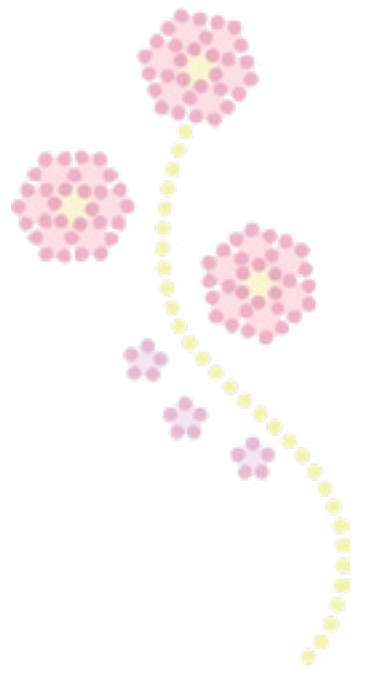




**MÉTIS NATION**  
BRITISH COLUMBIA



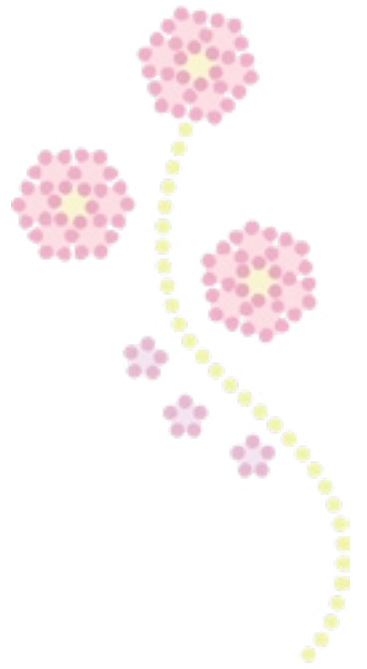
# June 1-2, 2024

## MNGA Resolutions





**MÉTIS NATION**  
BRITISH COLUMBIA



# MNGA Draft Agenda

## MNGA 2024

June 1-2, 2024

Meeting held Virtually over Zoom

Draft Agenda

*Saturday, June 1, 2024*

Time		Order of Business
Pacific	Mountain	
9:00 AM	10:00 AM	Opening Prayer MNGA Clerk Confirms Quorum Meeting Called to Order Opening Remarks – President Smith
9:25 AM	10:25	<b>ADOPTION OF AGENDA AND STANDING RULES</b> 1. Adopt Agenda for 2024 June MNGA 2. Review and Adopt Standing Rules for 2024 June MNGA
9:30 AM	10:30 AM	<b>REVIEW AND ADOPTION OF MINUTES</b> 1. 2024 March MNGA (March 1-3, 2024)

### UNFINISHED BUSINESS

The following resolutions were postponed from the March 2024, MNGA.

9:35 AM	10:05 AM	<b>UB -1:</b> Clarifying Citizenship Eligibility/Acceptance
10:05 AM	11:05 AM	<b>UB-2:</b> Ensuring Representation for Women and Youth at the MNGA and Regional Governance Councils
10:35 AM	11:35 AM	Health Break
10:45 AM	11:45 AM	MNGA Reconvenes; Quorum Call

### NEW BUSINESS

*The remaining resolutions on the agenda have been submitted for the June 2024, MNGA.*

10:50 AM	11:50 AM	<b>Resolution 1:</b> Conflict of Interest • Presentation from MNGA Clerk
11:30 AM	12:20 PM	<b>Resolution 2:</b> MNGA Act Amendments • Presentation from MNGA Clerk
12:10 PM	1:10 PM	Lunch Break
1:10 PM	2:10 PM	MNGA Reconvenes; Quorum Call
1:15 PM	2:15 PM	<b>Resolution 3:</b> Report Back from MNGA Clerk: MNGA Members Oath
1:30 PM	2:30 PM	<b>Resolution 4:</b> Youth Age Requirements
2:00 PM	3:00 PM	<b>Resolution 5:</b> Métis Nation Youth Definition
2:30 PM	3:30 PM	<b>Adjourn for Day 1</b>

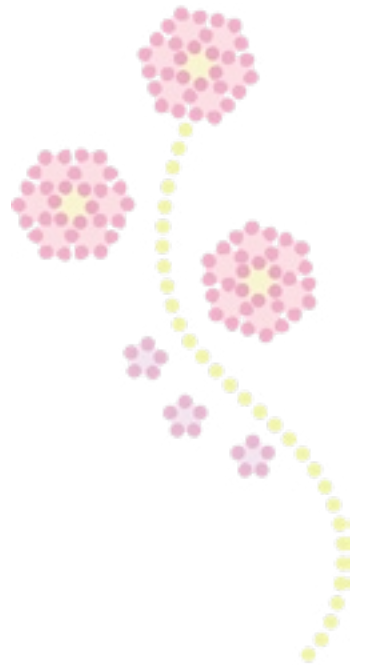
*Sunday, June 2, 2024*

Time		
Pacific	Mountain	
9:00 AM	10:00 AM	MNGA Reconvenes for Day 2 and Quorum Call
9:05 AM	10:05 AM	<b>Resolution 6:</b> Volunteer Recognition and Appreciation Funding
10:05 AM	11:05 AM	<b>Resolution 7:</b> Promoting Good Governance
11:00 AM	12:00 PM	Closing Prayer
11:15 AM	12:15 PM	<b>June 2024 MNGA Adjourns</b>

DRAFT



**MÉTIS NATION**  
BRITISH COLUMBIA



# MNGA Standing Rules

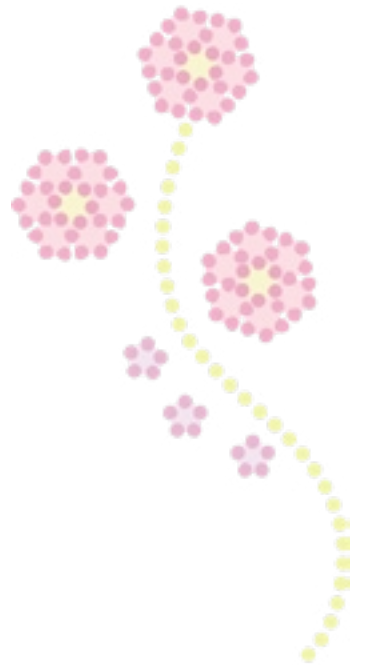
**MNGA STANDING RULES**

The rules of order below are intended to facilitate progress, include MNGA delegates in debate and decision making, and ensure fairness, equality, and common sense:

1. The meeting will be run in accordance with the relevant provisions of the *MNBC Constitution* and *MNGA Act*.
2. A delegate who wishes to speak at the MNGA will request to do so, wait to be recognized by the Speaker, and open by stating their name and Community.
3. On each issue or motion, a delegate is entitled to speak up to two (2) times, for no longer than three minutes each time. Speaking a third time or longer than three minutes will require permission from the assembly.
4. If an individual has questions, they may ask one follow-up question within the same three minute time slot.
5. To speak a second time on the same motion or agenda item, a delegate must wait until those who wish to speak on it for the first time have done so.
6. Debate must be related to the pending motion or agenda item. The Speaker may alternate between proponents and opponents to a pending motion, if needed.
7. Previous Question is not in order prior to 30 minutes of discussion on a motion or agenda item, unless approved by unanimous consent.
8. A motion to Amend a motion or agenda item is not in order prior to five delegates speaking to the main motion, unless approved by unanimous consent.
9. Delegates must observe decorum, must avoid personal attacks and disorderly or discourteous behaviors, and are expected to help maintain a safe and respectful meeting environment.



**MÉTIS NATION**  
BRITISH COLUMBIA



# MNGA Draft Minutes

## DRAFT MINUTES

Minutes of the Métis Nation British Columbia 2024 Métis Nation Governing Assembly, held March 1-3, 2024 at the River Rock Casino Resort, 8811 River Road, Richmond, British Columbia.

### OFFICIAL DELEGATES IN ATTENDANCE:

#### Board of Directors

Lissa Dawn Smith, President  
Walter Mineault, Vice-President  
Shaughn Davoren, Chair, Métis Youth BC  
Kate Elliott, Chair, Métis Women BC  
Patrick Harriott, Regional Director, Region 1 (Vancouver Island and Powell River) and Treasurer  
Louis De Jaeger, Regional Director, Region 2 (Lower Mainland) and Secretary  
Dean Gladue, Regional Director, Region 3 (Thompson Okanagan)  
Debra Fisher, Regional Director, Region 4 (Kootenays)  
Raynie Gervais, Regional Director, Region 5 (North Central)  
Susie Hooper, Regional Director, Region 6 (Northwest)  
Paulette Flamond, Regional Director, Region 7 (Northeast)

### REGIONAL REPRESENTATIVES:

#### Region 1 – Vancouver Island

Caitlin Bird, The Métis Nation of Greater Victoria Association  
Joy Bremner, Mid Island Métis Nation  
Zevier Brewer, Métis Nation Powell River  
Ron Caron, Vernon and District Métis Association  
June Graham, Alberni Clayoquot Métis Association  
Charlotte Lever, North Island Métis Association  
Richard Lewis, Cowichan Valley Métis Association  
Chrys (Christina) Sample, Miki'siw Métis Association

#### Region 2 – Lower Mainland

Rob Anderson, Vancouver Sea to Sky Métis Association  
Miranda Berard, Golden Ears Métis Society  
Lee Fraser, Surrey/Delta Métis Association  
Peter Lang, Chilliwack Métis Association  
Kelly Sears, Waceya Métis Society  
Greg Stanwood, North Fraser Métis Association  
Pixie Wells, Fraser Valley Métis Society

#### Region 3 – Thompson Okanagan

David Allard, Salmon Arm Métis Association  
Cheryl Dodman, Kelowna Métis Association  
Jamie-Lee Keith, South Okanagan Similkameen Métis Association  
Betty Ann McDonnell, Nicola Valley and District Métis Society



Marc Dubord, Two Rivers Métis Society  
Daina Shaw, Boundary Métis Community Association  
Natasha Smith, Vermillion Forks Métis Society

#### **Region 4 – Kootenays**

Topher Burke, Columbia Valley Métis Association  
Nicole Courson, West Kootenay Métis Association  
Jeffrey Crozier, Rocky Mountain Métis Association  
Travis Jobin, Métis Nation Columbia River Society  
Myrtle Servatius, Kootenay South Métis Society

#### **Region 5 – North Central**

Sylvia Desrocher, Prince George Métis Community Association  
Tony Goulet, North Cariboo Métis Association  
Lana J. Olson, Métis Nation New Caledonia Society  
Marlene Swears, The Cariboo Chilcotin Métis Association

#### **Region 6 – Northwest**

Alicia Fernando, Tri-River Métis Association  
Bernadette Chaboyer, Northwest BC Métis Association  
Joy Sundin, President, Prince Rupert and District Métis Society

#### **Region 7 – Northeast**

Alana Copeland, Fort St. John Métis Society  
Vince Van Wieringen, North East Métis Society  
George Pope, Métis Community Society of Kelly Lake

#### **ALSO PRESENT:**

Carmen Carriere, MNGA Speaker  
Dave Peltier, MNGA Deputy Speaker  
John Bieker, MNGA Clerk  
Nicole Ludwig, MNGA Deputy Clerk  
Jordan Waunch, Master of Ceremonies

#### **MINUTES PREPARED BY:**

Jana Anderson, Recording Secretary

### **DAY ONE – March 1, 2024**

#### **OPENING CEREMONIES**

The Métis Nation British Columbia (MNBC) 2024 Métis Nation Governing Assembly (MNGA) commenced with the Grand Entry procession, led by a fiddler, Métis Veterans, flag bearers, and other dignitaries. Attendees participated in singing “O Canada” and the “Métis Anthem”.

#### **LAND ACKNOWLEDGEMENT AND OPENING PRAYERS**

Jordan Waunch, Master of Ceremonies, acknowledged the traditional lands on which the MNGA was being held.

Senator Betty Hoogendorn and Senator Philip Gladue acknowledged and offered comments on the traditional lands on which the MNGA was being held and provided Opening Prayers.

## **GREETINGS AND OPENING REMARKS**

### **President Cassidy Caron, Métis National Council (MNC)**

MNC President Caron acknowledged the accomplishments and progress made by the MNBC, positive collaboration between the MNBC and MNC, and expressed support for continuing to strengthen the bond in order to address the challenges, amplify Métis voices, and fight for self-determination and recognition.

### **Jo-Anne Young, Secretary-Treasurer, Métis Nation Ontario (MNO)**

MNO Secretary-Treasurer Young thanked Métis leaders for their dedication and commitment to providing innovative programs and services for Métis families and communities, commented on the path of self-determination and self-government underway through Bill C-53, and need to work together to push for Métis rights and recognition with governments and institutions.

### **President Glen McCallum, Métis Nation – Saskatchewan (MN-S)**

MN-S President McCallum spoke of the successes of the Métis Governments, which are transitioning to recognized governments, as evidenced in agreements signed with the Government of Canada. President McCallum emphasized that the reconciliation is not only on the shoulders of the provincial and federal governments, but also on the shoulders of Métis, which is supported by Elders who bring the strength of Métis history to the work.

### **President Andrea Sandmaier, Otipemisiwak Métis Government (Métis Nation Alberta)**

President Sandmaier recognized attendees for their role as active participants in serving their Métis government and following in the footsteps of ancestors who supported communities and fought for the recognition of rights and Métis way of life. The support of the MNBC leadership and citizens for Bill C-53 was acknowledged.

### **The Honourable Murray Rankin, Minister of Indigenous Relations and Reconciliation (*a pre-recorded video message*)**

Minister Rankin extended greetings on behalf of the BC government and commented on the importance of building partnerships in the areas of healthcare, Métis children, economic development, women's issues and reconciliation, and for support of MNBC Chartered Communities.

### **Lissa Smith, President of the Métis Nation British Columbia**

MNBC President Smith welcomed delegates, and recognized guests, the MNC Board of Governors, MNC President Caron, Veterans, and others who led the Grand Entry, before acknowledging the traditional territories on which the MNGA was being held. President Smith confirmed the MNBC has provided \$1.4 million to its Chartered Communities to support grassroots initiatives and announced another \$350,000 will be available in the coming weeks. President Smith acknowledged the Vancouver Sea to Sky Métis Association, as the MNBC's newest Chartered Community.

President Smith referenced some of the activities and events outlined in the "President's Report", provided with the agenda, including:

- MNBC's partnership with Mission Public Schools and Fraser Valley Métis Association to bring culturally responsive childcare spaces to the West Heights Community
- The Board of Directors approved the creation of 24 distinctions-based childcare spaces in Saanich
- Providing Métis cultural content for young learners through the "Growing our Children" course
- Work with School District 70 – Pacific Rim and the Alberni Clayoquot Métis Society to co-develop a tripartite Métis Education Agreement for kindergarten through Grade 12
- The opening of the Point Ellice House in Victoria scheduled for May 1, 2024

- The opening of the Amelia Douglas Institute for Métis Culture and Language
- The creation of a new Agriculture and Food Sovereignty portfolio under the Ministry of Environmental Protection and reinstatement of the Home Garden Program
- Efforts by the Ministry of Housing and Homelessness to develop 20 projects in every region
- Efforts by the Intergovernmental Affairs team to strengthen MNBC's relationship with the Crown and reset the relationship with the province
- MNBC's continued show of support for Bill C-53
- Endorsement of the "Canada-Métis Nation Accord – Principles of Co-Development" and the January 2024 Permanent Bilateral Mechanism (PBM) meeting
- Recent signing of the Renewed Partnership Accord between the Fraser Salish Regional Caucus, BC Ministry of Health, Fraser Health Authority and MNBC
- Development of a First Nation Relationship Strategy.

### **ROLL CALL - QUORUM CONFIRMED**

John Bieker, MNGA Clerk, conducted a roll call and confirmed that quorum was achieved with 44 official voting delegates in attendance.

## **OFFICIAL BUSINESS OF THE 2024 MNGA**

### **1. CALL TO ORDER**

The 2024 MNGA scheduled March 1-3, 2024, was called to order on March 1, 2024, at 2:17 p.m.

### **2. ADOPTION OF AGENDA**

*Related information (distributed in the Agenda package): Draft Agenda for the March 1-3, 2024 Métis Nation Governing Assembly*

During discussion on the resolution to adopt the agenda, Vince Van Wieringen, North East Métis Society, requested an amendment to remove "Resolution 2, MNGA Authority to Confirm its Position on MNBC Legislation", citing that it is out of order, given that it attempts to give new meaning to Article 23.a, and it references only existing MNBC Board members, not persons running for office.

The MNGA Clerk confirmed that Resolution 2 was submitted by a member eligible to submit the resolution in accordance with the *MNGA Act*.

### **Ruling of the Deputy Speaker**

The Deputy Speaker ruled that Resolution #2 was valid, it would remain on the agenda, and any discussion or Points of Order could be raised when the MNGA is considering the agenda item, after the resolution was moved and seconded.

### **MNGA Clerk Explanation**

The MNGA Clerk acknowledged that an appeal of the Deputy Speaker's ruling would be in order, noting that if the Point of Order to appeal was approved by the MNGA, further points of order on the Resolution would not be allowed.

### **Point of Order**

President Vince Van Wieringen raised a point of order to appeal the decision of the Deputy Speaker.

The MNGA Clerk reviewed the process to appeal the decision of the Deputy Speaker, noting that the reasons for the ruling would be provided by the Deputy Speaker, after which delegates would each have one opportunity to speak to the appeal. Once all discussion was concluded, the Deputy Speaker would have an opportunity to provide additional remarks after which a vote would be called. A majority vote was required to approve the resolution to overturn the ruling of the Deputy Speaker.

The Deputy Speaker provided an explanation on the ruling, noting that proposed Resolution 2 was submitted by several Members of the MNGA, on a date that meets the legislative requirements under the *MNGA Act*, and as such, it would be unfair to remove it without discussion on its substance or merits.

Discussion ensued, on the Point of Order and the impacts of removing the item from the agenda, during which comments were offered on:

- Support by the North East Métis Society to remove the proposed resolution from the agenda
- Support for including Resolution 2 on the agenda to respect the processes and procedures established and the Members who submitted the proposed resolution in accordance with the legislative requirements
- The role of the MNGA to decide items that remain on the agenda.

#### **Appeal the Decision of the Deputy Speaker**

**It was MOVED (Vince Van Wieringen) and SECONDED (Betty Ann McDonnell)**

That the decision of the Métis Nation Governing Assembly (MNGA) Deputy Speaker's ruling on Resolution 2, "MNGA Authority to Confirm its Position on MNBC Legislation", to remain on the agenda, be overturned.

**DEFEATED**

(1 delegate voted in favour, 1 abstained)

**It was MOVED (Pixie Wells) and SECONDED (Cheryl Dodman)**

That the Agenda for the Métis Nation British Columbia 2024 Métis Nation Governing Assembly scheduled March 1-3, 2024, be accepted as presented.

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-01)**

### **3. REVIEW AND ADOPT THE STANDING RULES FOR THE 2024 MARCH MNGA**

*Related information (distributed in the Agenda package): "Draft MNGA Standing Rules"*

**It was MOVED (Cheryl Dodman) and SECONDED (Pixie Wells)**

That the Métis Nation British Columbia Métis Nation Governing Assembly (MNGA) accept the "MNGA Standing Rules" for the March 1-3, 2024, MNGA, as presented.

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-02)**

### **4. REVIEW AND ADOPTION OF MINUTES**

#### **Minutes of the 2023 MNGA**

*Related information (distributed in the Agenda package): Draft Minutes of the Métis Nation British Columbia 2023 Métis Nation Governing Assembly held December 1-2, 2023*

**It was MOVED (Dean Gladue) and SECONDED (Richard Lewis)**

That the Minutes of the Métis Nation British Columbia 2023 Métis Nation Governing Assembly held December 1-2, 2023, be accepted as presented.

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-03)**

**5. ACCEPTANCE OF WRITTEN REPORTS**

*Related information (distributed in the Agenda package): “MNGA Reports 2024”, including reports submitted by the President, Secretary, Treasurer, Regional Directors, Ministries, the Chief Executive Officer, Senate and Chartered Communities*

**It was MOVED (Shaughn Davoren) and SECONDED (June Graham)**

That the Métis Nation British Columbia Métis Nation Governing Assembly (MNGA) accept the “MNGA Reports 2024”, as presented.

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-04)**

**Health Break**

The MNGA recessed at 2:55 p.m. and reconvened at 3:20 p.m.

Vice-President Walter Mineault spoke on the importance of raising awareness on the need for the RCMP and governments to provide resources to support families of missing and murdered Indigenous people. Delegates were urged to participate in Red Dress Day events on May 5, 2024.

**ROLL CALL - QUORUM CONFIRMED**

The MNGA Clerk confirmed that quorum was achieved.

**6. MNGA Governance Committee Update**

*Related information (provided on table): “MNGA Governance Committee Report.”*

Travis Jobin, Region 4 Representative, MNGA Governance Committee, read aloud the distributed MNGA Governance Committee Report.

**7. CHIEF EXECUTIVE OFFICER (CEO)/Senior Leadership Team Update**

Colette Trudeau, Chief Executive Officer, announced the release of the “Métis Food as Medicine and Food (In)security” report, prepared in collaboration between the MNBC, Office of the Provincial Health Officer, Mental Health, Harm Reduction, Environmental Protection, Agriculture, Women and General Equality, and BC Centre for Disease Control.

Dr. Danielle Behn-Smith, Deputy Provincial Health Officer, Office of the Provincial Health Officer, extended greeting to delegates and acknowledged 2SLGBTQQIA+ people. Delegates were informed the “Métis Food as Medicine and Food (In)security” report (<http://www.mnbc.ca/foodasmedicinereport>) examines how COVID-19 worsened existing food security issues for Métis in B.C., it highlights the challenges Métis communities face and emphasizes the need for inclusive and culturally sensitive solutions to strengthen Métis food security. The report outlines key findings (statistics) and considerations for further action.

