
| | Stephanie Albiston |

Have improperly suspended three Board of Directors without proper process according to the MNBC Board Manual "Reporting Inappropriate Conduct of Board Members":

- Kootenay Regional Director Gerry Legare
- Northwest Regional Director Rene Therrien
- Provincial Women's Representative Rose Bortolon

And Whereas:

The simple majority of the MNGA members have lost confidence in the ability for the 8 MNBC Board of Directors to adhere to their Constitution and Legislative mandates;

Therefore Be it Resolved:

An immediate non-confidence vote by the simple majority of the MNGA members as per Article 23.8, Article 34.7 and Article 35 of the MNBC Constitution based on the lack of responsible governance and transparency with the Métis Chartered Community leadership and Métis citizens related to the January 21st, 2010 suspension of the three MNBC Directors;

And Further Be Resolved;

The eight MNBC Board of Directors are suspended by the simple majority of the MNGA with pay until a Conduct Report is provided at the September 2010 Annual General Meeting.

And Further Be Resolved;

MNGA members mandate the establishment of an **Interim MNBC Board of Directors**, in accordance with Article 31 of the Constitution, which must include representation from the seven MNBC Regions, a Provincial Youth representative, and a Provincial Women's Representative where those vacancies exist as a result of the 8 suspensions to ensure the MNBC is properly represented.

And Further Be Resolved;

The Provincial Métis Youth Committee and the following Regional Governance Councils will appoint one Interim MNBC Board of Director representatives within 2 weeks of the MNGA:

- Vancouver Island Region
- Lower Mainland Region
- Thompson/Okanagan Region
- North Central Region
- Northeast Region

And Further Be Resolved;

The Interim MNBC Board of Directors will appoint a new MNBC Executive (from within their Interim Board) including the Acting MNBC President, Acting MNBC Vice President, Acting MNBC Treasurer, and Acting MNBC Secretary.

And Further Be Resolved;

The Interim Board of Directors will have mandated authority until the MNBC Annual General Meeting to be held September 2010.

I so move

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Constitution
Primary Offices Affected: Board of Directors
Submitted By: Kootenay Region Presidents
Submitted to: M.N.G.A. Clerk
Date Submitted: January 30, 2010

Whereas:

The MNGA members have suspended 8 MNBC Board of Directors at a properly called MNGA meeting held in March 2010.

And Whereas:

The 8 suspended MNBC Board of Directors is defined as:

- President Bruce Dumont
- Vice President Dave Hodgson
- Vancouver Island Regional Director Lissa Smith
- Lower Mainland Regional Director Henry Hall
- Thompson/Okanagan Regional Director Bob Trumbley
- North Central Regional Director Annette Maurice
- Northeast Regional Director Dan Pope
- Provincial Youth Representative Stephanie Albiston

Therefore Be It Resolved:

MNGA members want to further investigate and review a number of issues. MNGA members direct the Interim MNBC Board of Directors to complete a Conduct Report and provided this report at the September 2010 Annual General Meeting that sets out the following, but not limited, items:

- An independent investigation that reviews the 2008 MNBC General Election allegations
- A review of the decisions by the MNBC Board of Directors from December 23rd, 2009 – March 2010
- A review of the role of the MNBC Legal Counsel from December 23rd, 2009 – March 2010
- A review of the materials and recorded notes presented and used as a rationale for the 8 MNBC Board of Directors during their January 21st, 2010 meeting
- A review of the role of MNBC management in the process.
- An accounting of the MNBC legal costs for the reported independent investigation.

And Further Resolved:

The Interim MNBC Board of Directors will ensure that a Conduct Report is presented to the MNBC Annual General Meeting Delegates in September 2010 that will include final recommendations.

I so move

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: *MNBC Constitution*

Primary Offices Affected: Board of Directors

Submitted By: Kootenay Region Presidents (Wendy Favel)

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas:

Metis Nation British Columbia Board of Directors is accountable to their Métis Chartered Communities, Regional Governance Councils and Métis Citizens as per the Métis Provincial Council of British Columbia Secretariat Bylaws, MNBC Constitution and MNBC Legislation;

And Whereas:

Métis Nation British Columbia Board of Directors is elected to a 4 year term as per the MNBC Constitution;

And Whereas:

Métis citizens supported and elected 11 MNBC Board of Directors on September 13th, 2008;

And Whereas:

We believe the Métis Nation British Columbia Board of Directors has improperly suspended three duly elected MNBC Board of Directors on January 21st, 2010:

1. Gerry Legare- Kootenay Regional Director
2. Rene Therrien- Northwest Regional Director
3. Rose Bortolon- Métis Women of British Columbia Chairperson

And Whereas:

MNBC has provided misleading and incorrect public information regarding the alleged rationale provided by the remaining MNBC Board of Directors in subsequent MNBC letters dated and circulated January 23rd, 2010, January 27th, 2010.

Therefore be it resolved that:

The Three MNBC suspended Directors are immediately reinstated as Board members without delay and provided all retroactive benefits and support afforded to the MNBC Board if Directors effective January 23rd 2010.