Ms. Trudeau thanked MNBC’s senior leadership team and staff and referenced some activities and events outlined in the “CEO Report”, provided with the agenda, and offered comments on:

- The announcement of the 2023-2027 Strategic Plan at the September 2023 Annual General Meeting

- Implementing lateral kindness training and seeking pathways to entrench Métis cultural values within the public service
- Developing internal policies to ensure the MNBC is human centric and aligned with Métis culture
- Finalizing the Social Infrastructure and Facilities Master Plan
- MNBC's acquisition of the Crosstown Apartments in Fort St. John
- The creation of the Capital Projects and Assets Committee (CPAC)
- Continued exploration of opportunities to advance economic development
- The role of the Ministry of Economic Development to drive the economic framework forward
- Revitalization of the Métis business directory to promote Métis businesses and pave the way for economic prosperity and self-reliance
- MNBC's unwavering commitment to prosperity and building opportunities and security for Métis children
- November 2023 announcement of MNBC as the successful contractor to be the caretaker for the Point Ellice House in Victoria
- Launching of the Amelia Douglas Institute in the Spring 2024
- Ongoing efforts to increase capacity
- An "MNBC By the Numbers Annual Report" to be posted online outlining the achievements and illustrating the progress over the past year.

In response to delegates' questions, it was noted that:

- Operational sustainability continues to be a key conversation for the leadership team; MNBC is working with the province on a new fiscal framework agreement to ensure the sustainability of the MNBC
- MNBC commits to identifying a percentage of administration funding for communities:
  - o MNBC has some funding agreements that do not allow for administrative funding to be allocated
  - o MNBC is discussing with the BC government a new fiscal relationship; this includes exploring core capacity funding for communities; an additional \$350,000 will be allocated to communities shortly
- MNBC advocates for jurisdiction of children, and is seeking a coordination agreement with the Ministry of Children and Family Development to help with the creation of Métis laws to take over the care of Métis children
- MNBC partners with service providers (e.g., Lii Michif Otipemisiwak (LMO) Family and Community Services); MNBC provides support through agreements and these partnerships will continue
- Funding for women, gender equity, and 2SLGBTQQIA+ people is not allocated to Indigenous governments or not for profit organizations that do not work in this specific area; MNBC will continue to lobby for this
- Funding for Métis learners is fixed; there has been an increase in requests as the number of citizens increases
- MNBC continues to build partnerships and relationships with higher education institutes to support Métis learners
- Applications for MNBC's Skills Training, Employment and Post-Secondary (STEPS) are open
- Bill C-91 funding was First Nations based; the *Stonechild v. Canada* class action proceeding was brought on behalf of off-reserve Indigenous children and their families affected by Canada's Indigenous child welfare system
- MNBC has applied to the Province to be the designated representative for Métis children,

- youth and families within the child welfare system in BC
- The Housing and Social Infrastructure Master Plan has not yet been publicly released
- Urban Programming for Indigenous Peoples (UPIP) funding is expected in 2024
- MNBC:
  - o Will be creating an economic development structure to help communities pursue economic development opportunities
  - o Is developing community protocols to ensure connections with the communities are maintained and that communities are aware of events/activities.

### **ASSEMBLY ADJOURNED**

The MNBC MNGA scheduled March 1-3, 2024, adjourned on March 1, 2024, at 4:34 p.m. after agreeing to reconvene on March 2, 2024, at 9:00 a.m.

## **DAY TWO – March 2, 2024**

### **ASSEMBLY RECONVENED – CALL TO ORDER**

The MNBC MNGA scheduled March 1-3, 2024, reconvened on March 2, 2024, at 9:05 a.m.

### **ROLL CALL - QUORUM CONFIRMED**

The MNGA Clerk confirmed that quorum was achieved with 47 official voting delegates in attendance.

### **8. MOTION 1 – Upcoming MNGA Meetings**

*Related information (displayed and provided with the agenda): “Motion 1 – Upcoming MNGA Meetings” dated January 31, 2024*

The MNGA Clerk read aloud the displayed resolution and rationale and confirmed that the resolution was submitted January 31, 2024, not January 31, 2023.

During discussion, it was suggested that the MNBC consider changing:

- The timing of the MNGA from the first weekend of the month
- The March MNGA to a virtual meeting and June MNGA to an in-person meeting to accommodate winter weather travel.

During discussion on changing the in-person MNGA to take place in June, opposition was noted given that some communities have tourism activities in the summer months.

The MNGA Clerk confirmed the *Constitution* requires that the MNGA meet three times per year, once in-person, and two other times virtually and the budget allows for one in-person MNGA meeting each year. Given the short timelines it would be a challenge to schedule the June 2024 MNGA as an in-person meeting.

### **Main Resolution**

**It was MOVED (Jeffrey Crozier) and SECONDED (Patrick Harriott)**

### **WHEREAS:**

1. The *Constitution* requires that the MNGA meet at least three times per year, once in person and twice virtually; and

2. The *Constitution* further requires that the MNGA determine the dates for the next MNGA at a previous MNGA.

**BE IT RESOLVED THAT:**

- A. The MNGA meet on the following days, as indicated in the table below:

Date	Meeting Method
June 1-2, 2024	Virtual
November 30-December 1, 2024	Virtual
February 28-March 2, 2025	In Person

**Amendment to the Main Resolution**

**It was MOVED (Patrick Harriott) and SECONDED (Jeffrey Crozier)**

That Main Resolution be amended by changing the February 28-March 2, 2025, meeting date to a virtual meeting for March 1-2, 2025 and adding an in-person MNGA for May 30-June 1, 2025, as indicated in the table below:

Date	Meeting Method
March 1-2, 2025	Virtual
May 30 – June 1, 2025	In person

**CARRIED (MNGA2401-05)**

(1 delegate opposed)

**Question on the Resolution**

Question was called on the resolution as amended, and it was

**CARRIED (MNGA2401-06)**

(46 delegates voted in favour, 1 opposed and 0 abstained)

**FINAL MOTION APPROVED**

**WHEREAS:**

1. The *Constitution* requires that the MNGA meet at least three times per year, once in person and twice virtually; and
2. The *Constitution* further requires that the MNGA determine the dates for the next MNGA at a previous MNGA.

**BE IT RESOLVED THAT:**

- A. The MNGA meet on the following days, as indicated in the table below:

Date	Meeting Method
June 1-2, 2024	Virtual
November 30-December 1, 2024	Virtual
March 1-2, 2025	Virtual
May 30 – June 1, 2025	In person

**9. MOTION 2 – Establishment of 2024 Election Date**

*Related information (displayed and provided with the agenda): “Motion 2 – Establishment of 2024 Election Date” dated January 31, 2024*

The MNGA Clerk read aloud the displayed resolution and rationale, and invited comments on the



proposed date for the election.

During discussion, comments were offered on the implications of the election date on the Annual General Meeting, the timing of summer vacation and return to school, and on people who work and election officers and scrutineers supporting the election and ensuring a high voter turnout.

### **Main Resolution**

**It was MOVED (Jeff Crozier) and SECONDED (Patrick Harriott)**

#### **WHEREAS:**

1. The last general election for MNBC was held on September 23, 2020; and
2. Article 42 of the *Constitution* requires that elections for the MNBC shall be held once every four (4) years on any date within six (6) months prior to the four-year anniversary, meaning that a general election for MNBC is required to be held anytime between March 21, 2024 and September 21, 2024; and
3. Article 12.1 of the *MNGA Act* empowers the MNGA to set the date of the next MNBC election, and Article 4 of the *Electoral Act* allows for Election dates to be set by the MNGA in conjunction with the terms outlined in the *Constitution*; and
4. Article 8.1 of the *Electoral Act* requires the Chief Electoral Officer to give 60 days' notice of the elections, meaning that once the Chief Electoral Officer is appointed, the earliest time that a general election could be held is 60 days after the notice is given; and
5. The next BC Provincial Election is scheduled for October 19, 2024, and the writ is scheduled to drop on September 21, 2024;

#### **BE IT RESOLVED THAT**

- A. To meet the terms of MNBC legislation related to Elections, and to reduce the impact of the scheduled Provincial Election, the MNBC General Election be held on MONTH/DATE.

### **Amendment to the Main Resolution**

**It was MOVED (Walter Mineault) and SECONDED (Patrick Harriott)**

That the Main Resolution be amended by inserting the date in Clause A to reflect: "Saturday, September 7, 2024."

**CARRIED UNANIMOUSLY (MNGA2401-07)**

The Amendment completed the Main Resolution, and no further action was taken.

### **Question on the Resolution**

The question was called on the resolution as amended, and it was

**CARRIED (MNGA2401-08)**

(46 delegates voted in favour, 1 opposed and 0 abstained)

## **10. MOTION 3 – Appointment of Chief Electoral Officer**

*Related information (displayed and provided with the agenda): "Motion 3 – Appointment of Chief Electoral Officer", dated January 31, 2024*

The MNGA Clerk read aloud the displayed resolution and reviewed a presentation titled, “2024 MNBC General Election, Chief Electoral Officer, RFP”. Information was provided on the role and responsibilities of the Chief Electoral Officer contained in the *Electoral Act* and legislation, amendments to the electoral process made since the last election, the request for proposals process for the election/contract, an overview of the proposals presented by the shortlisted candidates and a comparative breakdown of expected costs for OneFeather and Voatz.

In response to questions, it was noted that:

- Ballot signatures are verified by the Chief Electoral Officer regardless of whether a citizen votes by mail or in person; extra time was allotted to accommodate a mail in ballot process
- The Electoral Act Committee will develop a document, as reflected in Article 5.2(b) of the *Electoral Act*, outlining positions available for election, and the respective responsibilities and time constraints
- The successful candidate will be required to have a British Columbia post-office box mailing address for mail in ballots
- The contract negotiated:
  - o Could include sanctions or repercussions resulting from deficiencies or problems that occur which are under the Chief Electoral Officer’s power
  - o Can require that the Chief Electoral Officer to have a help desk which is answered by a person
  - o Outline expectations, costs, and deliverables
- Citizens have access to create an account on the MNBC Hub to manage their citizenship
  - o Citizens are responsible for ensuring their contact details are up to date; changes and updates to contact details in the Hub are instantaneous
  - o Citizens can also contact Citizenship by email or telephone
- MNBC’s Communications Department can send out a reminder of the election date which will include a reminder to citizens to ensure their contact details are up to date
- The contractor will identify the location for ballot counting; scrutineers can be present.

#### **Health Break**

The MNGA recessed at 10:49 a.m. and reconvened at 11:10 a.m.

#### **ROLL CALL - QUORUM CONFIRMED**

The MNGA Clerk confirmed that quorum was achieved.

#### **10. MOTION 3 – Appointment of Chief Electoral Officer (Continued)**

During continued discussion, and in response to questions, it was noted that:

- The proposed costs for polling stations reflected are “per polling station”
- Subject to available financing, the Chief Electoral Officer has the discretion to allow for advanced polling stations
- OneFeather uses a two-step verification process for online voting; credentials are verified by the Chief Electoral Officer and once online voting is open, a pin code is sent to access a ballot
- OneFeather included staff costs in their quote; staffing costs for Voatz was not listed separately but is part of their overall price
- Given that the MNGA documents are posted publicly, the distributed material was redacted where proponents indicated the information was not to be made public
- Activities to increase voter awareness would be quoted separately and are subject to any extra funding available
- The expectation is that all ballots would be counted at a location in British Columbia.

The Deputy Speaker requested a vote by show of hands to end debate, and more than 2/3 of the Assembly voted in favour.

### **FINAL MOTION APPROVED**

#### **WHEREAS:**

1. The last general election for MNBC was held on September 23, 2020; and
2. Article 42 of the Constitution requires that elections for the MNBC shall be held once every four (4) years on any date within six (6) months prior to the four-year anniversary, meaning that a general election for MNBC is required to be held anytime between March 21, 2024 and September 21, 2024; and
3. Article 3.7 of the *Electoral Act* provides for the appointment of the Chief Electoral Officer by the MNGA following a request for proposals and a short listing of potential contractors by MNBC; and
4. MNBC issued a public request for proposals (RFP), and received three proposals in return, one of which did not meet the requirements set out in the RFP; and
5. Pursuant to the *Electoral Act*, the MNBC Board of Directors will review the proposals at its February 28, 2024, meeting and shortlist the contractor candidates;

#### **BE IT RESOLVED THAT:**

- A. The MNGA members select one of the contractors shortlisted by the MNBC Board of Directors to be appointed as the Chief Electoral Officer for the 2024-2028 period, with the appointment effective March 8, 2024.

Members voted on the choice between OneFeather and Voatz for the Chief Electoral Officer for 2024-2028, with the following results noted:

- OneFeather: 29 votes in support
- Voatz: 18 votes in support
- 1 abstention.

As a majority was required to pass the resolution, the MNGA Clerk confirmed that OneFeather was selected as the Chief Electoral Officer for 2024-2028.

#### **11. RESOLUTION 1 – Provision to Change Voting Procedures at the June 2024 MNGA**

*Related information (displayed and provided with the agenda): “Resolution 1 – Provisions to Change Voting Procedures at the June 2024 MNGA”, submitted by the South Okanagan-Similkameen Métis Association and North East Métis Association and dated January 18, 2024*

The MNGA Clerk read aloud the displayed resolution and rationale and confirmed that at least two-thirds of the eligible voting delegates were required to vote in favour, for the resolution to be duly ratified.

During discussion, comments were offered on:

- Efficiencies that would be created by eliminating roll call
- The transparency to citizens that roll call provides.

The MNGA Clerk noted that Resolution 1 did not affect legislation, as it is not an amendment to the *MNGA Act*. It seeks a temporary provision to suspend provisions within the *MNGA Act*.

**It was MOVED (Jamie-Lee Keith) and SECONDED (Vince Van Wieringen)**

**WHEREAS:**

1. The *MNGA Act* requires that voting at the MNGA be conducted by alphabetic roll call voting, unless the matter under consideration is deemed to be a Housekeeping Matter; and
2. Hearing the results of Members' votes may unduly influence the votes of Members whose names are called later; and
3. Roll call voting can be very time consuming and increase the time required to deal with all the business at an MNGA.

**BE IT RESOLVED THAT:**

- A. Roll call voting for the June 2024, MNGA be suspended, and voting will be conducted in such a way that all Members will cast their vote at the same time, and may include electronic means to cast votes; and
- B. If the method of voting at the June 2024, MNGA does not allow for viewing how individual Members voted immediately after voting, the voting records will be shared with MNGA Members within five business days of the end of the meeting and posted on the MNBC website within 10 days of the meeting; and
- C. The voting records will form part of the official Minutes of the June 2024 MNGA; and
- D. This provision will apply only to the June 2024 MNGA.

**DEFEATED**

(14 delegates voted in favour, 33 opposed, 1 abstained)

**Health Break**

The MNGA recessed at 11:50 a.m. and reconvened at 1:04 p.m.

**ROLL CALL - QUORUM CONFIRMED**

The MNGA Clerk confirmed that quorum was achieved with 48 official voting delegates in attendance.

The Deputy Speaker reminded delegates of the Standing Rules of Order.

**12. RESOLUTION 2 – MNGA Authority to Confirm its Position on MNBC Legislation**

*Related information (displayed and provided with the agenda): "Resolution 2 – MNGA Authority to Confirm its Position on MNBC Legislation", submitted by the Salmon Arm Métis Association, Alberni-Clayoquot Métis Association, Cariboo Chilcotin Métis Association, Chilliwack Métis Association, Cowichan Valley Métis Association, Fort St. John Métis Society, Métis Nation Powell River, Mid-Island Métis Association, South Okanagan-Similkameen Métis Association, and, Vernon & District Métis Association and dated January 19, 2024*

The MNGA Clerk read aloud the displayed resolution.

During discussion, comments in support of the resolution included: it intends to clarify subsection 23.8 of the *Constitution*; it moves the MNBC forward as a Nation; it will ensure there is fully

qualified leadership in place who uphold and safeguard Métis values; and it protects MNBC's future governance.

Comments offered in opposition of the resolution included: that it could create a precedent allowing for temporary suspensions to other rules; that it does not allow for the voice of Métis communities; it does not include an individual interested in running for election; that it changes the core definition within the *Constitution*; and it does not allow the voices of Citizens to be heard. In response to questions, it was noted that:

- The resolution would not amend the *Constitution*; it endorses an interpretation of Section 23.8 of the *Constitution*
  - o Any amendments to the *Constitution* would need to be approved at an Annual General Meeting
- The Chief Electoral Officer determines eligibility for being a Member of the MNBC based on criteria submitted by candidates; the decision of the Chief Electoral Officer can be appealed to the Senate
- Removing a Member would require a resolution by the MNBC Board of Directors.

**It was MOVED (David Allard) and SECONDED (Peter Lang)**

**WHEREAS:**

1. The MNGA is the legislative body of the MNBC as set out in the *Constitution* and it is well within the MNGA mandate to provide additional guidance to the MNBC's Governance processes; and
2. Section 23 of the *Constitution* states:
  23. A person is disqualified from being a Member of the MNBC when:
    - 23.1. They die.
    - 23.2. They resign.
    - 23.3. They are no longer the President of the MNBC, or are no longer the Vice-President of the MNBC or are no longer a Regional Director.
    - 23.4. They are no longer the Chairperson of the Métis Women of British Columbia.
    - 23.5. They are no longer the Chairperson of the Métis Youth of British Columbia.
    - 23.6. They are under eighteen (18) years of age.
    - 23.7. They have been convicted of a criminal offence carrying a penalty of two (2) years or greater. A person disqualified from being a member of the MNBC by this sub-section may appeal that disqualification to the Senate.
    - 23.8. They have clearly been identified as having breached their fiduciary duty to the Members or to Métis Citizens.
3. Some parts of Section 23, above, apply only to active MNBC Board Members, such as Section 23.2, while others apply only to individuals intending to run, such as Section 23.6, and Section 23.7 can be applied to serving members OR individuals intending to run, or both.

**BE IT RESOLVED THAT:**

- A. The Métis Nation Governing Assembly declares that Section 23.8 of the *Constitution* which states:

[A person is disqualified from being a Member of the MNBC when] They have clearly been identified as having breached their fiduciary duty to the Members or to Métis citizens

Applies to either active MNBC Board Members, or individuals running for an MNBC Board position, or both.

**CARRIED (MNGA2401-10)**

(41 delegates in favour, 6 opposed, 1 abstained)

**13. RESOLUTION 3 – MNGA Members’ Oath**

*Related information (displayed and provided with the agenda): “Resolution 6 –MNGA Members Oath”, submitted by the Fort St. John Métis Society and dated January 26, 2024*

The MNGA Clerk read aloud the displayed resolution and confirmed that at least 75% of the eligible voting delegates were required to vote in favour, for the resolution to be duly ratified. Pursuant to Article 4 of the *MNGA Act*, a roll call vote was required.

During discussion on the need to clarify the meaning of “association beyond the MNBC” the MNGA Clerk confirmed that the term “association” infers a Métis association.

Two proposed amendments were tabled. The MNGA Clerk confirmed that in accordance with the Standing Rules of Order, as five speakers had not yet spoken on the resolution, the amendments could be accepted with unanimous consent.

In response to questions, it was noted that:

- Communities supporting children and family services would not in conflict
- As reflected in the resolution, the MNGA Clerk will be bringing a draft declaration forward to the next MNGA for MNGA delegates to sign confirming they are not in conflict with Article 2.6 of the *MNGA Act*
- The resolution was not expected to create an operational burden; further information on how the resolution would be operationalized can be provided.

**Main Resolution**

**It was MOVED (Alana Copeland) and SECONDED (Richard Lewis)**

**WHEREAS:**

1. Article 3.4 of the *MNGA Act* does not allow participating MNGA members to be in a conflict of interest; and
2. “Conflict of Interest” in Article 2.6 of the *MNGA Act* includes becoming a director or officer of a Métis provincial organization whose interests are in conflict with MNBC, or whose activities could negatively affect MNBC’s authority to represent Métis people in British Columbia; and
3. Not all MNGA members may know that conflict of interest includes part 2, above;

**BE IT RESOLVED THAT:**

- A. The following be inserted as Article 3.3.1 in the *MNGA Act*:

Prior to representing their Community at the MNGA, the President and Vice-President of each Community must make a declaration with the Clerk of the MNGA, or designate, affirming that they are not an officer or director of a provincial Métis body

or Métis association beyond MNBC, other than a Métis Chartered Community.

- B. The MNGA Clerk be directed to prepare a draft declaration outlined above, for approval at the next MNGA.

#### **Amendment to the Main Resolution**

##### **It was MOVED (Tony Goulet)**

That Clause A, of the Main Resolution be amended by adding “Métis” before, “association beyond MNBC” so that it reads:

- A. The following be inserted as Article 3.3.1 in the *MNGA Act*:

Prior to representing their Community at the MNGA, the President and Vice-President of each Community must make a declaration with the Clerk of the MNGA, or designate, affirming that they are not an officer or director of a provincial Métis body or Métis association, other than a Métis Chartered Community.

There being no objection to the Amendment, it was

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-11)**

#### **Amendment to the Main Resolution**

##### **It was MOVED (Walter Mineault) and SECONDED (Dave Allard)**

That Clause A, of the Main Resolution be amended to add: “whose interests are in conflict with the MNBC” before, “other than a Métis Chartered community” so that it reads:

- A. The following be inserted as Article 3.3.1 in the *MNGA Act*:

Prior to representing their Community at the MNGA, the President and Vice-President of each Community must make a declaration with the Clerk of the MNGA, or designate, affirming that they are not an officer or director of a provincial Métis body or Métis association beyond MNBC whose interests are in conflict with the MNBC, other than a Métis Chartered Community.

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-12)**

#### **Amendment to the Amended Resolution**

##### **It was MOVED (Caitlin Bird) and SECONDED (Alana Copeland)**

That the words “an officer or director of a provincial Métis body or Métis association beyond MNBC whose interests are in conflict with the MNBC, other than a Métis Chartered Community” be struck and the words “in a Conflict of Interest as per Article 2.6 of this *Act*” inserted in their place, in Clause A of the Amended Resolution.:

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-13)**

#### **Question on the Resolution**

The question was called on the Main Resolution as amended, and it was

**CARRIED UNANIMOUSLY (MNGA2401-14)**

FINAL RESOLUTION APPROVED

**WHEREAS:**

1. Article 3.4 of the *MNGA Act* does not allow participating MNGA members to be in a conflict of interest; and
2. “Conflict of Interest” in Article 2.6 of the *MNGA Act* includes becoming a director or officer of a Métis provincial organization whose interests are in conflict with MNBC, or whose activities could negatively affect MNBC’s authority to represent Métis people in British Columbia; and
3. Not all MNGA members may know that conflict of interest includes part 2, above;

**BE IT RESOLVED THAT:**

- A. The following be inserted as Article 3.3.1 in the *MNGA Act*:  

Prior to representing their Community at the MNGA, the President and Vice-President of each Community must make a declaration with the Clerk of the MNGA, or designate, affirming that they are not in a Conflict of Interest as per Article 2.6 of this Act.”
- B. The MNGA Clerk be directed to prepare a draft declaration outlined above, for approval at the next MNGA.

**ASSEMBLY ADJOURNED**

The MNBC MNGA scheduled March 1-3, 2024, adjourned on March 2, 2024, at 2:40 p.m. after agreeing to reconvene on March 3, 2024, at 9:00 a.m.

**DAY THREE – March 3, 2024**

**ASSEMBLY RECONVENED – CALL TO ORDER**

The MNBC MNGA scheduled March 1-3, 2024, reconvened on March 3, 2024, at 9:10 a.m.

**ROLL CALL - QUORUM CONFIRMED**

The MNGA Clerk confirmed that quorum was achieved with 48 official voting delegates in attendance.

**14. RESOLUTION 4 – Clarifying Citizenship Eligibility/Acceptance**

*Related information (displayed and provided with the agenda): “Resolution 4 – Clarifying Citizenship Eligibility/Acceptance”, submitted by the Métis Nation Columbia River Society and dated January 25, 2024*

The MNGA Clerk read aloud the displayed resolution and confirmed that at least 75% of the eligible voting delegates were required to vote in favour, for the resolution to be duly ratified. Pursuant to Article 4 of the *MNGA Act*, a roll call vote was required.

During discussion on the proposed resolution, comments were offered on:

- The understanding that an applicant for citizenship would self-declare that they are not enrolled on any other Indigenous registry
- The importance of applicants understanding what MNBC citizenship means and what meaning of the self-declaration



- Ensuring applicants understand the Oath included in the citizenship application state that the applicant is agreeing that MNBC is their Métis government and represents their Section 35 rights
  - The ability for the MNBC to identify whether an existing citizen was also a member of another organization, particularly given there is no national Métis Registry
- The ability for a person to make a voluntary withdrawal request to be removed from the citizenship list of a Chartered Community.

## **Main Resolution**

### **It was MOVED (Travis Jobin) and SECONDED (Rob Anderson)**

#### **WHEREAS:**

1. The Métis National Council General Assembly adopted the following “National Definition” in 2002:  

“Métis” means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation Ancestry and who is accepted by the Métis Nation.”
2. In its judgement in *R. v. Powley 2003*, the Supreme Court of Canada confirmed that Métis are a rights-bearing Aboriginal people and set out the components of a Métis definition for the purpose of claiming Aboriginal rights under section 35 of the *Constitution Act, 1982* based on ancestral connection to and acceptance by historic Métis communities; and
3. Pursuant to the Powley decision, Canada has supported the MNC Governing Members in establishing and maintaining citizenship registries. To be registered as Métis, a person must apply to the Métis Registry operated by the MNC Governing Member in the province in which they reside.

#### **BE IT RESOLVED THAT:**

The *Citizenship Act* be amended as follows:

- A. Insert the following as Article 3.1.3  

3.1.3 The Applicant recognizes they must not be enrolled on any other Aboriginal registry. This includes being registered as a member, citizen or beneficiary under the *Indian Act* or with any other organization or group that claims to represent Métis or other Aboriginal peoples for the purposes of rights, interests, and self-government.
- B. Subject to approval of A above, in Article 3.2 insert “3.1.3” after 3.1.2 so that the article will read:  

3.2 Once the Citizenship Authority is satisfied that the Applicant has met the conditions in Articles 3.1, 3.1.1, 3.1.2 and 3.1.3, the Citizenship Authority may issue the Applicant notification of community acceptance not exceeding 90 days, and then issue a Métis Nation British Columbia Citizenship Card.

**postponed**

## **Point of Order and Adjourn to In-Camera**

A point of order was raised on the need to adjourn to in-camera for further discussion on the resolution.

The MNGA Clerk reviewed the process for adjourning to an in-camera meeting and confirmed that the Standing Rules of Order continued to apply.

**It was MOVED (Dean Gladue) and SECONDED (Kate Elliott)**

That the Métis Nation British Columbia 2024 Métis Nation Governing Assembly adjourn to in-camera.

**CARRIED (MNGA2401-15)**

(28 delegates voted in favour, 18 opposed, and two abstained)

(Time: 9:58 a.m.)

Several members of the Gallery and the Recording Secretary left the meeting.

**MNGA Reconvened**

**It was MOVED (Louis De Jaeger) and SECONDED (Jeff Crozier)**

That the Métis Nation British Columbia 2024 Métis Nation Governing Assembly scheduled March 1-3, 2024, move out of in-camera.

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-16)**

(Time: 11:05 a.m.)

**Health Break**

The meeting recessed at 11:05 a.m. and resumed at 11:22 a.m. Members of the Gallery and Recording Secretary rejoined the meeting.

**ROLL CALL - QUORUM CONFIRMED**

The MNGA Clerk confirmed that quorum was achieved.

**14. RESOLUTION 4 – Clarifying Citizenship Eligibility/Acceptance (Continued)**

The MNGA Clerk read aloud the displayed resolution.

**Resolution Postponed**

**It was MOVED (Patrick Harriott) and SECONDED (Vince Van Wieringen)**

That discussion and decision on Resolution 4, “Clarifying citizenship/eligibility/acceptance,” be postponed to the June 2024 MNGA to allow for amendments to be made to this Resolution prior to its consideration in June 2024.

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-17)**

**15. RESOLUTION 5 – Ensuring Representation for Women and Youth at the MNGA and Regional Governance Councils**

*Related information (displayed and provided with the agenda): “Resolution 5 – Ensuring Representation for Women and Youth at the MNGA and Regional Governance Councils”, submitted by South Okanagan Similkameen Métis Association and dated December*

**Resolution Postponed**

**It was MOVED (Jamie-Lee Keith) and SECONDED (David Allard)**

That discussion and decision on Resolution 5, “Ensuring Representation for Women and Youth at the MNGA and Regional Governance Councils,” be postponed to the June 2024 MNGA, to allow for further consultation with interested parties.

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-18)**

**16. INFORMATION SESSION – Information Sharing Agreements**

This item was removed from the agenda.

**17. CLOSING REMARKS**

President Smith extended appreciation to delegates and thanked staff for their efforts in organizing the MNGA. President Smith acknowledged the importance of MNBC's Chartered Communities and seeking capacity funding for them.

**18. CLOSING PRAYER**

Senator Pope provided a Closing Prayer.

**CONCLUSION**

**It was MOVED (Susie Hooper) and SECONDED (Paulette Flamond)**

That the Métis Nation British Columbia 2024 Métis Nation Governing Assembly scheduled March 1-3, 2024, now conclude.

**ADOPTED BY UNANIMOUS CONSENT (MNGA2401-19)**

(Time: March 3, 2024 at 11:36 a.m.)

\* \* \*

This is a true and correct copy of the Minutes of the MNBC 2024 MNGA held March 1-3, 2024, and incorporates any and all corrections made at the time of adoption.

---

Carmen Carriere, MNGA Speaker

---

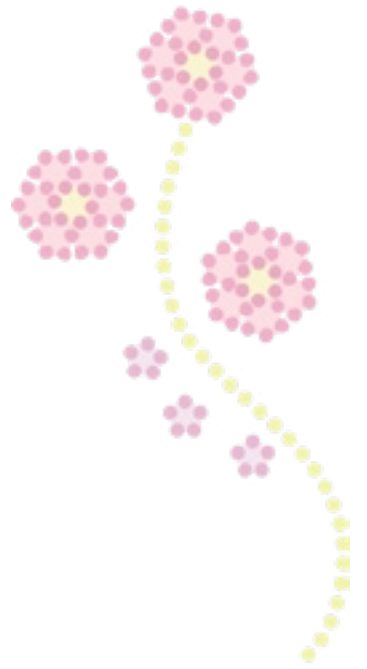
Dave Peltier, MNGA Deputy Speaker

---

John Bieker, MNGA Clerk



**MÉTIS NATION**  
BRITISH COLUMBIA



# UNFINISHED BUSINESS



**UNFINISHED BUSINESS 1**  
POSTPONED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY  
(REVISED)

Subject: Clarifying Citizenship Eligibility/Acceptance

Legislation Affected: *Citizenship Act*

Submitted by: Métis Nation Columbia River Society

Submitted to: MNGA Clerk

Date Submitted: January 25, 2024 (Original)  
April 8, 2024 (Revised)

Vote Required for Approval: 75%

**WHEREAS:**

1. The Métis National Council General Assembly adopted the following “National Definition” in 2002: “Métis means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation Ancestry and who is accepted by the Métis Nation.”
2. In its judgement in *R. v. Powley* 2003, the Supreme Court of Canada confirmed that Métis are a rights-bearing Aboriginal people and set out the components of a Métis definition for the purpose of claiming Aboriginal rights under Section 35 of the Constitution Act, 1982 based on ancestral connection to and acceptance by historic Métis communities.
3. Pursuant to the *Powley* decision, Canada has supported the Métis National Council (MNC) Governing Members in establishing and maintaining citizenship registries. To become a Registered Métis Nation Citizen, a person must apply to the Métis Registry operated by the MNC Governing Member in the province in which they reside. MNBC is the MNC Governing member in the province of British Columbia.

**BE IT RESOLVED THAT:**

The *Citizenship Act* be amended as follows:

- A. Insert the following as Articles’ 3.1.3, 3.1.4, and 3.1.5
  - 3.1.3 The Applicant recognizes they must not be enrolled on any other Aboriginal registry. This includes being registered as a member, citizen, or beneficiary under the Indian Act or with any other organization or group that claims to represent Métis or other Aboriginal peoples for the purposes of rights, interests, and self government.

- 3.1.4 The Applicant understands Métis Nation British Columbia is the Métis National Council Governing Member in the province of British Columbia and is cognizant that they will be represented at the National and International levels by the Métis National Council.
- 3.1.5 The Applicant agrees that by signing the Oath of Citizenship on the MNBC Citizenship Application and/or the MNBC Citizenship Renewal or Replacement Application, they recognize MNBC as their sole governmental representative for their Indigenous rights under Section 35 of the Canadian Constitution, independent of any other declaration or statement the Applicant may have made previously.
- B. Subject to approval of A above, in Article 3.2 insert “3.1.3, 3.1.4 and 3.1.5” after 3.1.2 so that the article will read:
- 3.2 Once the Citizenship Authority is satisfied that the Applicant has met the conditions in Articles 3.1, 3.1.1, 3.1.2, 3.1.3, 3.1.4, and 3.1.5, the Citizenship Authority may issue the Applicant notification of community acceptance not exceeding 90 days, and then issue a Métis Nation British Columbia Citizenship Card.
- C. In Article 6.1, strike the word “or” and in its place and insert “, renewal or replacement” immediately following so that the article will read:
- 6.1 If, due to information found during an audit, review, renewal, or replacement a person on the Central Registry is found to be ineligible for Métis citizenship:



## RESOLUTION 4

POSTPONED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY

Subject: Clarifying Citizenship Eligibility/Acceptance

Legislation Affected: *Citizenship Act*

Submitted by: Métis Nation Columbia River Society

Submitted to: MNGA Clerk

Date Submitted: January 25, 2024

Vote Required for Approval: 75%

### WHEREAS:

1. The Métis National Council General Assembly adopted the following “National Definition” in 2002:

“Métis” means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of historic Métis Nation Ancestry and who is accepted by the Métis Nation.”

2. In its judgement in *R. v. Powley 2003*, the Supreme Court of Canada confirmed that Métis are a rights-bearing Aboriginal people and set out the components of a Métis definition for the purpose of claiming Aboriginal rights under section 35 of the Constitution Act, 1982 based on ancestral connection to and acceptance by historic Métis communities.
3. Pursuant to the Powley decision, Canada has supported the MNC Governing Members in establishing and maintaining citizenship registries. To be registered as Métis, a person must apply to the Métis Registry operated by the MNC Governing Member in the province in which they reside.

### BE IT RESOLVED THAT:

The *Citizenship Act* be amended as follows:

- A. Insert the following as Article 3.1.3

3.1.3 The Applicant recognizes they must not be enrolled on any other Aboriginal registry. This includes being registered as a member, citizen or beneficiary under the Indian Act or with any other organization or group that claims to represent Métis or other Aboriginal peoples for the purposes of rights, interests, and self-government.

- B. Subject to approval of A above, in Article 3.2 insert “3.1.3” after 3.1.2 so that the article will read:

- 3.2 Once the Citizenship Authority is satisfied that the Applicant has met the conditions in Articles 3.1, 3.1.1, 3.1.2 and 3.1.3, the Citizenship Authority may issue the Applicant notification of community acceptance not exceeding 90 days, and then issue a Métis Nation British Columbia Citizenship Card.

**POSTPONED**

THAT discussion and decision on Resolution 4, “Clarifying Citizenship Eligibility/Acceptance”, be postponed to the June 2024, MNGA, and allow for amendments to be made to this Resolution prior to its consideration in June 2024.





## UNFINISHED BUSINESS

POSTPONED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY  
(REVISED)

Subject: Ensuring Representation for Women and Youth at the MNGA and Regional Governance Councils

Legislation Affected: *Constitution, Electoral Act, Métis Nation Women's Act, Métis Nation Youth Act*

Submitted by: South Okanagan Similkameen Métis Association

Submitted to: MNGA Clerk

Date Submitted: December 14, 2023 (Original)  
April 25, 2023 (Revised)

Vote Required for Approval: 75%

### WHEREAS:

1. Chartered Community Presidents constitute a majority of the membership of Regional Governance Councils (RGCs) and the Métis Nation Governing Assembly (MNGA);
2. In the event a Community President cannot attend an RGC or MNGA Meeting, the Vice-President may attend in their place;
3. Chartered Community Presidents and Vice-Presidents are leaders in their community, and as such may also hold elected Regional positions; and
4. If a President or Vice-President is also an elected Regional representative, reduction of representation at an RGC or MNGA for groups such as women and youth may be negatively impacted.
5. At the March 2024 MNGA, the Assembly postponed consideration of this resolution to the June 2024 MNGA, allowing for amendments to be made to the resolution in the interim.

### BE IT RESOLVED THAT:

- A. The following be added as Article 12.1 to the *Constitution*:
  - 12.1 While serving in one of the positions noted in Article 12, a member of the MNBC Board of Directors may not hold a position on a Chartered Community Board.
- B. The following be added as Article 8.10 to the *Electoral Act*:
  - 8.10 Upon election, by vote or acclamation, as a Regional Women's or Youth Representative, a Citizen who holds the position of President or Vice-President on a Chartered Community Board must immediately resign from that position.
- C. The following be added as a sub-Article to Article 5.4 of the *Métis Nation Women's Act*:

Upon election, by vote or acclamation, as a Regional Women's Representative, a Citizen who holds the position of President or Vice-President on a Chartered Community Board must immediately resign from that position.

- i. If the position of Regional Women's Representative is vacant between elections, a President or Vice-President of a Chartered Community may be appointed to the position on an interim basis, subject to procedures set out in the *Constitution* and the *MNGA Act*.

D. The following be added as a sub-Article to Article 5.5 of the *Métis Nation Youth Act*:

Upon election, by vote or acclamation, as a Regional Youth Representative, a Citizen who holds the position of President or Vice-President on a Chartered Community Board must immediately resign from that position.

- i. If the position of Regional Youth Representative is vacant between elections, a President or Vice-President of a Chartered Community may be appointed to the position on an interim basis, subject to procedures set out in the *Constitution* and the *MNGA Act*.



## RESOLUTION 5

SUBMITTED TO THE MARCH 2024  
MÉTIS NATION GOVERNING ASSEMBLY

Subject: Ensuring Representation for Women and Youth at the MNGA and Regional Governance Councils

Legislation Affected: *Constitution, Electoral Act, Métis Nation Women's Act, Métis Nation Youth Act*

Submitted by: South Okanagan Similkameen Métis Association

Submitted to: MNGA Clerk

Date Submitted: December

Vote Required for Approval: 75%

### WHEREAS:

1. Chartered Community Presidents constitute a majority of the membership of Regional Governance Councils (RGCs) and the Métis Nation Governing Assembly (MNGA);
2. In the event a Community President cannot attend an RGC or MNGA Meeting, the Vice-President may attend in their place;
3. Chartered Community Presidents and Vice-Presidents are leaders in their community, and as such may also hold elected Regional positions; and
4. If a President or Vice-President is also an elected Regional representative, reduction of representation at an RGC or MNGA for groups such as women and youth may be negatively impacted.

### BE IT RESOLVED THAT:

- A. The following be added as Article 12.1 to the *Constitution*:
  - 12.1 While serving in one of the positions noted in Article 12, a member of the MNBC may not hold a position on a Chartered Community Board.
- B. The following be added as Article 8.10 to the *Electoral Act*:
  - 8.10 Upon election as a Regional Women's or Youth Representative, a Citizen who holds who holds the position of President or Vice-President on a Chartered Community Board must immediately resign from that position.
- C. The following be added as a sub-Article to Article 5.4 of the *Métis Nation Women's Act*:

Upon election as a Regional Women's Representative, a Citizen who holds the position of President or Vice-President on a Chartered Community Board must immediately resign from that position.

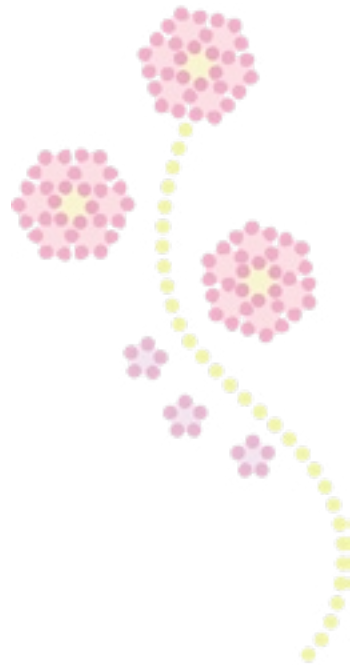
D. The following be added as a sub-Article to Article 5.5 of the *Métis Nation Youth Act*:

Upon election as a Regional Youth Representative, a Citizen who holds the position of President or Vice-President on a Chartered Community Board must immediately resign from that position.

ORIGINAL RESOLUTION



**MÉTIS NATION**  
BRITISH COLUMBIA



# NEW BUSINESS



## RESOLUTION 1

SUBMITTED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY

Subject: Conflict of Interest

Legislation Affected: *MNGA Act*

Submitted by: MNGA Governance Committee

Submitted to: MNGA Clerk

Date Submitted: April 25, 2024

Vote Required for Approval: 75%

### WHEREAS

1. In December 2023, the MNGA referred the matter of conflict of interest in MNBC legislation to the MNGA Governance Committee;
2. The Articles in the *MNGA Act* relating to conflict of interest are somewhat vague and can lead to seemingly arbitrary positions taken by the MNGA, and therefore do not fully serve the interests of Métis Nation BC as an organization, its Chartered Communities, and its Citizens.
3. The MNGA has the ability to determine if a member has a conflict of interest, and therefore needs a clear process which ensures the rights of all MNGA members are protected.

### BE IT RESOLVED THAT

The *MNGA Act* be amended as follows:

- A. Strike and replace the definition “**Conflict of Interest**” with the following:

**Conflict of interest** means that a member, an immediate family member, or a close business associate of the member:

- has a personal or professional interest in the matter at hand that is separate from their role as an MNGA member; and,
- the interest is distinct from the interests of the Assembly and/or Métis Nation BC (MNBC), such that the activities could negatively affect MNBC’s ability or authority to negotiate on behalf of and represent Métis people in British Columbia; and,
- stands to realize a personal or professional benefit from a favourable decision on the matter that does not provide a similar benefit to MNBC or its Chartered Communities; or,
- will provide a benefit to a Métis organization other than MNBC or its Chartered Communities.

And that the interest means that a reasonable person would conclude that the interest or personal benefit to be gained could influence or affect the decision-making of a member.

B. Insert new definition:

**“Immediate Family Member”** means the parent, step-parent, foster parent, sibling, spouse or common-law spouse, ward, parents, or other relative permanently residing with a member.

C. Strike Article 3.4 and insert the following in its place:

3.4 If a member has a conflict of interest on a matter at the MNGA they must:

- a. Disclose in general terms to the other members the nature of their involvement;
- b. Refrain from voting on the resolution or consenting to a resolution;
- c. Leave the meeting while the matter is under discussion; and
- d. Refrain from any action intended to influence the discussion or vote.

- i. If the member complies with Article 3.4, the minutes will reflect the disclosure, the general nature of the conflict disclosed, the time the member withdrew from the meeting, and the time they returned.

3.5 Despite Article 3.4c, the member experiencing the conflict may remain in the meeting for the purpose of providing information if asked to do so by another member. Once the information is provided and the Assembly has begun to deliberate, the member experiencing the conflict must leave the meeting.

3.6 A person who is listed in any official registry as a decision-maker of a Métis political organization or Métis government that does not recognize MNBC as the representative government of Métis in British Columbia, shall be deemed to be in automatic conflict of interest and may not participate in the MNGA, except as noted in Article 3.5, until they provide proof that they are no longer a member of that Métis organization or Métis government.

- a. Métis organizations which, by their mandate and actions, are primarily advocacy organizations, are not considered political organizations for the purposes of this Act.

3.7 If a member wishes the MNGA to determine if another member has a conflict of interest, they shall provide notice of a motion to the MNGA Clerk or designate no later than 14 days prior to the MNGA.

- a. Such a resolution must include the following:
  - i. The name, Community name, and position (President or Vice-President) of the person believed to have a conflict of interest;
  - ii. Briefly indicate the nature of the conflict of interest;
  - iii. Indicate the consequence if the MNGA determines the person has a conflict of interest, specifically, whether they are removed under Article 3.9 or 3.10 below.

And, attached to the resolution:

- iv. A maximum one-page summary of the conflict of interest, and
- v. Any available proof of the conflict of interest.

A template of the resolution and attachments may be requested from the MNGA Clerk or designate.