And further be it resolved that:

The three MNBC Directors immediately resume their membership and voting role at the March, 2010 Métis Nation Governing Assembly.

I so move.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Citizenship Act

Primary Offices Affected: Registry

Submitted By: North Cariboo Métis (Tony Goulet)

Submitted to: M.N.G.A. Clerk

Date Submitted: August 4, 2009

Whereas:

Article 3. Community acceptance reads “is acceptance by a Métis community and that the applicant resides in the community and expresses themselves to be Métis. The Métis community makes its decision in good faith and shall employ a transparent process that is consistent with The Métis Nation Constitution.”

Therefore be it resolved that 3.4 be added to read as follows:

“That each chartered Métis community submits their local guidelines for community acceptance, with these guidelines being distributed to the applicant who applies to the NMBC for citizenship. Applicants must be made aware of the community acceptance guidelines.”

And be it further resolved the applicants be given the address of the Métis chartered community.

I so move

RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010

Motion Subject: MNBC Constitution

Primary Offices Affected: MNBC Board of Directors

Submitted By: North Cariboo Métis Association (Tony Goulet)

Submitted to: M.N.G.A. Clerk

Date Submitted: February 8, 2010

Whereas:

Métis Nation British Columbia Board of Directors is accountable to their Métis Chartered Communities, Regional Governance Councils, and the Métis Citizens as per the Métis Provincial Council of British Columbia Secretariat Bylaws, MNBC Constitution and MNBC Legislation, Policies and Procedures. The Métis Nation British Columbia (MNBC) and the Métis Provincial Council of British Columbia (MPCBC) management staff is responsible to administer the MNBC General resources that include, but not limited to, the Service Delivery of the Aboriginal Human Resource Development Agreement (AHRDA);

And Whereas;

Several requests have been made to the MNBC/MPCBC for detailed financial reports of the AHRDA from Regional Governance Councils, Chartered Métis Communities and MNBC Citizens with such requests continually not been addressed. The MNBC/MPCBC is currently working towards the development and strategic business plan for the next 5 years for the successor to the AHRDA known as the Aboriginal Skills and Employment Training Strategy (ASETS) that was announced in 2009;

And Whereas;

A key element in the proposed ASETS Strategic Business Plan includes a Service Delivery Structure; The ASETS strategy clearly allows for sub contract agreements for service delivery in its successor agreements;

Therefore be it Resolved;

That each Regional Governance Council of MNBC (7 Regional Councils) be able to provide delivery under the terms of the contractual sub agreement with MNBC/MPCBC the successor program to the Aboriginal Human Resource Development Agreement (AHRDA) known as the Aboriginal Skills and Employment Training Strategy (ASETS),

understanding that each Governance Council is diverse in nature in respect to employment and training delivery methods.

And Further Be Resolved;

That the MNBC work with the Regional Governance Councils to develop and decentralize the Aboriginal Human Resource Development Agreement (AHRDA) known as the Aboriginal Skills and Employment Training Strategy (ASETS) and that the Regional Governance Councils of MNBC/MPCBC are included in the Strategic Business Planning Process submission to Humans Resource and Skills Development Canada HRSDC in the list of Annexed-sub agreements/points of service.

I so Move

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: MNBC Electoral Act

Primary Offices Affected: MNBC Electoral Act

Submitted By: North Cariboo Métis Association (Tony Goulet)

Submitted to: M.N.G.A. Clerk

Date Submitted: February 8, 2010

Whereas:

Métis Nation British Columbia Board of Directors is accountable to their Métis Chartered Communities, Regional Governance Councils, and the Métis Citizens as per the Métis Provincial Council of British Columbia Secretariat Bylaws, MNBC Constitution and MNBC Legislation, Policies and Procedures.

And Whereas;

The recent allegations against the current board of directors, which stemmed from the 2008 election for the MNBC/MPCBC and as such the Election Act of the MNBC/MPCBC does not have a provision for accounting of all Electoral Expenses/Donations for all Candidates who wish to run in any election of the MNBC/MPCBC;

Therefore be it Resolved;

That a Financial Disclosure form be included in the Electoral Act of MNBC/MPCBC;

This form will be given to every candidate who files to run in the election and meets the criteria for his/her name to stand. This form must be filled by every candidate **30 days** after the polls close to the Chief Electoral Officer for the Election, whether the Candidate won or lost the election. The information will remain on file for 7 years. Failure to submit will result in the candidate not being able to hold the position and if not elected failure to apply will result in the candidate not being able to run in any future elections of the MNBC/MPCBC

It will include but not limited to;

Full Name of Candidate

Any organizations/corporations the Candidate is a director/officer (Legal Name of organization/corporation)

Name in full of any person/corporation making a donation to the Candidate and how much

Receipts of all expenditures made by the Candidate during the Campaign

Must be signed by the Candidate (blue or black ink)

And Further Be Resolved;

Written requests can be made by any MNBC/MPCBC citizen, to view the information at anytime

I so Move

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: *MNBC Constitution*

Primary Offices Affected: MNBC Board of Directors

Submitted By: Nova Métis Heritage Association (Ken Fisher)

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas:

the MNBC President, MNBC Vice President, MNBC North East Regional Director/Treasurer and MNBC Provincial Youth Chair, as MNBC board members have been accused of grave offences such as electoral deception and mis-use of MNBC funds.

And Whereas:

They were then advised to step aside from their official MNBC positions till these charges/complaints against them were resolved. They refused to step aside and remained on the MNBC Board in spite of the accusations levied against them. They remained in this capacity as members of the MNBC Board, called a meeting and then voted to suspend their 3 fellow directors who had requested their removal.

And Whereas:

MNBC Board of Directors (7 persons in all) at that meeting in Vancouver on January 21st, 2010 did vote to suspend 3 of their fellow board members without pay or any other amenities of their office. They are MNBC Region 4 Director, MNBC Region 6 Director and MNBC Women's Provincial Chair.

And Whereas:

It is judged that this body of the Board of directors of MNBC erred and acted outside their authority given the degree of perceived "insubordination" as or by MNBC Board members.

Therefore be it resolved

That the three suspended MNBC board members be re-instated immediately so they can resume representing their Métis constituents and take their rightful seats at the Métis Nation Governing Assembly scheduled for March 20th & 21st, 2010 in Richmond, BC.

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: Unknown

Primary Offices Affected: Secretariat

Submitted By: Vancouver Métis Cultural Society (Leonard Laboucan)

Submitted to: M.N.G.A. Clerk

Date Submitted: prior to January 30, 2010

Whereas:

MNGA 2010 Resolution Proposal for consideration that MNBC consider researching the benefits of creating a business plan, Creation, Implementation and Administration of a non-profit society. To develop a Metis Credit Union with a mission of a greater united financial independence for the Metis People.

This program could potentially be under the administration of the Minister of Economic Development, Minister of Education, Minister of Housing, Minister of Health, portfolios with an additional citizen elected executive board.

Some suggested Potential Possibilities are:

- Would give low interest, flexible mortgages to the citizens of the Metis Nation
- Personal financial help in times of need
- Would assist financially in education programs for students in grants or low interest loans
- Would assist financially in business education courses, seminars
- Would assist financially in business funding, startups, existing business growth and expansion
- Would assist seniors financially in health benefit needs and costs

Potential benefits could be:

- Would economically benefit all Metis people
- Program would be priority assistance to Metis citizens at very low flexible interest rates, which creates more usable personal funds
- Program could cut dependence of high interest loans from traditional Banks, creating more useable personal wealth to the Nation.
- Would benefit most needs financially to the Metis people creating less dependence on red tape government programs.

And Whereas:

Therefore be it resolved

I so move

**RESOLUTION FOR METIS NATION GOVERNING ASSEMBLY
MARCH 19-21 2010**

Motion Subject: *MNBC Electoral Act*

Primary Offices Affected: MNBC Board of Directors

Submitted By: Vancouver Métis Cultural Society

Submitted to: M.N.G.A. Clerk

Date Submitted: January 30, 2010

Whereas:

Métis Nation British Columbia Board of Directors is accountable to their Métis Chartered Communities, Regional Governance Councils and Métis citizens as per the Métis Provincial Council of British Columbia Secretariat Bylaws, MNBC Constitution and MNBC Legislation;

And Whereas:

Métis Nation British Columbia management staff is responsible to administer the MNBC General Election resources;

And Whereas

Requests have been made to MNBC to provide a detailed financial report of the 2008 MNBC General Election costs that have not been addressed;

And Whereas

The Métis Nation Governing Assembly has Constitution and Legislative Authority;

Therefore be it Resolved:

MNGA members mandate the MNBC Chief Financial Officer to provide a detailed financial report to be provided (by email and courier) to the members of the MNGA with 30 days;

And Further Be Resolved;

The financial report includes the following financial items:

1. A copy of any cell phone bills and complete financial summary of cell phone usage for Bruce Dumont, Dave Hodgson, and Dan Pope during the 2008 "Campaign Period".
These three individual ran campaigns in the 2008 MNBC General Election in accordance

with the defined “Campaign Period” or rather 45 days before September 13th, 2008 General Election.

2. A complete financial summary of travel expenses paid by the MNBC for the three same individuals who were former MNBC Board of Directors during the 2008 campaign period. This should include a financial summary of all travel mileage charges, meals reimbursements, incidentals and hotel costs that were paid to the three individuals. The dates and the stated reasons for any travel must be provided.
3. A detailed financial accounting of the MNBC 2008 General Election costs that totaled approximately \$131 000.00.
4. Confirmation whether the financial information in points # 1 and 2 are included in the total MNBC audited statement amount listed in the 2008-209 financial statements (approximately \$131 000.00)? If not, where did MNBC account for these costs?

I so move