- b. Upon receipt of such a resolution, the MNGA Clerk or designate will:
  - i. Verify the resolution meets the criteria in a(i);
  - ii. Review the summary and proof submitted, if any;
  - iii. Attempt to verify the proof submitted, if any;
  - iv. Send the resolution to the Speaker, Deputy Speaker, or Co-Speakers of the MNGA for review and placement on the MNGA Agenda;
  - v. Within 48 business hours of receipt, send the resolution to the submitter and the person alleged to have the conflict, advising that it will be on the agenda for the MNGA;
  - vi. 24 business hours after sending to the submitter and the person alleged to have the conflict, send the resolution via email to all MNGA Delegates.
- 3.8 Despite Article 3.7, the MNGA may, by a 2/3 vote of members present, agree to waive the notice for a conflict of interest resolution.
  - i. If notice is waived, the mover must submit the conflict of interest resolution in the same form as noted in Article 3.7a, to the MNGA Clerk, or designate, by email for display at the MNGA.
- 3.9 If the Assembly, by a 2/3 vote, determines that a member has a conflict of interest, the member must take the steps outlined in Article 3.4, parts b to d, above.
  - i. Such a motion must specify the nature of the conflict in general terms.
  - ii. If the member determined to be in conflict of interest does not take the steps outlined in Article 3.4 parts b to d, they may be removed by the Assembly by an additional 2/3 vote, while the matter is being deliberated.
- 3.10 The Assembly, by a 2/3 vote, may disqualify a person who contravenes Article 3.6 from being a member of the MNGA until proof that the conflict no longer exists is provided to the MNGA Clerk, or designate.





## RESOLUTION 2

SUBMITTED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY

Subject: *MNGA Act* Amendments

Legislation Affected: *MNGA Act*

Submitted by: MNGA Governance Committee

Submitted to: MNGA Clerk

Date Submitted: April 25, 2024

Vote Required for Approval: 75%

### WHEREAS

1. The MNGA Governance Committee's purpose is to review the governance and decision-making structures within the MNGA and recommend changes to concerns that have a bearing on governance and decision-making structures;
2. In 2022, the MNGA changed its meeting frequency from one meeting per year, to three meetings per year, and the *MNGA Act* has not been updated in a fulsome way to reflect this;
3. The *MNGA Act* contains a number of typographical errors and duplications, and some sections could be reorganized in order to improve comprehension and flow.

### BE IT RESOLVED THAT

The *MNGA Act* be amended as follows

- A. Add the following definitions:
- i. **"Abstain" or "Abstention"** means a member has not voted, reducing the total number of votes cast on a matter. A call for abstentions during voting may be made by the Clerk or designate to confirm quorum.
  - ii. **"Co-Speakers"** means the two people elected as Co-Speakers at the MNGA.
  - iii. **"Governance Cycle"** means the cycle of MNGA meetings and the AGM that occurs yearly, starts with MNGAs in the Winter (December), Spring (March), and Summer (June), and concludes with the AGM in September of each year



- iv. **“Urgent Business”** means business of a time sensitive matter that requires the attention of the MNGA in the current governance cycle.
- B. Amend existing definitions indicated by deleting the struck through words and inserting the underlined words:
- i. **“Legislation”** means ~~legislative documents, laws and/or acts, and includes resolutions that introduce new or amend including amendments to existing legislative documents, laws and/or acts and, for the purpose of this Act, will include draft or proposed Legislation.~~ legislative documents, laws and/or acts, and includes resolutions that introduce new or amend
  - ii. **“Métis Nation British Columbia”** (MNBC) means the organization which is comprised of the Regional Representatives ("Directors"), the Executive (President, Vice-President, Secretary and Treasurer), Chairperson from the Métis ~~Women~~ of British Columbia and Chairperson of the Métis Youth BC Council, BCMUYC and which represents the Métis Citizens and for the purpose of this Act will be referred to as the MNBC.
  - iii. **“Roll Call”** shall mean the call to order of a General Assembly ~~and shall include the identification and an announcement of the Speaker for that General Assembly, the names of all members of the MNGA, Gabriel Dumont Scouts, and invited guests in attendance at the General Assembly and shall state whether a Quorum of MNGA members are in attendance~~
- C. In Article 4:
- i. Amend Article 4.1 as indicated below, by deleting the struck through words and inserting the underlined words:
 

~~A majority (more than half) Fifty percent (50%) plus one~~ of the members of the Métis Nation Governing Assembly constitutes a quorum for the General Assembly. However quorum must include a majority of the MNBC Board of Directors;
  - ii. Strike Articles 4.2.1 to 4.2.3 and insert the following in their place as Article 4.2:
 

4.2 Voting thresholds shall be as follows:

    - For approval of Legislation, a vote of at least 75% of votes cast at an MNGA;
    - For approval of non-Legislative matters: a majority vote of votes cast at an MNGA;
    - For approval of Housekeeping matters: a majority vote of votes cast at an MNGA.
  - iii. Strike Article 4.3, and insert the following in its place:
 

4.3 Voting procedures shall generally follow the processes set out in “Procedures for Establishing Quorum and Voting” attached as Appendix A to this Act.

    - a) The MNGA may change or amend Appendix A of this Act through a 2/3 vote at a meeting of the Governing Assembly.

- iv. Amend Article 4.4 as indicated below, by deleting the struck through words and inserting the underlined words:

The MNGA shall, at a Governing Assembly, draft, review and consider Legislation and amendments to the Constitution for consideration at the MNBC Annual General Meeting in the current Governance Cycle. first reading, ~~also referred to as ratification herein, and presentation to the MNBC at an Annual General Meeting or Special Meeting;~~

- v. Delete Article 4.5 in its entirety.

**Note:** the following Articles of the MNGA Act referenced below are the sections enumerated in the MNGA Act as ratified in September 2023. The final resolution will allow for reordering and renumbering all definitions, sections, and subsections, as appropriate.

- vi. Amend Articles 4.6 and 4.7 as indicated below, by deleting the struck through words and inserting the underlined words:

4.6 Legislation or amendments to the Constitution that have been ~~ratified~~ approved by the Governing Assembly shall be presented for final approval or ~~ratification~~ adoption by the Métis Citizens in attendance at an MNBC Annual General Meeting or Special General Meeting.

4.7 Legislation or amendments to the Constitution which have been ~~ratified~~ approved by the Governing Assembly shall be provided to the MNBC at least forty-five (45) days prior to an Annual General Meeting or Special General Meeting to be included in the agenda of that Annual General Meeting or Special General Meeting.

- D. Insert the following as a new Article 5

## **ARTICLE FIVE – MEETINGS OF THE MÉTIS NATION GOVERNING ASSEMBLY**

5.0 Pursuant to Article 32 of the *Constitution*, the MNGA shall meet at least three (3) times per year in British Columbia.

5.1 Meetings shall ordinarily be scheduled for Winter, Spring, and Summer of each year, specifically the first weekends of December, March, and June. Should any of these dates fall on a designated holiday or a time change, the meeting will be held on the last weekend in November, February, or May.

5.2 One MNGA shall be held in person, and two MNGAs shall be held virtually every year. When determining the dates for the MNGA, the Assembly will also indicate which meeting is to be held in person.

5.3 Should a member wish to change part of a previously-approved resolution related to Legislation, they may suggest changes by submitting a Motion to Amend a Previously Adopted Resolution, which

- Requests the Assembly to amend the resolution;

- Specifies the title of the resolution and the date of adoption by the MNGA
  - Briefly explains why the resolution should be amended; and
  - Explicitly notes the proposed amendments.
- i. The resolution to amend the previously adopted resolution is subject to the same notice deadline and voting threshold as the original resolution.
  - ii. The mover or seconder of a resolution to amend a previously-adopted resolution must have voted on the prevailing side of the original resolution.
- 5.4 Resolutions related to Legislation, which have received approval at an MNGA during a Governance Cycle, and which require adoption at the AGM, will be added to the agenda for the AGM in the same Governance Cycle.
  - 5.5 Resolutions scheduled for consideration at an MNGA meeting and which are not considered due to time constraints or other extenuating circumstances will automatically be added to the next MNGA in the same Governance Cycle.
    - i. If a resolution proposed at a Summer MNGA is not considered, the submitter may resubmit the resolution for consideration during any MNGA of the next Governance Cycle.
  - 5.6 The MNGA shall adopt Standing Rules that will govern the proceedings of the Governing Assembly, which shall be appended to this act as Appendix B.
    - a) The MNGA may change or amend its Standing Rules through a 2/3 vote at a meeting of the Governing Assembly.
- E. Amend Article Five, its title and Sections 5.0 and 5.1 as indicated, by deleting the struck through text and inserting the underlined text:

**ARTICLE FIVE – SPEAKER AND DEPUTY SPEAKER, OR CO-SPEAKERS OF THE  
MÉTIS NATION GOVERNING ASSEMBLY**

- 5.0 The Speaker and Deputy Speaker, or two Co-Speakers shall:
    - 5.1 Be ~~appointed~~ elected by the MNGA at a Governing Assembly;
- F. Delete article 5.10 in its entirety, because it is not reflective of current practice.
- G. Amend articles 6.3 and 6.5 as indicated, by deleting the struck through text and inserting the underlined text:

[The Clerk of the MNGA shall:]

- 6.3 Be responsible for the presentation of the agenda and notice prepared by the MNGA, for a Governing Assembly of the MNGA as directed by the MNBC, the minutes of the previous MNGA for adoption, and all reports to be presented to the MNGA;

- 6.5 Provide the ~~certified draft~~ minutes of the previous MNGA for adoption by ~~to~~ the members of the MNGA at least 14 (fourteen) days prior to the date set for a Governing Assembly;

H. In Article Nine insert the word “Spring” as follows in Article 9.0:

Notwithstanding any sittings or meetings of the MNGA to conduct business that is not the subject of a Governing Assembly, the following written reports shall be tabled by the Clerk for the Spring MNGA and shall be included in the Orders of the Day:

I. In Article 11:

- i. Amend Article 11.1, a, b, and d, as indicated by deleting the struck through text and inserting the underlined text:

[Legislation, legislative amendments]

- a) Shall ~~only be tabled~~ submitted only by members of the MNGA.
- b) Shall be ~~tabled submitted to with~~ the Clerk no less than 30 days prior to the MNGA ~~being held in the manner required~~ and shall be included in the Orders of the Day for the MNGA, which shall consider the proposed Legislation or amendments to the Legislation.
- d) ~~Be given first reading and~~ If approved by the MNGA, ~~ratified by the MNGA for presentation~~ will be presented to the MNBC at an Annual General Meeting or Special Meeting in accordance with, and for the purpose as set out in, Article 4 ~~herein~~.

- ii. Amend Article 11.2, a, b, and d, as indicated by deleting the struck through text and inserting the underlined text:

[Constitutional amendments]

- a) Shall ~~only be tabled~~ submitted only by members of the MNGA.
- b) Shall be ~~tabled submitted to with~~ the Clerk no less than 40 days prior to the MNGA ~~being held in the manner required~~ and shall be included in the Orders of the Day for the MNGA, which shall consider the proposed changes to the Constitution.
- d) ~~Be given first reading and~~ If approved by the MNGA, ~~ratified by the MNGA for presentation~~ will be presented to the MNBC at an Annual General Meeting or Special Meeting in accordance with, and for the purpose as set out in Article 4 ~~herein~~.

- iii. Amend Articles 11.3 a and b, as indicated by deleting the struck through text and inserting the underlined text:

[Other Matters]

- a) Shall be ~~tabled~~ submitted only by the members of the MNGA;
  - b) Shall be ~~tabled~~ submitted to ~~with~~ the Clerk no less than 30 days prior to the MNGA meeting being held in the manner required and shall be included in the Orders of the Day for the MNGA, which shall consider the matters;
- iv. Strike Article 11.3 c, and insert the following as a new Article 11.3 c:
- c) Notice of all other matters, including minutes, reports, and decisions which relate to the powers delegated to the MNGA by MNBC Legislation shall be distributed to the members of the MNGA no less than 21 days prior to the MNGA being held.
- v. Strike Articles 11.4 and 11.5 and insert the following in their places:
- 11.4 Notice of Legislation and proposed Constitutional amendments, and other matters from the MNBC Board of Directors
- a) shall be submitted to the Clerk no less than 45 days prior to the MNGA meeting being held;
  - b) shall be distributed to the members of the MNGA no less than 40 days prior to the MNGA meeting being held.
- 11.5 Urgent Business
- a) Legislation of an urgent and pressing nature proposing to deal with a matter(s) that has arisen after the filing deadline with the Clerk, and that such matter(s) may have implications for the Métis Nation if it is not dealt with on an urgent basis by the MNGA, may be added to the ~~Order Paper~~ Orders of the Day by the Clerk, subject to approval by a 2/3 vote of members present at an MNGA.
  - b) Resolutions relating to other matters than Legislation, of an urgent and pressing nature proposing to deal with a matter(s) that has arisen after the filing deadline with the Clerk and may have implications for the Métis Nation if not dealt with on an urgent basis by the MNGA, may be added to the Orders of the Day by the Clerk, if approved by a majority of members present at an MNGA.

- J. Insert the following as Appendix A to the *MNGA Act*:

**Appendix A – Procedures for Establishing Quorum and Voting**

## **1. Establishing Quorum**

- a. At the start of each MNGA and after every recess the MNGA Clerk or designate shall call the roll to establish quorum.
- b. To establish quorum:
  - The MNGA Clerk or designate shall call the name of each voting member in alphabetical order by last name;
    - If present, the member shall respond in the affirmative;
    - If not present, the MNGA Clerk or designate shall ask if an alternate representative is present. If present, alternate representative shall respond by providing their name;
  - The MNGA Clerk or designate shall advise if a quorum is present.

## **2. Changes to Legislation or Introduction of New Legislation**

- a. Votes on Legislation:
  - i. Will require a roll call vote where the MNGA Clerk or designate will call the names of the delegates in alphabetical order, or reverse alphabetical order, and the delegate will indicate their vote as follows:
    - Yes: in favour of the resolution.
    - No: opposed to the resolution.
    - Abstain: no vote.

After every delegate has had an opportunity to vote, the MNGA Clerk or designate will announce the outcome of the vote, and the number votes in favour, the number opposed, and the total number of votes cast excluding abstentions.
- b. Votes on housekeeping matters to correct Legislation:
  - i. Require a majority vote at one MNGA to be added to the agenda for the AGM in the same governance cycle.
  - ii. May be adopted by unanimous consent. If a member objects to unanimous consent, a roll call vote as outlined in Section 2a above will be taken.

## **3. Votes on Resolutions relating to Other Matters**

- a. Votes on Resolutions not related to changes to or introduction of new legislation:

- i. Require a majority vote at an MNGA to be added to the agenda for the AGM in the same governance cycle.
- ii. May be adopted by unanimous consent. If a member objects to unanimous consent, a vote by show of hands will be taken.
- iii. To conduct a vote by show of hands, the MNGA Clerk or designate will:
  - ask for votes in favour and count the number of hands raised.
  - ask for votes opposed, and count the number of hands raised.
  - ask for any abstentions, and count the number of hands raised.

After every delegate has had an opportunity to vote, the MNGA Clerk or designate will announce the outcome of the vote, and the number of votes in favour, the number of votes opposed, and the total number of votes cast excluding abstentions.

K. Insert the following as Appendix B to the *MNGA Act*:

#### **Appendix B – MNGA Standing Rules**

The rules of order below are intended to facilitate progress, include MNGA delegates in debate and decision making, and ensure fairness, equality, and common sense:

1. The meeting will be run in accordance with the relevant provisions of the *MNBC Constitution* and *MNGA Act*.
2. A delegate who wishes to speak at the MNGA will request to do so, wait to be recognized by the Speaker, and open by stating their name and Community.
3. On each issue or motion, a delegate is entitled to speak up to two (2) times, for no longer than three minutes each time. Speaking a third time or longer than three minutes will require permission from the assembly.
4. If an individual has questions, they may ask one follow-up question within the same three minute time slot.
5. To speak a second time on the same motion or agenda item, a delegate must wait until those who wish to speak on it for the first time have done so.
6. Debate must be related to the pending motion or agenda item. The Speaker may alternate between proponents and opponents to a pending motion, if needed.
7. Previous Question is not in order prior to 30 minutes of discussion on a motion or agenda item, unless approved by unanimous consent.
8. A motion to Amend a motion or agenda item is not in order prior to five delegates speaking to the main motion, unless approved by unanimous consent.



9. Delegates must observe decorum, avoid personal attacks and disorderly or discourteous behaviors, and are expected to help maintain a safe and respectful meeting environment.
- L. All sections, articles, subarticles, and definitions of the *MNGA Act* be reordered and renumbered as appropriate

### Explanation Chart – Resolution 2: MNGA Act Amendments

Resolution Section	Function	Explanation
A.	Adds definitions	
i.	Abstain	Clarifies that abstentions are null votes and will not affect the proportion of votes in favour of a resolution
ii.	Co-Speakers	Allows for Co-Speakers to be elected for the MNGA. Current wording allows only for Speaker and Deputy Speaker. This will catch up the language in the legislation to what is currently being practiced.
iii.	Governance Cycle	Defines the Governance cycle now that there are three MNGAs per year.
iv.	Urgent Business	Defines urgent business to allow for time-sensitive matters to be dealt with by the MNGA.
B.	Amends existing definitions	Provides for clarity by correcting small errors (housekeeping), and simplified wording for existing definitions.
C.	Amends Article 4	Provides clarity and changes for Voting and Quorum requirements for the MNGA
i.	Amends 4.1	Changes 50%+1 to a majority (more than half); this is consistent with language used across assemblies.
ii.	Replaces Articles 4.2.1 to 4.2.3	Clearly defines voting thresholds for Legislation, non-Legislative matters, and Housekeeping.
iii.	Inserts voting procedures as an appendix	Moves voting procedures to an appendix, which can be modified by a 2/3 vote at an MNGA. This consolidates voting procedures for the MNGA in one place.
iv.	Amends 4.4	Simplifies language and incorporates Governance Cycle into meetings.
v.	Removes article 4.5	No longer needed since voting thresholds are changed in Cii.
vi.	Amends 4.6 and 4.7	Provides for clearer language.
D.	Adds new Article 5	Generally provides clarity around timing and scheduling of meetings; provides for previously-approved resolutions to be brought back
5.1 and 5.2		Provides for scheduling and format (virtual or in person) of MNGAs.
5.3		Adds a process for a resolution related to Legislation approved at a previous MNGA to be brought back, subject to notice, and requires that the mover or the seconder must have voted in the affirmative on the original resolution.

Resolution Section	Function	Explanation
5.4		Provides for scheduling legislative resolutions at the AGM in the same governance cycle.
5.5		Provides for automatic rescheduling of a resolution if it is not considered at an MNGA due to extenuating circumstances.
5.6		Adds Standing Rules as an appendix to the <i>MNGA Act</i> so that the same rules do not need to be adopted at every meeting. 5.6a provides a formula for changing those rules at an MNGA.
<b>Note:</b> the following Articles of the <i>MNGA Act</i> referenced below are the sections enumerated in the <i>MNGA Act</i> as ratified in September 2023. The final resolution will allow for reordering and renumbering all definitions, sections, and subsections, as appropriate.		
E.	Adds Co-Speakers	The Speaker and Deputy Speaker have in practice been acting as Co-Speakers. This adds the concept of Co-Speakers to catch the Legislations up to practice, without eliminating Speaker and Co-Speaker; provides ample choice for the Assembly.  Adds language to clarify that the Speaker/Deputy Speaker/Co-Speaker positions are elected, not appointed.
F.	Deletes 5.10	In practice, the Speaker does not approve the addition of documents and reports for the MNGA, so there is no need for this to be in the <i>Act</i> .
G.	Clarifies Language	Clarifies role of MNGA Clerk and changes language to better express that the MNGA will adopt draft minutes prior to the Speaker/Deputy Speaker/Co-Speakers certifying them.
H i.	Updates language for three MNGAs per year	Accommodates three MNGAs per year by limiting reports to the Spring MNGA.
i, ii, iii.	Clarifies Language	Changes “tabled” to “submitted”; Removes “First Reading” and extra words to provide clarity.
iv.	Replaces 11.3 c	Reduces and clarifies. Adds in MNGA delegated powers.
v.		Replaces 11.4 for added clarity Adds requirements around Urgent Business
J.		Adds voting procedures as an appendix to the <i>Act</i>
K.		Adds Standing Rules as an appendix to the <i>Act</i>
L.		Renumsers all sections as required.

# MÉTIS NATION BRITISH COLUMBIA



# MÉTIS NATION BRITISH COLUMBIA

## MÉTIS NATION GOVERNING ASSEMBLY ACT

AS RATIFIED SEPTEMBER 2023 ANNUAL GENERAL MEETING





## ARTICLE ONE - TITLE

1.0 This Act may be cited as "*The Métis Nation Governing Assembly Act*"

## ARTICLE TWO - INTERPRETATION

2.0 In this Act:

2.1 ~~—~~ **“Abstain” or “Abstention”** means a member has not voted, reducing the total number of votes cast on a matter. A call for abstentions during voting may be made by the Clerk or designate to confirm quorum.

2.2 **“Act”** shall mean the *Métis Nation Governing Assembly Act*.

2.3 **“Chartered Community”** are those Métis Communities that have entered in a Community Governance Charter agreement with the MNBC.

2.4 **“Co-Speakers”** means the two people elected as Co-Speakers at the MNGA.

~~2.42.5~~ **“Constitution”** shall mean the Constitution of the Métis Nation British Columbia (the "MNBC") as amended from time to time.

~~2.52.6~~ **“Clerk”** shall mean the Clerk of the Métis Nation Governing Assembly.

~~2.62.7~~ **“Community Governance Charter”** means the written document that shall set out the terms of the relationship between a Community and the MNBC.

~~2.72.8~~ **“Conflict of Interest”** shall exist when an immediate family member of a member of the MNGA or a person or individual has an interest in a matter being dealt with by the MNGA. An immediate family member is defined as father, mother, stepfather, stepmother, foster parent, brother, sister, spouse (including a common law spouse), child (including a child with a common law spouse), ward, father-in-law, mother-in-law or relative permanently residing with a member or any close personal or business associate. An interest in a matter will arise when a person or individual may benefit financially or otherwise as a result of a matter being dealt with by the MNGA.

A conflict of interest shall also exist when a member of the MNGA is or has become a director or officer, whether elected, appointed or otherwise, of a Métis provincial organization, association or group whose interests are in conflict with the interests of the MNBC in that their activities could negatively affect MNBC's ability or authority to operate, negotiate on behalf of and represent the Métis people in British Columbia.

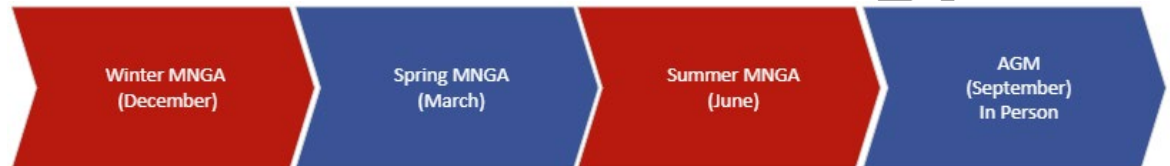
~~2.82.9~~ **“Deputy Speaker”** shall mean the Deputy Speaker of the MNGA.

~~2.92.10~~ **“Executive”** shall mean the Executive members of the MNBC who are elected province-wide and which includes the President, Vice-President, Treasurer, and Secretary.



2.102.11 **“Gabriel Dumont Scout” or “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.’

2.12 **“Governance Cycle”** means the cycle of MNGA meetings and the AGM that occurs yearly, starts with MNGAs in the Winter (December), Spring (March), and Summer (June), and concludes with the AGM in September of each year.



2.112.13 **“Governing Assembly”** shall mean a meeting of the MNGA as set out in the Constitution.

2.122.14 **“Housekeeping Matters”** in the context of an amendment, addition or replacement of an Article contained in or proposed for Legislations of the Constitution means those matters that do not affect the meaning of intent of the Article of the subject Legislation of the Constitution. In the event of ambiguity, the proposed amendment, addition or replacement of an Article contained in or proposed for Legislation of the Constitution shall be deemed to be not a Housekeeping Matter.”

2.132.15 **“Legislation”** means ~~legislative documents, laws and/or acts including amendments to existing legislative documents, and includes resolutions that introduce new or amend laws and/or acts and, for the purpose of this Act, will include draft or proposed Legislation.~~

2.142.16 **“Métis Nation Governing Assembly”** (MNGA) means the legislative body of the MNBC, as set out in the Constitution.

2.152.17 **“Métis Nation British Columbia”** means, the organization that represents the Métis Citizens pursuant to the provisions of the Constitution.

2.162.18 **“Métis Nation British Columbia”** (MNBC) means the organization which is comprised of the Regional Representatives ("Directors"), the Executive (President, Vice-President, Secretary and Treasurer), Chairperson from the Métis Women of British Columbia and Chairperson of the ~~BCMUYC~~ **Métis Youth BC Council** and which, represents the Métis Citizens and for the purpose of this Act will be referred to as the MNBC.

2.172.19 **“Orders of the Day”** shall mean the compilation of documentation for members of the MNGA including the Agenda, Reports, Minutes, Draft Legislation, Motions and Constitutional Amendments to be tabled at a General Assembly of the MNGA.



2.182.20 “**Regions**” shall mean the MNBC regions as are defined by the Constitution.

2.21 “**Roll Call**” shall mean the call to order of a General Assembly ~~and shall include the identification and an announcement of the Speaker for that General Assembly, the names of all members of the MNGA, Gabriel Dumont Scouts, and invited guests in attendance at the General Assembly and shall state whether a Quorum of MNGA members are in attendance.~~

2.192.22 “**Senate**” shall mean the MNBC Senate.

2.202.23 “**Speaker**” shall mean the Speaker of the MNGA.

### ARTICLE THREE - COMPOSITION OF THE MÉTIS NATION GOVERNING ASSEMBLY

3.0 In this Act:

3.1 The MNGA shall be composed of:

- a) The MNBC Executive as represented by the President, Vice-President, Treasurer, Secretary; plus the Regional Directors, Métis Women of British Columbia Chairperson and MYBC Chairperson; and
- b) The Presidents of the Chartered Communities of the MNBC.

3.1.1 A person shall hold one member position at MNGA meetings. If the person holds more than one role that is part of the membership of the MNGA as set out in 3.1 above, they must inform the Clerk of the role they will be fulfilling.

3.2 In the event a Community President is unable to attend a Governing 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.

3.4 No member of the MNGA shall be allowed to be in conflict of interest. If found to be in a conflict of interest by a majority of the MNGA, that member shall be subject to a permanent or temporary suspension from being a Member of the MNGA by a majority vote of the Members of the MNGA where at least three-quarters of the Members of the MNGA are present. A person so suspended may appeal the suspension to the Senate whose decision shall be final and finding.

### ARTICLE FOUR - VOTING AND QUORUM

4.0 In this Act:

4.1. ~~Fifty percent (50%) plus one~~ A majority (more than half) of the members of the



Métis Nation Governing Assembly constitutes a quorum for the General Assembly. However quorum must include a majority of the MNBC Board of Directors;

4.2 ~~Roll call voting~~ Voting thresholds shall be as follows:

- For approval of Legislation, a vote of at least 75% of votes cast at an MNGA;
- For approval of non-Legislative matters: a majority vote of votes cast at an MNGA;
- For approval of Housekeeping matters: a majority vote of votes cast at an MNGA.

4.3 Voting procedures shall generally follow the method of voting processes set out in “Procedures for Establishing Quorum and Voting” attached as Appendix A to this Act;

4.3.1 The MNGA may change or amend Appendix A of this Act through a 2/3 vote at a meeting of the Métis Nation British Columbia Governing Assembly for ratification or amendments to the MNBC Constitution or Legislative Acts;

4.24.4 The MNGA shall, at a Governing Assembly, draft, review and consider Legislation and amendments to the Constitution for first reading, ~~also referred to as ratification herein, and presentation to for consideration at the MNBC at an Annual General Meeting or Special Meeting in the current Governance Cycle;~~

~~4.3. — Ratification of Legislation or amendments to the Constitution that are properly before a Governing Assembly shall require majority of seventy five percent (75%) of the Roll Call at a Governing Assembly;~~

4.34.5 Legislation or amendments to the Constitution that have been ~~ratified~~ approved by the Governing Assembly shall be presented for final approval or ~~ratification~~ adoption by the Métis Citizens in attendance at an MNBC Annual General Meeting or Special General Meeting.

4.44.6 Legislation or amendments to the Constitution which have been ~~ratified~~ approved by the Governing Assembly shall be provided to the MNBC at least forty-five (45) days prior to an Annual General Meeting or Special General Meeting to be included in the agenda of that Annual General Meeting or Special General Meeting.

4.54.7 The MNGA may, by resolution, make election rules regarding matters not specifically set out in the *Electoral Act*. Such rules will expire 30 days after election day for the election they pertain to.

4.87.1 That any elected representative, who is a declared candidate in a current election, who is a member of the MNGA, may not propose such a rule.

## ARTICLE FIVE ~~—SPEAKER—~~ MEETINGS OF THE MÉTIS NATION GOVERNING ASSEMBLY

5.0 Pursuant to Article 32 of the Constitution, the MNGA shall meet at least three (3) times per year





in British Columbia.

- 5.1 Meetings shall ordinarily be scheduled for Winter, Spring, and Summer of each year, specifically the first weekends of December, March, and June. Should any of these dates fall on a designated holiday or a time change, the meeting will be held on the last weekend in November, February, or May.
- 5.2 One MNGA shall be held in person, and two MNGAs shall be held virtually every year. When determining the dates for the MNGA, the Assembly will also indicate which meeting is to be held in person.
- 5.3 Should a member wish to change part of a previously-approved resolution related to Legislation, they may suggest changes by submitting a Motion to Amend a Previously Adopted Resolution, which
- Requests the Assembly to amend the resolution;
  - Specifies the title of the resolution and the date of adoption by the MNGA
  - Briefly explains why the resolution should be amended; and
  - Explicitly notes the proposed amendments.
- i. The resolution to amend the previously adopted resolution is subject to the same notice deadline and voting threshold as the original resolution.
- ii. The mover or second of a resolution to amend a previously-adopted resolution must have voted on the prevailing side of the original resolution.
- 5.4 Resolutions related to Legislation, which have received approval at an MNGA during a Governance Cycle, and which require adoption at the AGM, will be added to the agenda for the AGM in the same Governance Cycle.
- 5.5 Resolutions scheduled for consideration at an MNGA meeting and which are not considered due to time constraints or other extenuating circumstances will automatically be added to the next MNGA in the same Governance Cycle.
- (i) If a resolution proposed at a Summer MNGA is not considered, the submitter may resubmit the resolution for consideration during any MNGA of the next Governance Cycle.
- 5.6 The MNGA shall adopt Standing Rules that will govern the proceedings of the Governing Assembly, which shall be appended to this act as Appendix B.
- a) The MNGA may change or amend its Standing Rules through a 2/3 vote at a meeting of the Governing Assembly.

## **ARTICLE SIX – SPEAKER AND DEPUTY SPEAKER, OR CO-SPEAKERS OF THE MÉTIS NATION GOVERNING ASSEMBLY**

5.06.0 The Speaker and Deputy Speaker, or two co-speakers shall:



- ~~5.16.1~~ Be ~~appointed~~elected by the MNGA at a Governing Assembly;
- ~~5.26.2~~ May be made from within or outside the MNGA, but must be a registered MNBC Citizen pursuant to the *Citizenship Act*;
- ~~5.36.3~~ Be for a term of two (2) years subject to re-appointment;
- ~~5.46.4~~ Be responsible for the procedures, rules, debates and decorum of the Governing Assembly;
- ~~5.56.5~~ Receive the list of members and seating arrangements of the Governing Assembly from the Clerk as established by the Roll Call;
- ~~5.66.6~~ Approve all participation in debates and voting;
- ~~5.76.7~~ Secure a written record of the Governing Assembly and certify the minutes;
- ~~5.86.8~~ Require Gabriel Dumont Scouts to expel for the remainder of the day any MNGA member or any observer from the Governing Assembly for failing to follow the ruling of the Speaker;
- ~~5.96.9~~ Ensure that only MNGA members are seated in the designated Assembly area with all other individuals or observers seated outside of the designated Assembly area;
- ~~5.0 — Approve all documentation to be circulated to MNGA members.~~

## ARTICLE ~~SIX~~SEVEN - CLERK

### 7.0 The Clerk of the MNGA shall:

- 7.1 Be a designate of the Métis Provincial Council of British Columbia;
- 7.2 Be responsible for compiling the necessary documentation for the Orders of the Day;
- 7.3 Be responsible for the presentation of the agenda ~~prepared by and notice,~~ the minutes of the previous MNGA, for ~~a Governing Assembly of the adoption, and all reports to be presented to the~~ MNGA ~~as directed by the MNBC~~;
- 7.4 Obtain and retain a certified copy of the minutes from the Speaker;
- 7.5 Provide the ~~certified draft~~ minutes of the previous MNGA ~~to for adoption by~~ the members of the MNGA at least 14 (fourteen) days prior to the date set for a Governing Assembly;
- 7.6 Secure, by contract, an independent person or agency to duly record the minutes and procedures of the MNGA;
- 7.7 Ensure that the necessary staff are in place for a Governing Assembly;



- 7.8 Also hold the seat as Clerk at an Annual General Meeting or Special General Meeting of the MNBC; and
- 7.9 Be authorized to appoint or designate a Deputy Clerk to assist in carrying out their duties.

## ARTICLE ~~SEVENTEEN~~EIGHTEEN - SENATE

8.0 The Senate shall, in relation to the MNGA:

8.1 Maintain a Ceremonial Role in the MNGA and Governing Assemblies by:

- 8.1.1 Being responsible for Opening and Closing Prayers;
- 8.1.2 Swearing-In any new members.

## ARTICLE ~~EIGHTEEN~~NINETEEN - GABRIEL DUMONT SCOUTS

9.0 In this Act:

9.1 Gabriel Dumont Scouts will be appointed by the MNBC to maintain order and ensure proper procedure during a Governing Assembly.

## ARTICLE ~~NINETEEN~~TWENTY - REPORTING

10.0 Notwithstanding any sittings or meetings of the MNGA to conduct business that is not the subject of a Governing Assembly, the following written reports shall be tabled by the Clerk for the Spring MNGA and shall be included in the Orders of the Day:

10.1 Executive Reports;

- 10.1.1 President
- 10.1.2 Vice-President
- 10.1.3 Secretary
- 10.1.4 Treasurer
- 10.1.5 Regional Director Reports;
- 10.1.6 Métis Women of British Columbia Report;
- 10.1.7 Ministerial Reports, including, where applicable, program reports and audits;
- 10.1.8 Senate Report;
- 10.1.9 Métis Youth of British Columbia Report; and
- 10.1.10 Any other reports required by the Constitution or Legislation.

9.2 Expenditure Report

- 9.2.1 An interim Expenditure Report for the period between April 1st and December 31st of the current fiscal year shall be given, which shall contain all spending by MNBC elected members and the Executive Director/CEO including but not limited to: remuneration, travel costs, accommodation costs, per diems, honoraria, legal and professional fees, consultant and contractor fees and reimbursed expenses. Each year the Expenditure Report



of the entire previous fiscal year's expenditures of MNBC elected members and executive staff shall be posted on the MNBC website by June 1st.

## ARTICLE ~~TEN~~ELEVEN - MINUTES

11.0 The Minutes of a Governing Assembly shall:

- 11.1 Be received and prepared by an independent individual or person;
- 11.2 Be forwarded to the Clerk; and
- 11.3 Refer to the Minutes of the previous Governing Assembly, which shall be included in the Orders of the Day.

## ARTICLE ~~ELEVEN~~ELEVENTWELVE - NOTICE OF LEGISLATION AND CONSTITUTIONAL AMENDMENTS, AND NOTICE OF OTHER MATTERS

12.1 Legislation or amendments to Legislation:

- a) Shall be ~~tabled~~submitted only by the members of the MNGA;
- b) Shall be ~~tabled with~~submitted to the Clerk no less than 30 days prior to the MNGA being held ~~in the manner required~~ and shall be included in the Orders of the Day for the MNGA, which shall consider the proposed Legislation or amendments to the Legislation.
- c) Notice of the proposed Legislation or amendments to the Legislation shall be distributed to the members of the MNGA no less than 21 days prior to the MNGA being held, and
- d) ~~Be given first reading and if~~If approved, ~~ratified by~~ the MNGA ~~for presentation, will be presented~~ to the MNBC at an Annual General Meeting or Special Meeting in accordance with, and for the purpose as set out in Article 4 ~~herein~~.

12.2 Constitutional Amendments

- a) Shall be submitted only ~~be tabled~~ by the members of the MNGA;
- b) Shall ~~be tabled with~~submitted to the Clerk no less than 40 days prior to the MNGA meeting ~~being held in the manner required~~ and shall be included in the Orders of the Day for the MNGA, which shall consider the proposed amendments to the Constitution;
- c) Notice of the proposed amendments to the Constitution shall be distributed to the members of the MNGA no less than 21 days prior to the MNGA being held; and
- d) ~~Be given first reading and if~~If approved, ratified by the MNGA for presentation to the MNBC at an Annual General Meeting or Special Meeting in accordance and for the purpose as set out in Article 4 ~~herein~~.



### 12.3 Other Matters

- a) Shall be ~~tabled~~submitted only by the members of the MNGA;
- b) Shall ~~be tabled with~~submitted to the Clerk no less than 30 days prior to the MNGA meeting being held in the manner required and shall be included in the Orders of the Day for the MNGA, which shall consider the matters;
- c) Notice of ~~the all other~~ matters, ~~the including~~ minutes ~~of the previous MNGA, and all~~ reports ~~of Ministers, Regions, and all other reports that are, and~~ decisions which relate to ~~be presented~~ the powers delegated to the MNGA by MNBC Legislation shall be distributed to the members of the MNGA no less than 21 days prior to the MNGA being held; ~~and.~~
- d) Be considered at the MNGA.

### 12.4 Notice of Legislation and proposed Constitutional amendments, and other matters from the MNBC Board of Directors

- ~~a) Notice of Legislation and proposed Constitutional amendments and other matters from the MNBC Board of Directors shall be~~ tabled with~~submitted to~~ the Clerk no less than 45 days prior to the MNGA meeting being held; ~~and;~~
- ~~a)b)~~ shall be distributed to the members of the MNGA no less than 40 days prior to the MNGA meeting being held.

### ~~11.5~~ Resolutions of an urgent and pressing nature

### 12.5 Urgent Business

- a) Resolutions of an urgent and pressing nature proposing to deal with a matter(s) that has arisen after the filing deadline with the Clerk, and that such matter(s) may have implications for the Métis Nation if it is not dealt with on an urgent basis by the MNGA, may be added to the ~~Order Paper~~Orders of the Day by the Clerk, ~~if at least 50% plus one of the MNGA~~ subject to approval by a 2/3 vote of members in attendance agree present at an MNGA.
- ~~b) Resolutions relating to other matters than Legislation, of an urgent and pressing nature proposing to deal with a matter(s) that has arisen after the filing deadline with the Clerk and may have implications for the Métis Nation if not dealt with on an urgent basis by the MNGA, may be added to the Orders of the Day by the Clerk, if approved by a majority of members present at an MNGA.~~

### ~~12.5~~12.6 Notice of the MNGA

- a) Notice of the date and location of the MNGA shall be distributed to the members of the MNGA no less than 60 days prior to the MNGA meeting being held.



## ARTICLE ~~TWELVE~~THIRTEEN - APPLICATIONS, PROCLAMATIONS

13.0 The MNGA shall be authorized to receive and determine applications for Métis Community Governance Charter from applications in accordance with the requirement as outlined in Article 56.1 of the MNBC Constitution. The application terms of the Métis Community Governance Charter shall consider any special circumstances that may affect the status on an existing or prospective Métis Community Governance Charters.

13.1 The MNGA shall proclaim:

13.1.1 The date of the next MNBC election, as set out in the Constitution; and

13.1.2 Holidays and days of commemoration, such as Louis Riel Day.

13.2 The MNGA shall, at the request of the MNBC in accordance with Article 46 of the MNBC Constitution, receive nominations for the appointment of an MNBC Director (except for the office of President) to fill vacancies on the MNBC Board of Directors and the position MWBC Regional Representative or MYBC Regional Representative.

## ARTICLE ~~THIRTEEN~~FOURTEEN - FINANCING

14.0 Fiscal resources for the institution and maintenance of the MNGA shall be provided by the MNBC if available, in accordance with the laws and regulations of the MNBC Financial Policies and Procedures, shall provide financial resources to the MNGA as required for the purposes of carrying out the provisions of this Act.

14.1 The fiscal resources allocated by the MNBC for the purposes in 13.1 shall be those fiscal resources that are within the means available to the MNBC for those purposes.

14.2 The Speaker shall make formal written request to the MNBC for all expenditures of the MNGA.

14.3 The MNBC shall actively pursue fiscal resources for the functions of the MNGA.

14.4 The MNBC will be responsible for the expenses and any remuneration for the MNGA in pursuance of the provisions of this Act.



## Appendix A – Procedures for Establishing Quorum and Voting

### 1. Establishing Quorum

- a. At the start of each MNGA and after every recess the MNGA Clerk or designate shall call the roll to establish quorum.
- b. To establish quorum:
  - The MNGA Clerk or designate shall call the name of each voting member in alphabetical order by last name;
    - If present, the member shall respond in the affirmative;
    - If not present, the MNGA Clerk or designate shall ask if an alternate representative is present. If present, alternate representative shall respond by providing their name;
  - The MNGA Clerk or designate shall advise if a quorum is present.

### 2. Changes to Legislation or Introduction of New Legislation

- a. Votes on Legislation:
  - i. Will require a roll call vote where the MNGA Clerk or designate will call the names of the delegates in alphabetical order, or reverse alphabetical order, and the delegate will indicate their vote as follows:
    - Yes: in favour of the resolution.
    - No: opposed to the resolution.
    - Abstain: no vote.

After every delegate has had an opportunity to vote, the MNGA Clerk or designate will announce the outcome of the vote, and the number votes in favour, the number opposed, and the total number of votes cast excluding abstentions.
  - ii. Require a majority vote at one MNGA to be added to the agenda for the AGM in the same governance cycle.
  - iii. May be adopted by unanimous consent. If a member objects to unanimous consent, a roll call vote as outlined in Section 2a above will be taken.
- b. Votes on housekeeping matters to correct Legislation:
  - i. Require a majority vote at one MNGA to be added to the agenda for the AGM in the same governance cycle.
  - ii. May be adopted by unanimous consent. If a member objects to unanimous consent, a roll call vote as outlined in Section 2a above will be taken.

### 3. Votes on Resolutions relating to Other Matters

- a. Votes on Resolutions not related to changes to or introduction of new legislation:
  - i. Require a majority vote at an MNGA to be added to the agenda for the AGM in the



same governance cycle.

ii. May be adopted by unanimous consent. If a member objects to unanimous consent, a vote by show of hands will be taken.

iii. To conduct a vote by show of hands, the MNGA Clerk or designate will:

- ask for votes in favour and count the number of hands raised.
- ask for votes opposed, and count the number of hands raised.
- ask for any abstentions, and count the number of hands raised.

After every delegate has had an opportunity to vote, the MNGA Clerk or designate will announce the outcome of the vote, and the number of votes in favour, the number of votes opposed, and the total number of votes cast excluding abstentions.

RESOLUTION 2 - REDLINE VERSION





### **Appendix B – MNGA Standing Rules**

The rules of order below are intended to facilitate progress, include MNGA delegates in debate and decision making, and ensure fairness, equality, and common sense:

1. The meeting will be run in accordance with the relevant provisions of the MNBC Constitution and MNGA Act.
2. A delegate who wishes to speak at the MNGA will request to do so, wait to be recognized by the Speaker, and open by stating their name and Community.
3. On each issue or motion, a delegate is entitled to speak up to two (2) times, for no longer than three minutes each time. Speaking a third time or longer than three minutes will require permission from the assembly.
4. If an individual has questions, they may ask one follow-up question within the same three minute time slot.
5. To speak a second time on the same motion or agenda item, a delegate must wait until those who wish to speak on it for the first time have done so.
6. Debate must be related to the pending motion or agenda item. The Speaker may alternate between proponents and opponents to a pending motion, if needed.
7. Previous Question is not in order prior to 30 minutes of discussion on a motion or agenda item, unless approved by unanimous consent.
8. A motion to Amend a motion or agenda item is not in order prior to five delegates speaking to the main motion, unless approved by unanimous consent.
9. Delegates must observe decorum, avoid personal attacks and disorderly or discourteous behaviors, and are expected to help maintain a safe and respectful meeting environment.



## RESOLUTION 3

SUBMITTED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY

Subject: Report Back from MNGA Clerk: MNGA Members Oath

Legislative Authority: MNGA Resolution

Submitted by: MNGA Clerk

Submitted to: MNGA Clerk

Date Submitted: May 2, 2024

Vote Required for Approval: Majority

### WHEREAS

1. At the March 2024, MNGA, the Assembly approved the following resolution:

A. The following be inserted as Article 3.3.1 in the *MNGA Act*:

Prior to representing their Community at the MNGA, the President and Vice President of each Community must make a declaration with the Clerk of the MNGA, or designate, affirming that they are not an officer or director of a provincial Métis body or association beyond MNBC, other than a Métis Chartered Community.

B. The MNGA Clerk be directed to prepare a draft declaration outlined above, for approval at the next MNGA.

### BE IT RESOLVED THAT

A. Subject to adoption at the 2024 Annual General Meeting (AGM) of A, above, the MNGA approve the following wording for the affirmation to be signed by each member of the MNGA prior to their participation as an MNGA Member, and re-signed every two years:

#### MNGA Members Oath

I am the [President/Vice-President] of [Community Name].

I will execute and perform the duties required of me by the members of [Community Name] as their representative to the MNGA, in accordance with the *MNGA Act*;

I affirm that I am not a director or officer of a provincial Métis body or association beyond MNBC, other [Chartered Community Name] and am in compliance with the conflict of interest provisions of the *MNGA Act*, which I have reviewed.

If at any time I cease to be the President or Vice-President of [Community Name], or I become an officer or director any other provincial Métis body or association beyond MNBC, except for an MNBC Chartered Community, I will inform my Community and the MNGA Clerk, and resign my position as [Community Name] representative to the MNGA.

---

Print Name

---

Signature

Witnessed:

---

[Name]

[MNGA Clerk/MNGA Deputy Clerk]

Signed this \_\_\_\_ day, of \_\_\_\_\_, 20\_\_\_\_, in [LOCATION], BC.



## RESOLUTION 4

SUBMITTED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY

Subject: Youth Age Requirements

Legislation Affected: *Constitution, Electoral Act, Youth Act*

Submitted by: Nicola Valley & District Métis Society; Two Rivers Métis Society

Submitted to: MNGA Clerk

Date Submitted: April 17, 2024

Vote Required for Approval: 75%

### WHEREAS

1. The *MYBC Act* defines a “Métis Youth” as a Métis Citizen who is between 15 and 30 years old, inclusive.
2. A young adult is not a youth.
3. The definition of “Métis Youth” covers both of these age groups.
4. Young adults face intense challenges, but those are distinctly different from youth, and commonly, these differences are,
  - (a) Young Adults: living arrangements and income
  - (b) Youth: identity and school bullying
5. Youth is an age where, generally, a person is very impressionable and vulnerable and there is zero expectation to stand in this world alone.
6. Young adulthood is where a person has begun to enter the adult world and faces unique challenges in entering the world, as they begin to stand on their own.
7. The following definitions are often used in different contexts to define “youth”.
  - (a) Métis:
    - i. Youth: Hunt with your family
    - ii. Young Adult: Hunt on your own
  - (b) Colonial:
    - (i) United Nations: (UN Secretariat/UNESCO/ILO/ UNICEF/WHO/UNFPA)
    - (ii) People between the ages of 15 and 24 years for statistical purposes.  
<https://www.un.org/en/global-issues/youth>
  - (c) British Columbia: (BC Youth Justice)
    - (i) People between the ages of 12 and 17 years of age for the purposes of the Youth Criminal Justice Act. <https://www2.gov.bc.ca/gov/content/justice/criminal-justice/bcs-criminal-justice-system/youth-justice>

8. It is not appropriate for young adults to be responsible for organizing, leading and attending events. The power dynamics are not appropriate.
9. Given the different life challenges, a young adult is not able to speak on behalf of the needs or views of youth.

**BE IT RESOLVED THAT**

- A. For the purposes of youth representation at the regional and provincial levels, the MNBC set the age of youth between 15 and 24 years of age; and,
- B. Article 28 of the *Constitution* be amended by deleting the struck through words and inserting the underlined words:

38. Any Métis citizen who is between fifteen (15) years of age and ~~thirty (30)~~ twenty-four (24) years of age may vote or seek elected office within the Métis Youth of British Columbia.

- C. Articles 3.14, 6.2d and e, and 8.3c of the *Electoral Act* be amended by deleting the struck through words and inserting the underlined words:

3.15 “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)~~ twenty-four (24) years of age may vote or seek elected office within the Métis Youth of British Columbia

6.2 An Elector is entitled to cast one (1) vote for the each of the following offices:

- d. Regional Youth Representative for the Métis Youth of British Columbia for the Region in which the Elector is entitled to vote being 15 years of age to 24 ~~30~~;
- e. Chairperson for the Métis Youth of British Columbia 15 years of age to 24 ~~30~~.

8.3 Any Métis Citizen is eligible to be nominated as a Candidate if, on the day their nomination papers are filed:

- c. Any Métis citizen who is between fifteen (15) years of age and twenty-four (24) ~~thirty (30)~~ years of age may seek elected office within the Métis Youth of British Columbia;

- D. Article 3.8 of the Youth Act be amended by deleting the struck-through text and inserting the underlined text in its place:

3.8 “**Métis Youth**” means those Métis Citizens between 15 to and including 24 ~~30~~ years of age.



## RESOLUTION 5

SUBMITTED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY

Subject: Métis Nation Youth Definition

Legislation Affected: *Constitution, Youth Act, Electoral Act*

Submitted by: MYBC Chairperson

Submitted to: MNGA Clerk

Date Submitted: April 22, 2024

Vote Required for Approval: 75%

### WHEREAS

1. Canada in working with the United Nations has defined their age for Youth as 15-34 years of age and making up one quarter of Canada's population.
2. Youth are expected to have higher and higher qualifications and have access to less and less resources.
3. The transition period in life is getting longer and more intensive.
4. There has been a historical want to spit youth into two groups so we can have more age specific programing.
5. The *Youth Act* does not currently have an age out policy.

### BE IT RESOLVED THAT

- A. In Article 38 of the *Constitution*, "thirty (30)" and insert "thirty-four (34)" in its place.
- B. The following changes be made to the *Youth Act*
  - i. In Article 3.8, strike the word "**Métis**" preceding the word "**Youth**" and strike the number "30" and insert "34" in its place.
  - ii. Add the following as Article 3.8.1:

Métis Youth will have two categories:

- "Métis Youth" refers to Citizens between the ages of 15 to 20 inclusive; and
- "Young Adults" refers to Citizens between the ages of 21 to 34 inclusive.

- iii. Add the following as Article 5.12: "Upon turning 35 a person is no longer considered a Youth.
- C. In the *Electoral Act*, strike all instances of the number "30" or word "thirty" that refer to age, and insert the number "34" or words "thirty-four" in their place as appropriate.



## RESOLUTION 6

SUBMITTED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY

Subject: Volunteer Recognition and Appreciation Funding

Legislation Affected: n/a

Submitted by: Cowichan Valley Métis Nation

Submitted to: MNGA Clerk

Date Submitted: April 29, 2024

Vote Required for Approval: Majority

### WHEREAS

1. There is a need to show recognition and appreciation for volunteer services;
2. Most Chartered Communities rely on volunteers for their operation and existence;
3. Governance and support services is the strength and fabric that binds the Community to MNBC, and the Citizen to their Community;
4. Recognition by saying "Thank you" is not enough to acknowledge the dedicated, hardworking volunteers that give countless hours of their time supporting their Communities;
5. Funding should be available to each Community that accepts it, used solely to provide a method of recognizing volunteers who freely give their time supporting their Community on an ongoing basis.

### BE IT RESOLVED THAT

- A. The MNGA recommends the MNBC offer funding up to \$10,000 (TEN THOUSAND DOLLARS) annually, to each MNBC Chartered Community, subject to acceptance by the Community for Volunteer and Appreciation funding. Disbursement of the funding will occur through the regular Community Board of Directors process.
- B. Communities who accept the funding described in A, above, are required to provide annual reporting to MNBC, requirements to be set out by MNBC.
- C. This funding is in addition to administrative and operational capacity funding already being provided by MNBC to all Chartered Communities as per Resolution 5 approved at the March 2023 MNGA.





## RESOLUTION 7

SUBMITTED TO THE JUNE 2024  
MÉTIS NATION GOVERNING ASSEMBLY

Subject: Promoting Good Governance

Legislation Affected: n/a

Submitted by: Salmon Arm Métis Association

Submitted to: MNGA Clerk

Date Submitted: April 29, 2024

Vote Required for Approval: Majority

### WHEREAS

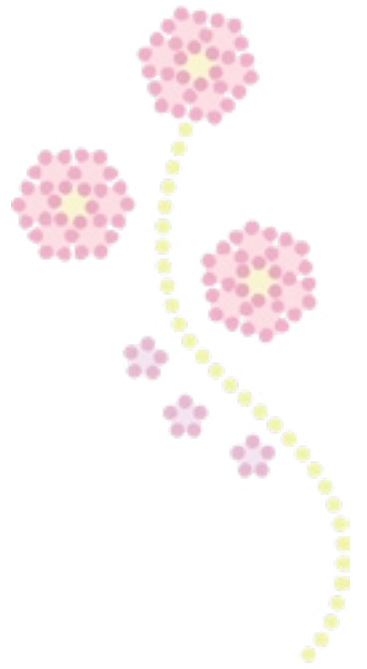
1. Good governance generally includes the ability for members/citizens to have access to the debates and discussions of elected leaders surrounding the decision making process;
2. Some benefits of having access to those debates for members are that they provide an opportunity to evaluate elected leaders for the purpose of accountability and transparency;
3. The present governance structure is more closely aligned with a non profit society which MNBC was created under; and,
4. For the purpose of evolving MNBC into an institution that is seeking Self Government and Indigenous Governing Body status while being more open and accountable to its members/Citizens

### BE IT RESOLVED THAT

- A. The MNGA recommends to the MNBC Board of Directors to amend Policy D-0, in the [Board Policy Manual](#) to include a provision that any MNBC Board Director can require that any Board decision includes a breakdown of votes, and a summary of the discussions to be made available to its members as part of the minutes, or through any other appropriate channel;
- B. The MNGA requests that the MNBC Board of Directors considers this recommendation and implement it before July 9, 2024;
- C. If the MNBC Board of Directors does not implement this recommendation, the Board provide a written explanation to the MNGA before July 1, 2024.



**MÉTIS NATION**  
BRITISH COLUMBIA



# **Constitution and Legislation**

# MÉTIS NATION BRITISH COLUMBIA



**MÉTIS NATION**  
BRITISH COLUMBIA

## CONSTITUTION

AS RATIFIED SEPTEMBER 2022 ANNUAL GENERAL MEETING

Original Ratification - September 27, 2003

## **Constitution of the Métis Nation British Columbia**

Whereas the Métis People in British Columbia assert their inherent right of self-government and hereby establish the Government of the Métis Nation British Columbia:

### **FOUNDING PRINCIPLES**

1. The Métis Nation is distinct within the Aboriginal peoples of Canada. The Métis are distinct from First Nations and Inuit and are the descendants of the historic Métis who evolved as a people with a common political will and consciousness.
2. Having experienced physical and political conflict and being deprived of property in the late 1800's, we are still engaged in a continuing struggle to rebuild our government 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 Métis people, including the right to a land and resource base, self-governance and self-government institutions. In order to achieve these objectives we are hereby re-establishing a strong and revitalized government within the province of British Columbia, which involves all sectors of Métis society.
3. In accordance with Section 35 of the Constitution Act, 1982, the Métis people are an Aboriginal people within Canada whose existing Aboriginal and treaty rights are recognized and affirmed.

### **FUNDAMENTAL RIGHTS OF MÉTIS PEOPLE**

4. The Métis Nation has the right of self-determination. By virtue of that right we, the citizens of the Métis Nation, will freely determine our political status and freely pursue our economic, social and cultural development.
5. The Métis Nation undertakes to respect and ensure to all Métis citizens within the Nation rights without distinction of any kind such as sex, sexual orientation, language, religion, political or other views.
6. Métis men and Métis women equally enjoy all civil and political rights set forth in these articles.
7. Every Métis citizen has the right to liberty of movement and freedom to choose their residence.
8. No Métis Citizen shall be subject to arbitrary or unlawful interference with their privacy, family, home or correspondence, nor to unlawful attacks on their honour or reputation.
9. Every Métis citizen has the right to freedom of thought, expression, conscience and religion.

10. Every Métis Citizen has the right of association and to assemble and organize at the community level. No restrictions may be placed on the exercise of this right other than those necessary to protect the peace and order of the Métis Nation as prescribed by the Métis Nation Governing Assembly.
11. Nothing in this Constitution abrogates or derogates from the rights Métis people have or may exercise under the Canadian Charter of Rights and Freedoms.

### **MÉTIS NATION BRITISH COLUMBIA (MNBC)**

12. Subject to the provisions of Article 46, the MNBC shall be comprised of the seven (7) Elected Regional Directors, the elected representative for the Métis Women of British Columbia, the elected Representative of the Métis Youth of British Columbia, the President and Vice-President for a total of eleven (11) Members.
13. The MNBC shall be responsible for ensuring that Communities, departments, programs and services are running smoothly and have the necessary resources to enable them to operate efficiently. This responsibility recognizes that funding may be limited, that there will be competing priorities for resources and that all requests for resources are unlikely to be met.
14. The MNBC shall provide a written Activity Report and a written Financial Report at each session of the Métis Nation Governing Assembly.
15. The Executive of the MNBC shall be comprised of four (4) Members: the President, Vice-President, Secretary and Treasurer.
16. The MNBC shall appoint a Secretary and a Treasurer to the Executive from among its Members.
17. The MNBC shall have the authority to appoint Commissions, Committees or other subsidiary bodies, where they are deemed necessary in order to effectively carry out the activities and functions of the MNBC or the Métis Nation Governing Assembly. In appointing such bodies, the MNBC must ensure that adequate financial resources are available to permit the bodies to conduct their assigned activities and that all such bodies have clear terms of reference, including reporting requirements.
18. The MNBC shall designate persons who may have signing authority for the purposes of conducting the affairs of the MNBC and the Métis Nation Governing Assembly, which shall include the Treasurer.
19. The MNBC shall meet at least four (4) times per year at the call of the President or Vice-President in the absence of the President. The President or Vice-President as the case may be shall give two (2) days written notice of all MNBC meetings to all the Members of the MNBC. The two (2) day notice period may be waived by the Members in attendance at a meeting.
  - 19.1. A meeting of the MNBC can be called by a majority of the Board of Directors.
20. Quorum of the MNBC shall be the majority of the Board of Directors.
21. Decisions of the MNBC shall require a simple majority.

22. A person may not be a Member of the MNBC when they hold a salaried position directly with the Métis Nation Governing Assembly or the MNBC. This does not disqualify a person from being a Member of the MNBC when that person receives an honorarium, salary or per diem for performing the duties of that elected office.
23. A person is disqualified from being a Member of the MNBC when:
  - 23.1. They die.
  - 23.2. They resign.
  - 23.3. They are no longer the President of the MNBC, or are no longer the Vice- President of the MNBC or are no longer a Regional Director.
  - 23.4. They are no longer the Chairperson of the Métis Women of British Columbia
  - 23.5. They are no longer the Chairperson of the Métis Youth of British Columbia.
  - 23.6. They are under eighteen (18) years of age.
  - 23.7. They have been convicted of a criminal offence carrying a penalty of two (2) years or greater. A person disqualified from being a member of the MNBC by this sub-section may appeal that disqualification to the Senate.
  - 23.8. They have clearly been identified as having breeched their fiduciary duty to the Members or to Métis citizens.
24. A member of the MNBC shall not be removed from the MNBC for any reason other than as set out in Article 23 or through an election held in accordance with this Constitution.
25. A person may be suspended from being a Board Member of the MNBC, with or without pay, by a vote of the majority of the Members of the MNBC. A person so suspended may appeal the suspension to the Senate whose decision shall be final and binding.
26. 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.
27. The Secretary or the Treasurer may resign from the Executive without being disqualified from being a Member of the MNBC.

## **MÉTIS NATION GOVERNING ASSEMBLY (MNGA)**

28. There shall be established a Métis Nation Governing Assembly, which shall be the governing legislative body of the Métis Nation British Columbia.
29. The Métis Nation Governing Assembly shall be comprised of the elected Presidents or Vice-Presidents of Communities, the elected Regional Directors of the MNBC, the elected President and Vice-President of the MNBC, the elected Chairperson of the Métis Women of British Columbia, and the elected Chairperson of the Métis Youth of British Columbia.

- 29.1. In the event a Community President is unable to attend a General Assembly, the Community's Vice-President may represent that Community.
30. The Métis Nation Governing Assembly shall review and ratify legislation, regulations, rules, resolutions and constitutional amendments for presentation and final ratification at an Annual General Meeting or Special General Meeting.
31. The Métis Nation Governing Assembly shall have the authority to appoint Commissions, Committees or other subsidiary bodies, where they are deemed necessary in order to effectively carry out their legislative duties. In appointing such bodies, the Métis Nation Governing Assembly must ensure that adequate financial resources are available to permit the bodies to conduct their assigned activities and that all such bodies have clear terms of reference, including reporting requirements.
32. The Métis Nation Governing Assembly shall meet at least three (3) times per year in British Columbia at a meeting on a date decided upon by the Métis Nation Governing Assembly at the previous meeting. The meetings shall be held at least three (3) months prior to the MNBC Annual General Meeting, except as required in Article 32.1. Meetings may take place over one (1) or two (2) days, as determined by the Métis Nation Governing Assembly. Two meetings will be virtually and one in-person, or as determined by the Métis Nation Governing Assembly. The notice requirement does not apply to Article 32.1.
- 32.1 The Métis Nation Governing Assembly shall, subject to the availability of financial resources, meet at the request of the MNBC or on the request of a Regional Governance Council, at such times and in such manner as may be appropriate in the circumstances, including but not limited to electronic or telephone communication, to consider motions that may have, as their effect, the resolve of matters that are urgent or require a decision prior to the next annual sitting of the MNGA.
33. Fifty (50) per cent plus one of the Members of the Métis Nation Governing Assembly constitutes a quorum. However quorum must include a majority of the MNBC Board of Directors.
34. A person is disqualified from being a Member of the Métis Nation Governing Assembly when:
- 34.1. They die.
- 34.2. They resign.
- 34.3. They are no longer the President or Vice-President of a Community.
- 34.4. They are no longer the Chairperson of the Métis Women of British Columbia.
- 34.5. They are no longer the Chairperson of the Métis Youth of British Columbia.
- 34.6. They are under eighteen (18) years of age, except for the Chairperson of the Métis Youth of British Columbia.
- 34.7. They have clearly breached their fiduciary duty to the Members or the Métis citizens.

35. A person may be suspended temporarily or permanently from being a Member of the MNGA by a vote of the majority of the Members of the MNGA where at least three-quarters of the Members of the MNGA are present. A person so suspended may appeal the suspension to the Senate whose decision shall be final and binding.

## ELECTIONS

36. Any Métis citizen who is eighteen (18) years of age or older may vote or seek elected office within the Métis Nation Governing Assembly, the MNBC or a Community.
37. 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.
38. 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 Métis Youth of British Columbia.
39. Any person seeking elected office must have been a resident of British Columbia at least twelve (12) months prior to the date of the election and must have been a resident of a Region at least six (6) months prior to the date of the election in order to seek elected office as a Community President or Regional Director.
40. To vote in an election, a person must have been a resident of British Columbia at least twelve (12) months prior to the date of the election and must have been a resident of a Region at least six (6) months prior to the date of the election in order to vote for a Community President or Regional Director. A person who wishes to vote for a Community President or Regional Director, but has not been a resident of a Region for six (6) months may vote for a Community President or Regional Director in the Region that they lived immediately prior to the election, provided that they meet the other voting requirements.
41. The President and the Vice-President of the MNBC, the Chairperson for the Métis Women of British Columbia and the Chairperson for the Métis Youth of British Columbia shall be elected by a province-wide ballot.
42. Elections for the MNBC shall be held once every four (4) years on any date within 6 months prior to the 4th year anniversary.
43. Elections for the Métis Nation Governing Assembly who are not also Members of the MNBC shall be held at least every two (2) years.
44. There shall be no limits on the number of terms that may be served by anyone elected to the Métis Nation Governing Assembly, the MNBC or a Community.
45. In order to run for elected office in the MNBC, a candidate must provide a Criminal Record Check from the Royal Canadian Mounted Police or Municipal Police Detachment to the Chief Electoral Officer with the filed nomination papers for the purpose of satisfying Article 23.7. The results and content of the Criminal Record Check shall not be made public, unless the candidate voluntarily consents in writing.



46. Subject to available financial resources, a by-election shall be held within one hundred and twenty (120) days of the date of any vacancy on the MNBC or of any elected position at the regional level. In the event of a vacancy in the office of President and financial resources are unavailable, the sitting Vice-President will fill the office of President and the MNBC Board of Directors will appoint, from among them, a person to fill the office of Vice-President until a by-election or election is held for that position.
- 46.1. In the case of a vacancy in the position of the Provincial Women's Chairperson, an interim chairperson will be recommended to the MNGA by the Board of Directors on the advice of the MWBC Provincial Governance Council.
- 46.2. In the case of a vacancy in the position of the Provincial Youth Chairperson, an interim chairperson will be recommended to the MNGA by the Board of Directors on the advice of the MYBC Committee;
- 46.3. In the case of any other vacancy on the Board of Directors, an interim Director, as selected by the RGC will be recommended to the MNGA by the Board of Directors and if approved by the MNGA, the vacancy shall be filled by the interim Director. In the case of a vacancy in a position of a MWBC Regional Representative or MYBC Regional Representative, an interim Representative will be recommended to the MNGA by the respective RGC, and if approved by the MNGA, the vacancy shall be filled by the interim representative. An interim Director or Representative shall be subject to Article 45 of the Constitution.
47. When nominations close, all candidates holding a salaried position with the MNBC or MNGA must submit in writing, notice of a leave of absence.

## SENATE

48. The Senate shall be responsible for the provisions outlined in the legislation known as the Senate Act.
49. The Senate shall be comprised of seven (7) Senators. Each of the seven (7) Regions shall appoint one (1) Senator in the manner and process as set out in the Senate Act.
50. In order to be considered for a Senate appointment, a Senate candidate must be a Métis citizen and must have provided a Criminal Record Check from the Royal Canadian Mounted Police or Municipal Police Detachment to the MNBC who will review the Criminal Record Check in confidence to ensure compliance with sub-section 54.3. The results and content of the Criminal Record Check shall not be made public, unless the Senate candidate voluntarily consents in writing.
51. No Senator may hold any elected or salaried position within the MNBC, MNGA, Community, or subsidiary Board, Commission or Committee, Métis Women of British Columbia or the Métis Youth of British Columbia and must resign from any such position prior to appointment to the Senate.
52. Senators shall be appointed for a term and conditions as set out in the Senate Act.

53. A person ceases to be a Senator when:
- 53.1. They resign.
  - 53.2. They die.
  - 53.3. They have been convicted of a criminal offence carrying a penalty over two (2) years (2) years or greater.
  - 53.4. They take a salaried position prohibited by Article 51.
  - 53.5. Or as outlined in the provisions of the Senate Act.
54. The MNBC shall determine the rate of remuneration and expenses for the first term of the Senate. Thereafter, the MNBC shall determine the rate of remuneration and expenses for the Senate, based on financial resources, which may be available for that purpose.

## COMMUNITIES

55. Communities shall be the basic unit of the Métis Government. No community (city, town, municipality or unincorporated municipal unit) shall have more than one (1) Community.
- 55.1 Communities seeking chartered designation shall require written approval by motion of seventy five (75) percent of the Applicable Regional Governance Council members and such motion to be submitted to the MNGA;
  - 55.2 Geographical boundaries of Community/Communities seeking Community Governance Charter shall be submitted as part of the motion to the MNGA;
  - 55.3 Ratification by seventy five (75) percent of the MNGA is required.
56. A Community shall be made up of at least twenty-five (25) Members who are Métis Citizens eighteen (18) years of age or older.
- 56.1 If a group of Métis Citizens residing in a city, town, municipality or unincorporated municipal unit in which there is no existing Chartered Community, that group of Citizens may apply to the applicable Regional Governance Council for interim Chartered Community designation (hereinafter referred to as an “Interim Chartered Community” or having “Interim Chartered Community Status” as the case may be) provided the application is signed by at least 15 Members who are Métis Citizens eighteen (18) years of age or older.
  - 56.2 The process for seeking Interim Chartered Community Status must follow the process set out in Articles 55.1, 55.2 and 55.3 of this Constitution.
  - 56.3 If the application is approved by the MNGA, Interim Chartered Community Status can be granted for a maximum two (2) year period from the date ratification is confirmed by the MNGA, or when the Interim Chartered Community achieves twenty-five (25) Members and then applies for Chartered Community status pursuant to the provisions of Article 55, and then is approved.

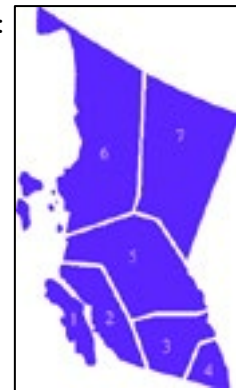
- 56.4 An Interim Chartered Community shall have observer status at an MNGA, and shall not have voting rights.
- 56.5 An Interim Chartered Community may receive benefits and services from MNBC at the sole discretion of the MNBC.
57. Métis communities recognized by the MNBC Constitution and Legislation are required to enter into Community Governance Charters that define an affiliated relationship for financial and political accountability, mutual recognition and dispute resolution. Hereinafter known as “Community Governance Charter”.
58. All Communities shall, as soon as possible, enact a Constitution that is consistent with this Constitution.

## REGIONS

59. In the event that a Community is in contravention of the terms of its Community Governance Charter or of the provisions of the MNBC Constitution, the MNBC will do all within its ability to assist the community to come into compliance within the Community Governance Charter and/or MNBC Constitution as the case may be and, in the event the Community, in the discretion of the MNBC, remains or continues to be non-compliant, the MNBC shall make such recommendations to the MNGA as may be deemed appropriate, with the effect of dissolving that community’s Community Governance Charter and affiliation with the MNBC.

- 59.1 There shall be seven (7) Regions as set out in the adjacent map:

Region 1 Vancouver Island  
Region 2 Lower Mainland  
Region 3 Thompson/Okanagan  
Region 4 Kootenays  
Region 5 North Central  
Region 6 Northwest  
Region 7 Northeast



60. There shall be formed in each Region a Regional Governance Council comprised of the Presidents of the Communities in each respective Region, the Métis Youth of British Columbia Regional Representative, Regional Director of the MNBC, and the Métis Women of British Columbia Regional Representative. The Regional Director of the MNBC shall be the non-voting Chairperson of the Regional Governance Council.
- 60.1. All members of a Regional Governance Council must be registered with the Métis Nation British Columbia Central Registry as MNBC Citizens.
- 60.2. Each Regional Governance Council will meet at minimum four times per year. The meeting may be in person, by phone, or by video link. Time and space will be provided for Regional Governance Council Meetings at MNBC Governing Assemblies and Annual General Meetings at the request of the Regional Governance Council.

- 60.3. Regional Governance Councils are responsible for: informing MNBC of Chartered Community efforts and opportunities for the purpose of obtaining support from MNBC Ministries, MNBC political relationships, assisting in prioritizing the aspirations of MNBC annual and ongoing budgeting efforts, and inform the search for new funding opportunities. Regional Governance Councils are also responsible for informing Community leadership of progress and developments in all MNBC portfolios to ensure a well-informed Métis Governance, and provide opportunities for feedback and concerted efforts. MNBC leadership is responsible for consulting and engaging with Regional Governance Councils regarding all relevant agreements impacting Citizens.
- 60.4. Quorum for Regional Governance Councils is a simple majority of Council Members.
- 60.5. Regional Governance Councils may be called by the Regional Director or a simple majority of Council Members.
- 60.6. Written notice of the date, time, and location of a Regional Governance Council meeting must be provided to each member listed in Article 60 at least five (5) days before the meeting. This notice requirement may be waived by unanimous consent of the Regional Governance Council members.”
- 60.7. If a member of the Regional Governance Council has been disqualified from being a member of the Métis Nation Governing Assembly pursuant to any of the provisions under Article 34, or if they have suspended from being a member of the MNGA pursuant to the provisions of Article 35, such disqualification or suspension shall also apply to their membership and participation in the applicable Regional Governance Council.
- 60.8. If the President of a Community is unable to attend an RGC meeting, each Chartered Community Board may designate an Elected Board Member of the Chartered Community to participate with voting privileges, provided they are a Métis Citizen ..

## **CITIZENSHIP**

- 61. Métis means a person who self-identifies as Métis, is of historic Métis Nation Ancestry, is distinct from other Aboriginal Peoples and is accepted by the Métis Nation.
  - 61.1. “Historic Métis Nation” means the Aboriginal people then known as Métis or Half-Breeds who resided in Historic Métis Nation Homeland.
  - 61.2. “Historic Métis Nation Homeland” means the area of land in west central North America used and occupied as the traditional territory of the Métis or Half-Breeds as they were then known.
  - 61.3. “Métis Nation” means the Aboriginal people descended from the Historic Métis Nation, which is now comprised of all Métis Nation citizens and is one of the “aboriginal peoples of Canada” within Section 35 of the Constitution Act of 1982.
  - 61.4. “Distinct from other Aboriginal Peoples” means distinct for cultural and nationhood purposes.

62. The MNBC has a unique citizenship card for citizens of the Métis Nation in BC. These cards are numbered and the numbers recorded in the central registry by the office of the registrar.
63. Citizenship cards shall be issued to all Métis upon a person presenting themselves for citizenship and satisfying the definition set out above.
64. Where there is a dispute as to citizenship, a ruling shall be made by the Senate in accordance with the provisions of the Senate Act or the policies and procedures to be developed by the Senate, which ruling shall be final and binding.

## MÉTIS INDEPENDENCE

65. The Métis Nation is seeking a third order of government within Canada, so the Métis Nation is non-partisan in respect of federal and provincial politics. This does not restrict the right of Métis individuals to hold Memberships in or to express personal opinions about federal, provincial, municipal partisan politics.
66. Any person seeking federal government or provincial government elected office shall take an unpaid leave of absence from any elected position that he or she may hold with the MNBC, MNGA, and Senate, Community or subsidiary Board, Commission or Committee at the close of nominations. Any person elected to federal government or provincial government elected office shall resign from any elected position that he or she may hold with the MNBC, MNGA, Senate, Community or subsidiary Board, Commission or Committee.
67. All Members of the MNBC, MNGA and Senate shall swear an Oath of Allegiance prior to taking office.

## ANNUAL GENERAL MEETING

68. An Annual General Meeting of the Métis Nation British Columbia must be held annually. The precise dates and locations of an AGM must 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.
  - 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.
69. Only persons who have registered as a Métis Citizen pursuant to the *MNBC Citizenship Act*, and are registered as a MNBC Citizen within the MNBC Central Registry, are entitled to speak and be issued voting credentials at a MNBC AGM or SGM.

## SECRETARIAT

70. A Secretariat known as the Métis Provincial Council of British Columbia shall be continued or created under the BC Society Act for the sole purpose of carrying out the administrative duties of the MNBC, MNGA and the Senate.
71. The Board of Directors of the Secretariat shall be the Members of the MNBC.

## AMENDMENT

72. All legislation, legislative amendments, constitutional amendments and resolutions shall be considered and given first reading by the MNGA in accordance with the provisions of the Métis Nation Governing Assembly Act.
73. This Constitution will only be amended by the following process:
  - 73.1. Any amendment must be ratified by the MNGA, pursuant to the legislation of the *MNGA Act*;
  - 73.2. Amendments ratified by the MNGA are then presented for final approval to the Citizens present at the MNBC AGM.
  - 73.3. At least seventy-five (75%) of votes cast in favor of the proposed amendment is required for ratification.

# MÉTIS NATION BRITISH COLUMBIA



## MÉTIS NATION CITIZENSHIP ACT

AS RATIFIED SEPTEMBER 2023 ANNUAL GENERAL MEETING

## ARTICLE ONE - TITLE

1.0 This Act may be cited as "The Métis Nation British Columbia Citizenship Act"

## ARTICLE TWO - INTERPRETATION

2.1 In this Act:

- 2.2 **“Act”** means the *Métis Nation British Columbia Citizenship Act*.
- 2.3 **“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.
- 2.4 **“Adopted Métis Citizen”** A Métis Citizen that has acquired their Métis Citizenship as per Article 12 of the MNBC Citizenship Act.
- 2.5 **“Appeal”** or **“Appeals”** means a written document submitted by: an Applicant who has been rejected entry in the Métis Nation British Columbia Central Registry, a Métis Nation British Columbia Citizen who is objecting to the registration of any Applicant to the Métis Nation British Columbia Central Registry, or a person whose citizenship has been revoked under Article Six of this Act;
- 2.6 **“Applicant”** means an individual who applies for a Provincial Citizenship Card by filing the necessary documentation with the Citizenship Authority.
- 2.7 **“Application”** means the Provincial Citizenship Standardized Application Form.
- 2.8 A **“Chartered Community”** is a Métis Community that has entered into a Community Governance Charter agreement with the MNBC.
- 2.9 **“Child”** means a child of a Métis citizen.
- 2.10 **“Citizenship Appeal Committee”** means the Métis Nation British Columbia Citizenship Appeal Committee as established and maintained by the Senate.
- 2.11 **“Citizenship Authority”** (the “Authority”) means the office in the Ministry of Citizenship which processes, assesses, ensures Chartered Community acceptance is approved within the required timeframe, and issues citizenship cards. The Authority consists of:
- The Executive Director of Citizenship
  - The Director of Citizenship
  - The Citizenship Assessment Manager
- 2.12 **“Community Governance Charter”** means the written document that shall set out the terms of the relationship between a Chartered Community and the MNBC.
- 2.13 **“Constitution”** means the *Constitution* of the Métis Nation British Columbia as amended from time to time.



- 2.14 **“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.
- 2.15 **“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*.
- 2.16 **“Genealogical Evidence”** means evidence which indicates proof that an Applicant’s parent is, or parents are, of Métis Ancestry and that the Applicant is Métis and which can be verified by an objective and valid process.
- 2.17 **“Historical and Customary Practices”** The traditional undertaking of privately arranged adoption between a Métis Citizen’s family and another aboriginal family.
- 2.18 **“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*.
- 2.19 **“Legislation”** means legislative documents or acts pursuant to which the administrative affairs and constitutional requirements of the MNBC shall be carried out.
- 2.20 **“Registration”** means citizenship in the MNBC.
- 2.21 **“Métis”** or **“Citizen”** means a Métis Citizen as defined by the *Constitution*.
- 2.22 **“Métis Nation Governing Assembly”** (MNGA) means the legislative authority of the Métis Nation British Columbia as set out in the *Constitution*.
- 2.23 **“Métis Nation British Columbia”** (MNBC) means the organization previously known as the Métis Provincial Council of British Columbia which represents and is comprised of the Métis Citizens of British Columbia and which is governed by the provisions of the *Constitution* which is also the *Constitution* of the Métis Provincial Council of British Columbia.
- 2.24 **“Métis Nation British Columbia”** (MNBC) means the governing body with the secretariat known as the Métis Provincial Council of British Columbia, which represents and is comprised of the Métis citizens of British Columbia and which is governed by the provision of the *Constitution*.
- 2.25 **“Provincial Citizenship Card”** means the identification card that shall be issued by the Citizenship Authority to all Métis Citizens who have had their Genealogy and supporting documentation validated and verified by the Office of the Citizenship Authority.
- 2.26 **“Registry”** means the data and systems used by the Ministry of Citizenship to gather and store information about Métis Citizens.

- 2.27 **“Statutory Adoption”** An adoption that is granted under the authority of provincial and/or territorial government legislation.
- 2.28 **“Supporting Documentation”** is defined as records used to support an application for Citizenship, including Vital events records, historical records, church records, archival records, and census records.
- 2.29 **“Registered”** means registered as a Métis Citizen under this Act.
- 2.30 **“Under Review”** means a previously registered Citizen whose citizenship is currently being reviewed by the Citizenship Authority following an audit or review of the Central Registry

### ARTICLE THREE – MÉTIS NATION ACCEPTANCE

- 3.1 The MNBC shall accept an application for citizenship upon Applicant providing to the Citizenship Authority a written application together with sufficient Genealogical evidence which, if accepted by the Citizenship Authority, is proof that the Applicant is of Métis ancestry, and that the Applicant complies with the following conditions:
  - 3.1.1 The Applicant normally resides within the Chartered Community area and the jurisdiction of the MNBC; and
  - 3.1.2 The Applicant expressly holds themselves out to be Métis in the Chartered Community and/or within the jurisdiction of the MNBC;
- 3.2 Once the Citizenship Authority is satisfied that the Applicant has met the conditions in Articles 3.1, 3.1.1 and 3.1.2, the Citizenship Authority may issue the Applicant notification of Chartered Community acceptance not exceeding 90 days, and then issue a Métis Nation British Columbia Citizenship Card.
- 3.3 The Citizenship Authority shall provide a list of new Citizens to their respective Communities on a monthly basis, unless operational circumstances prevent that from happening, and in such a case the list of new Citizens must be provided by the end of the following month

### ARTICLE FOUR - REGISTRATION PROCESS

- 4.1 An individual is entitled to make application for registration as a Métis Citizen by making application to the MNBC or to a Chartered Community;
- 4.2 Upon approval of registration, the Citizenship Authority shall issue a Provincial Citizenship Card recognizing the Applicant as a Métis Citizen.
- 4.3 The parent or guardian of a child under nineteen (19) years of age may apply for registration on behalf of the child;
- 4.4 The guardian of an individual who is under a mental or legal disability may apply for registration on behalf of that individual;
- 4.5 No individual is obliged to apply for registration;

- 4.6 In the case of an application for registration, the Applicant must provide the Citizenship Authority with genealogy and the supporting documentation necessary to validate and verify that the Applicant is Métis;
- 4.7 The Citizenship Authority shall review applications for registration and shall register an Applicant as a Métis only if:
- a) The Applicant is entitled to be registered as a Métis pursuant to the provisions of this Act;
  - b) Upon completion of the Métis Nation acceptance process; and
  - c) The application is properly made.
- 4.8 The Citizenship Authority shall establish and implement a process to seek out and encourage the application for registration of all qualified individuals who are entitled to be registered as Métis Citizens.

## **ARTICLE FIVE - VOLUNTARY REMOVAL FROM REGISTRY**

- 5.1 A Métis Citizen may, at any time, voluntarily remove themselves from the Registry;
- 5.2 The Citizenship Authority shall remove a Métis Citizen who, by written request, declares that they no longer wish to be registered as a Métis Citizen;
- 5.3 A Métis Citizen who has removed themselves from the Registry may re-apply for Registration upon following the procedure for Registration as a Métis Citizen as set out in this Act.

## **ARTICLE SIX – REMOVAL FROM REGISTRY DUE TO INELIGIBILITY**

- 6.1 If, due to information found during an audit or review, a person on the Central Registry is found to be ineligible for Métis citizenship:
- a) The Citizenship Authority will notify the person, in writing, that their Métis citizenship is under review, and provide the reason(s) for ineligibility, and, if relevant, the Supporting Documentation required to restore citizenship status.
  - b) Supporting Documentation requested to restore citizenship status must be provided within sixty (60) days of the review notice being sent by the Citizenship Authority. This time frame can be extended, by request of the Citizen, by a further ninety (90) days.
    - (i) Extension requests are granted solely at the discretion of the Citizenship Authority.
- 6.2 If the Citizenship Authority has received Supporting Documentation to their satisfaction that the person is eligible for Métis Citizenship, the review status of their citizenship will be immediately removed.

- 6.3 If the Citizenship Authority has not received any further Supporting Documentation, or, the Supporting Documentation is insufficient to objectively verify and meet the criteria for Métis citizenship, the citizenship of the person will be revoked, and the person will be notified of this revocation in writing.
- 6.4 A person whose citizenship has been revoked under Article Six may appeal the Citizenship Authority's decision to the Senate, within sixty (60) days of the date removal notice is sent by the Citizenship Authority. The Senate's decision on this Appeal will be final and binding.
- 6.5 A person whose citizenship has been revoked under Article Six may re-apply for Registration upon following the procedure for Registration as a Métis Citizen as set out in this Act.
- 6.6 A person who is placed under review by the Citizenship Authority is not eligible to apply for any further supports, programs, or funding through MNBC until their citizenship has been reaffirmed. A person currently receiving supports will continue to receive them for at least sixty (60) days following the notice sent by the Citizenship Authority. This time frame can be extended, by request of the person under review, by a further sixty (60) days.
  - (i) Extension requests are granted at the discretion of the responsible program director. A negative decision can be appealed within thirty (30) days to the MNBC Board, who can overturn the decision by a majority vote.

## ARTICLE SEVEN – CENTRAL REGISTRY

- 7.1 The Ministry of Citizenship shall maintain a uniform system for the Registration of Métis Citizens;
- 7.2 The Ministry of Citizenship shall collect and maintain the information necessary to determine registration; the information to be collected is listed on the MNBC Citizenship Application Package and updated from time to time.
- 7.3 The Ministry of Citizenship may collect and register additional demographic information about Métis Citizens as, in the Ministry of Citizenship's sole discretion, is deemed necessary and/or expedient;
- 7.4 All information concerning Applicants or Métis Citizens located at the Central Registry is confidential and the Ministry of Citizenship shall adhere to or cause to be adhered to, all federal and provincial Privacy Laws;
- 7.5 The Ministry of Citizenship shall cause the Registry to be kept safely by administrative, physical, and technological safeguards that are reasonable and consistent with this Act;
- 7.6 The Ministry of Citizenship will, with the consent of the MNBC Board of Directors obtain permission from Citizens to release certain personal information of Citizens to the Provincial or Federal Governments for health and social determinants of health research purposes only, provided that each Citizen affected by that permission has been provided with an information document fully describing the information proposed by the Ministry of Citizenship to be released, including a release statement that provides that Citizen with an opportunity to

decline or refuse to permit the release of the personal information proposed to be released.

- i) In the event a Citizen, having been provided with a reasonable opportunity to respond to the Ministry of Citizenship at the address provided, declines to give their consent for the information to be released, then that information will not be released.

- 7.7 Applicants may apply for Citizenship by written Application through a Chartered Community, a regional registry clerk, or directly to the Métis Nation British Columbia registry;
- 7.8 Application shall be submitted by the Chartered Community of the MNBC and/or the Regional Registry Clerk to the Ministry of Citizenship for consideration and entry into the Central Registry;
- 7.9 An Applicant whose application is not approved by the Ministry of Citizenship shall be notified, in writing of the decision;
- 7.10 An Applicant, having applied for Citizenship directly to the MNBC and whose Application the Citizenship Authority approves, shall be issued a Provincial Citizenship Card by the Central Registry and forwarded directly to the Applicant;
- 7.11 An Applicant, who has applied for MNBC Citizenship, where the application has been forwarded by a Chartered Community or Regional Registry Clerk, and whose application the Provincial Citizenship Authority approves, shall be issued a Provincial Citizenship Card by the Central Registry and forwarded directly to the Applicant;
- 7.12 Each Provincial Citizenship Card shall bear a personal and individual registration number and clearly identify which MNBC Region the Citizens resides;
- 7.13 Provincial Citizenship Cards issued pursuant this Act shall constitute the only legitimate and valid proof of Métis Citizenship to the exclusion of all other cards and/or documents of any nature;
- 7.14 Except as may be otherwise provided by this Act, the MNBC shall be solely responsible for the development and distribution of the Provincial Citizenship Application Forms and the Provincial Citizenship Card.

## **ARTICLE EIGHT - REGISTRY OFFICE**

- 8.0 The MNBC shall establish a Citizenship Authority which shall maintain and provide Provincial Citizenship Application Forms and Provincial Citizenship Cards to Applicants or Chartered Communities when consent to Release of Personal information forms have been signed and submitted by the Applicant.

## **ARTICLE NINE - THE MINISTRY OF CITIZENSHIP**

- 9.1 The Ministry of Citizenship shall be required to follow all policies and procedures developed by the MNBC and shall:
- 9.2 Receive and review applications for citizenship submitted by an Applicant on the Provincial Standardized Citizenship Application Forms and shall render a decision whether a person is entitled to be registered pursuant to this Act;
- 9.3 Be and is authorized to request and obtain Genealogical evidence and/or any other documentation and information which may be relevant to an application and the proper discharge of the Ministry of Citizenship's duties;
- 9.4 Provide a report in writing to MNGA and the MNBC upon their reasonable request;
- 9.5 Maintain the Central Registry in a suitable and proper manner;
- 9.6 Provide a written decision to the Applicant and/or the Chartered Community, as may be appropriate under the circumstances concerning an application;
- 9.7 Include with any written decision, written instruction on the procedure for commencing an appeal from a decision of the Ministry of Citizenship;
- 9.8 Be authorized to render decisions on the voluntary removal of Métis Citizens from the Central Registry;
- 9.9 Applicants whose applications are not approved for Citizenship by the Central Registry may appeal such decision to the Senate;
- 9.10 Ensure that all documentation and information in the possession of the Ministry of Citizenship with respect to the application under appeal is provided, together with the Ministry of Citizenship's report, to the Senate prior to the date upon which the appeal is to be heard;
- 9.11 Comply with any reasonable request of the Senate or of the Citizens' Appeal Committee or other appropriate Senate Tribunal for information or material concerning the Application or an appeal;
- 9.12 Supervise the staff and operation of the Registry Office;
- 9.13 Respond to any reasonable request for information from an Applicant, the appropriate Chartered Community or the MNBC concerning an application.

## **ARTICLE TEN - CITIZENSHIP APPEAL**

- 10.0 An Applicant, Chartered Community or the MNBC may appeal a decision of the Citizenship Authority concerning the application of an Applicant for Citizenship to the Senate pursuant to the provisions of this Act or the Senate Act.

## ARTICLE ELEVEN - FINANCES

- 11.0 The expenses and costs associated with the maintenance of the Ministry of Citizenship including the remuneration for the office of the Citizenship Authority and the Registry office staff shall be established by the MNBC based on the availability of fiscal resources.

## ARTICLE TWELVE - ADOPTION

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

# MÉTIS NATION BRITISH COLUMBIA



**MÉTIS NATION**  
BRITISH COLUMBIA

## MÉTIS NATION ELECTORAL ACT

AS RATIFIED SEPTEMBER 2023 ANNUAL GENERAL MEETING



## ARTICLE ONE – NAME

- 1.0 This *Electoral Act* of the Métis Nation British Columbia shall be cited as the "*MNBC Electoral Act*" and hereinafter be referred to as the "*Electoral Act*".

## ARTICLE TWO – PURPOSE, SEAL AND NAME

- 2.0 The purpose of the *Electoral Act* is to establish fair, open and democratic procedures and rules for the Elections of the Métis Nation British Columbia (MNBC).

## ARTICLE THREE – DEFINITIONS

- 3.0 In this document:

- 3.1 **“Advance Poll”** means a vote held prior to the designated Election Day so as to allow those voters who may be unable to attend a Polling Station the ability to vote either by voting at a Polling Station or by Mail-in Ballot;
- 3.2 **“Ballot”** or **“ballot”** means a paper or document representing a vote by an Elector and means vote where the context so dictates;
- 3.3 **“Board Member”** means a person that currently holds a position on the MNBC Board of Directors.
- 3.4 **“Board of Directors”** 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 Métis Youth of British Columbia;
- 3.5 **“By-Election”** means an Election to replace or fill a vacancy in the MNBC Board of Directors, the Métis Women of British Columbia and/or the Métis Youth of British Columbia when such vacancy exists as the result of a lack of nominations for candidacy at an Election or is created by the removal, resignation or disqualification of the person previously holding the office as set out in *Article 23* of the *Constitution*;
- 3.6 **“Campaign Period”** means that period of time from the date that the MNBC Election is called and the date at which the Chief Electoral Officer declares the successful Candidates elected;
- 3.7 **“Candidate”** means a person who is nominated and qualified to compete for an office in the Métis Nation British Columbia Election for President, Vice-President, Regional Director, Chairperson and Regional Youth Representative of Métis Youth of British Columbia and Chairperson and Regional Representatives of the Métis Women of British Columbia;

- 3.8 **“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;
- 3.9 **“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;
- 3.10 **“Constitution”** means the *Constitution* of the Métis Nation British Columbia as adopted by the Métis citizens at the Annual General Meeting September 2003 and revised from time to time thereafter;
- 3.11 **“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.
- 3.12 **“Election Day”** means the official day when the votes cast by Electors at an Election are counted;
- 3.13 **“Election Voting Period”** means, in the case of a Polling Station vote, that period of time as designated by the Chief Electoral Officer and in the case of a Mail-in Ballot or online voting Election, that period of time as set by the Chief Electoral Officer pursuant to Sub-Article 15.2 of this *Electoral Act*.
- 3.14 **“Election Officer”** means the Chief Electoral Officer, Returning Officers and Poll Clerks appointed for a particular Election or by-Election;
- 3.15 **“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 Métis Youth of British Columbia.
- 3.16 **“Interim Appointee”** means a person who is appointed to fill a vacancy on the Board of Directors, or a MWBC Regional Representative or MYBC Regional Representative on an interim basis pursuant to the provisions of Article 46 of the *Constitution*.

- 3.17 **“Leave of Absence”** means an unpaid leave of absence for an MNBC employee, however, where applicable, an employee may use any accrued annual vacation.
- 3.18 **“List of Electors”** means a list made pursuant to this *Electoral Act* and prepared by the MNBC Central Registry of individuals entitled to vote in a Métis Nation British Columbia Election;
- 3.19 **“Mail-in ballot”** means a vote that is cast by an Elector and delivered by mail or courier to the location or individual designated by the Chief Electoral Officer in accordance with Sub- Article 5.6 herein;
- 3.20 **“Métis Citizen”** is a Métis person as defined in the *Constitution* and listed in the central registry;
- 3.21 **“Métis Community”** shall mean the Métis Nation British Columbia communities as set out in the *Constitution*;
- 3.22 **“Métis Nation British Columbia Senate”** means the judicial arm of the of the Métis Nation British Columbia and in accordance with *Senate Act*;
- 3.23 **“Mobile Polling Station”** means an advance poll consisting of a team of election officials who visit Communities, and have two secure ballot boxes: one to collect Mail-in Ballots, and one to collect ballots issued by the team to electors who have not previously received a Mail-in Ballot.
- 3.24 **“Online Voting”** means a vote that is cast by an Elector using a web-based voting system;
- 3.25 **“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;
- 3.26 **“Poll Book”** means a list of names of persons who have received ballots at an Election pursuant to the *Electoral Act*;
- 3.27 **“Poll Clerk”** means a person appointed by the Chief Electoral Officer to assist a Returning Officer at the polls pursuant to this *Electoral Act*;
- 3.28 **“Polling Station”** means a place established by the Election Officers where Electors cast their vote or send their ballots by Mail-In Ballots in accordance with Sub-Article 5.6 herein and which is set up pursuant to the *MNBC Electoral Act*;
- 3.29 **“Region or Electoral Region”** means one of the seven (7) regions of the Métis Nation British Columbia;

- 3.30 “**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*;
- 3.31 “**Returning Officer**” means a person appointed by the Chief Electoral Officer pursuant to the *Electoral Act*; and
- 3.32 “**Scrutineer**” means a person appointed in writing who is authorized to represent a Candidate’s interests at a Polling Station pursuant to the *Electoral Act*.

#### ARTICLE FOUR – DATE OF ELECTION

- 4.0 The date of the Election shall be established by the MNGA in conjunction with the terms outlined in the *Constitution*.

#### ARTICLE FIVE – CHIEF ELECTORAL OFFICER

- 5.0 The Chief Electoral Officer shall be appointed by the MNGA to hold office for each Election. This individual shall manage and conduct an Election. The Chief Electoral Officer shall also have the responsibility of conducting any necessary By-Elections while their appointment remains in effect. The Chief Electoral Officer shall:

- 5.1 Provide guidance and supervision respecting the conduct of the Election:
- a. Create all electoral notifications, forms, ballots and documents as may be required;
  - b. Decide the eligibility of all Candidates seeking office in an Election;
  - c. Prepare the List of Electors;
  - d. Appoint Returning Officers and Poll Clerks;
  - e. Ensure that all Election Officers are in compliance with this *Electoral Act* and use the guiding principles of fairness and impartiality when conducting an Election;
  - f. Issue to Election Officers any information and guidance they consider necessary for the administration of the *Electoral Act*;
  - g. Reconcile all ballots and prepare an official Election report for the Métis Communities and Métis Nation British Columbia Board of Directors; and
  - h. Perform all duties assigned pursuant to this *Electoral Act*.
- 5.2 In addition, the Chief Electoral Officer shall:
- a. Implement public education and information activities to make the electoral process better known to the public, particularly to those persons most likely to experience difficulties in exercising their democratic rights; activities may include, but are not limited to:

- i. Working with MNBC staff to develop and distribute a voters guide for electors, that explains in plain language where, when, and how to vote;
    - ii. Newspaper advertisements in local papers where there is a Chartered Community (if available and subject to funding);
    - iii. Social media, including the purchase of ads;
    - iv. Direct mail and email notices to electors;
    - v. Arranging for virtual townhall meetings, either individually in each region, or in combination with other regions, for provincial and regional Candidates to respond to questions and comments from electors;
    - vi. Working with MNBC committees and Chartered Communities to provide outreach opportunities in their communities, especially youth outreach;
    - vii. Any other opportunities that may be requested by a Chartered Community or Region, or considered by the Chief Electoral Officer to be appropriate for all or for a specific region or Community.
  - b. The Chief Electoral Officer shall, as much as reasonably possible in as many outreach activities as possible, include information regarding the positions available for election, a description of responsibilities, and time commitments
  - c. Remove from office and replace Election Officers upon being satisfied that the officers:
    - i. Refuse, neglect or have an inability to act;
    - ii. Have failed to perform satisfactorily the duties of their office; or
    - iii. Is engaging in partisan political activities.
- 5.3 The Chief Electoral Officer shall consult with the Solicitor for the MNBC, when and if necessary with respect to issues that may arise from time to time concerning the Election process.
- 5.4 If during the course of an Election, it transpires that insufficient time has been allowed, or insufficient Election Officers or Polling Stations have been provided, for the execution of any of the purposes of the *Electoral Act*, by reason of the operation of any provision of this *Electoral Act*, the Chief Electoral Officer, notwithstanding anything in the *Electoral Act* may:
- a. Increase the number of Election Officers (subject to financial resources);
  - b. Increase the number of Polling Stations (subject to financial resources);
- 5.5 However, the Chief Electoral Officer may not extend the hour for the opening or closing of an ordinary or advance polling station, or for accepting nomination packages on nomination day or change the date of ordinary polling day.

- 5.6 The Chief Electoral Officer shall conduct Elections by Mail-in Ballot and by Online Voting.
- a. An MNBC Chartered Community may, via written request to the Chief Electoral Officer, request a secured ballot box to the Community, for the deposit of mail-in ballots.
    - i. The ballot box will be secured through the requirements provided in Article 18 of this Act, and
      - (a) The person appointed as Returning Officer pursuant to Article 14.1 of the *MNBC Electoral Act* shall be responsible for the security of the above-noted ballot box.
    - ii. The ballot box shall be placed in an accessible location pursuant to the requirements provided in Article 18 of this Act.
    - iii. The Returning Officer shall send, by mail or courier, Mail-in Ballots deposited by Electors in a secured ballot box in a Community to the location and by the date designated by the Chief Electoral Officer.
    - iv. The Chief Electoral Officer shall provide the date that the secured ballot box will be closed, and when the ballots must be sent to the Chief Electoral Officer.

## ARTICLE SIX – ELECTORS

- 6.1 Any Métis Citizen of the MNBC who is Ordinarily Resident in British Columbia is eligible to be an Elector subject to *Article 6.2* herein.
- 6.2 An Elector is entitled to cast one (1) vote for the each of the following offices:
- a. President;
  - b. Vice President;
  - c. Regional Director;
  - d. Regional Youth Representative for the Métis Youth of British Columbia for the Region in which the Elector is entitled to vote being 15 years of age to 30;
  - e. Chairperson for the Métis Youth of British Columbia 15 years of age to 30.
  - f. Regional Women’s representative for the Métis Women of British Columbia for the region in which the Elector is entitled to vote being female 18 years of age and older.
  - g. Chairperson of the Métis Women of British Columbia being female eighteen (18) years of age and older
- 6.3 Any person is eligible to vote if:
- a. A Métis person, pursuant to the *MNBC’s Constitution*;
  - b. No less than 18 years of age of the date of the Election;
  - c. No less than 15 years of age and no more than 30 years of age for the MYBC;

- d. Any female Métis citizen who is eighteen (18) years of age or older may vote for the Métis Women of British Columbia.
  - e. Registered as a Métis citizen pursuant to the *MNBC Citizenship Act*; and
  - f. Ordinarily resident in British Columbia.
- 6.4 The following individuals are not eligible to vote in a Métis Nation British Columbia Election:
- a. Individuals who are not registered on the MNBC Central Registry;
  - b. Individuals who are not 18 years of age on Election Day; with the exception of the MYBC;
  - c. Individuals who are not 15 years of age and older than 30 on Election Day for the MYBC;
  - d. Individuals who are not female 18 years of age and older on Election Day for the MWBC; and
  - e. The Chief Electoral Officer;
- 6.5. Each Elector shall, before voting, affirm that they are a Métis Citizen of British Columbia and identify as such. In addition, electors must affirm that they are not registered under either the Indian Act or the Inuit Registry.
- 6.6. In the case of Online Voting, an elector shall have the option of voting by a Mail-in Ballot or at a Polling Station designated by the Chief Electoral Officer on Election day, if they are not able to vote online.

## ARTICLE SEVEN – LIST OF ELECTORS

- 7.1 The Chief Electoral Officer shall obtain from the MNBC Central Registry a final listing of registered voters no later than 5:00 p.m. Pacific Daylight time on or before the 45th day. Subject only to the discretion of the Chief Electoral Officer as set out in *Article 7.7* herein, no individual shall be permitted to be included or accepted on the List of Electors after 5:00 p.m., Pacific Daylight Time, on or before the 45th day.
- 7.2 Upon receipt of the final lists as stated herein, the Chief Electoral Officer shall, from the Central registry listing, prepare a List of Electors and satisfy themselves as to the accuracy of the List of Electors.
- 7.3 On or before the 39th day before the Election Day the Chief Electoral Officer shall submit to each nominated and official Candidate for a vacancy in the Office of President, Vice President, Chairperson of the Métis Youth of British Columbia and Métis Women of British Columbia Chairperson a copy of the provincial List of Electors. Also a list for each of the nominated and official Candidates for a vacancy in the office of Regional Director, Regional Women’s Representative of the Métis Women of British Columbia, and the Regional Youth Representative of the Métis Youth of British Columbia a copy of the applicable Regional List of Electors. In addition, a copy of the applicable community List of Electors will be provided to each Métis community.



- 7.4 Electors shall vote at the Polling Station closest to where they are ordinarily resident or in the case of a Mail-in Ballot shall send their ballot by mail or courier to a location so designated by the Chief Electoral Officer within the time set by the Chief Electoral Officer as the Election Voting Period, or, in the case of Online Voting, within the time set by the Chief Electoral Officer as the Election Voting Period.
- 7.5 In the event an Elector, who, being on the List of Electors, attends a Polling Station other than the Polling Station at which their name is included on the List of Electors, the Returning Officer at that Polling Station shall deal with that Elector's ballot as set out in *Article 28* herein.
- 7.6 No individual shall be permitted to be included or accepted on the List of Electors after the 45-day timeline. The Chief Electoral Officer shall then, from the list of registered electors, prepare a List of Electors and satisfy themselves as to the accuracy of the List of Electors.
- a. The Chief Electoral Officer shall submit to each nominated and official Candidate for President, Vice-President, Chairperson of the Métis of British Columbia, and Chairperson of the Métis Women of British Columbia a copy of the provincial List of Electors. Also this will be submitted to each of the nominated and official Candidates for Regional Director, Regional Youth Representative of the Métis Youth of British Columbia, and Regional Representative of the Métis Women of British Columbia a copy of the applicable regional List of Electors;
  - b. The List of Electors referred to in *Article 7.3* herein shall be provided to the Candidates no less than 39 days prior to the date of the Election;
  - c. The Chief Electoral Officer may amend the List of Electors as necessary; and
  - d. The Chief Electoral Officer shall place a copy of the List of Electors with each Métis community.
- 7.7 Upon provision of evidence to the satisfaction of the Chief Electoral Officer, of a legitimate error or omission, a Métis citizen can have their name added to, or removed from the List of Electors at any time up to fourteen (14) days prior to the Election.
- 7.8 Electors shall vote at the Polling Station closest to where they are ordinarily resident. In the event of any discrepancy, the Chief Electoral Officer shall make the determination as to which Polling Station is deemed closest. Electors may request of the Chief Electoral Officer that they be placed on the List of Electors of another polling station and such determinations shall be at the sole discretion of the Chief Electoral Officer.
- 7.9 No Métis citizens shall:
- a. Willfully apply to be included in the List of Electors in a name that is not their own; and
  - b. Willfully apply to be included in the List of Electors for a region that they are not qualified or entitled to vote as an Elector.



**ARTICLE EIGHT – NOMINATION OF CANDIDATES**

- 8.1 The Chief Electoral Officer shall, 60 days before the date of the Election, through a mail-out to all Electors and a posting on the MNBC website, provide notice of the Election and the applicable rules surrounding the Election and the preparation of the List of Electors:
- a. The place and hours fixed for the nomination of Candidates and the date fixed for closing nominations;
  - b. The positions available for election, including a description of responsibilities and time commitment.
  - c. The nomination papers required to be filed with the Chief Electoral Officer; and
  - d. The address, email and phone number of the Chief Electoral Officer.
- 8.2 Nominations of all Candidates for the Offices of President, Vice-President, Regional Directors, Chairperson or Regional Youth Representative of the Métis Youth of British Columbia, and Chairperson and Regional Women's Representative of the Métis Women of British Columbia shall be received in writing or electronically no less than 45 days prior to the date of the Election by the Chief Electoral Officer at a location to be specified in the notice by the Chief Electoral Officer.
- 8.3 Any Métis Citizen is eligible to be nominated as a Candidate if, on the day their nomination papers are filed:
- a. They are an ordinarily resident in British Columbia
  - b. Is 18 years of age or older; with the exception of the MYBC;
  - c. Any Métis citizen who is between fifteen (15) years of age and thirty (30) years of age may seek elected office within the Métis Youth of British Columbia;
  - d. Any female Métis citizen who is eighteen (18) years of age or older may seek elected office within the Métis Women of British Columbia.
  - e. If they are seeking to be nominated as a Candidate for President, Vice-President, Chairperson of the Métis Youth of British Columbia, and Chairperson of the Métis Women of British Columbia they have been a resident of the Métis Community in British Columbia for not less than one year;
  - f. If they are seeking to be nominated as a Candidate for a Regional Director, or Regional Youth Representative of the Métis Youth of British Columbia, or Regional Women's Representative of the Métis Women of British Columbia has been a resident of the Métis Community of the Region they are seeking nomination for not less than 6 months;
  - g. If, they are a salaried employee of MNBC:
    - i. Have provided a written notice of intention to stand as a candidate to the CEO of MNBC no later than fifteen (15) days before the close of nominations;

- ii. At the close of nomination, has provided written notice of a leave of absence to the CEO of MNBC:
        - i. *MNBC will grant the leave of absence for the salaried position;*
        - ii. *The Citizen, if they receive employment benefits as part of their employment with MNBC, is entitled to all their employee benefits while they are a candidate, save for pay.*
      - iii. If the Citizen is elected, they must resign their position with MNBC within thirty (30) days of the date of the election, and before being sworn into office.
    - h. If, they are currently serving as an independent contractor with MNBC, they have submitted notice of termination of all current contracts at the close of nominations.
    - i. At the close of nomination has provided a letter of resignation to the CEO for any salaried (contractor or employment) position held within the MNBC;
    - j. In accordance with *Article 23.7* of the *MNBC Constitution*, has provided a criminal record check satisfactory to the Chief Electoral Officer in accordance with *Articles 45* and *23.7* of the *MNBC Constitution*; and
    - k. Is registered with the Métis Nation British Columbia Central registry pursuant to the *Métis Nation British Columbia Citizenship Act*.
- 8.4 All nominations for the positions of President, Vice-President, Chairperson of the Métis Youth of British Columbia, and Chairperson of the Métis Women of British Columbia shall include the follow:
- a. Written acceptance of the nomination by the Candidate;
  - b. A minimum of twenty (20) original signatures of Electors who reside in the Province of British Columbia, who are not signatories of another Candidate's nomination papers for the same position and who are eligible to vote in the Election at which the Candidate seeks to be nominated for the position of President and Vice President;
  - c. A minimum of ten (10) original signatures of electors who reside in the Province of British Columbia, who are not signatories of another Candidate's nomination papers for the same position and who are eligible to vote in the Election at which the Candidate seeks to be nominated for the chairperson of the Métis Youth of British Columbia;
  - d. A minimum of ten (10) original signatures of female electors who reside in the Province of British Columbia, who are not signatories of another Candidate's nomination papers for the same position and who are eligible to vote in the Election at which the Candidate seeks to be nominated for the chairperson of the Métis Women of British Columbia;
- 8.5 All nominations for Regional Directors, Regional Youth Representative of the Métis Youth of British Columbia, and Regional Women's Representative of the Métis Women of British Columbia shall include the following:
- a. Written acceptance of the nomination by the Candidate;

- b. A minimum of ten (10) signatures of Electors who reside in the region for which the Candidate seeks to be nominated, who are not signatories of another Candidate's Nomination papers for the same position and who are eligible to vote in the Election at which the Candidate for Regional Director seeks to be nominated;
  - c. A minimum of three (3) signatures of electors who reside in the region for which the Candidate seeks to be nominated, who are not signatories of another Candidates nomination papers for the same position and who are eligible to vote in the Election at which the Candidate for the Regional Youth Representative of the Métis Youth of British Columbia seeks to be nominated.
  - d. A minimum of five (5) signatures of female electors who reside in the region for which the Candidate seeks to be nominated, who are not signatories of another Candidates nomination papers for the same position and who are eligible to vote in the Election at which the Candidate for the Regional Women's Representative of the Métis Women of British Columbia.
- 8.6 A Candidate may not accept a nomination for more than one position on the MNBC Board of Directors, the Métis Youth of British Columbia, or the Métis Women of British Columbia.
- a. If a current Board Member wishes to stand as a candidate in a by-election, they must resign their current position on the Board of Directors at the date the elections is announced.
- 8.7 No Métis citizen may accept or place a nomination for a position on the Métis Nation British Columbia Board of Directors, the Métis Youth of British Columbia, or the Métis Women of British Columbia if that person is or was, at any time during the one year period prior to the date of the Election, a director or officer of another provincial Métis body or association, other than a Métis community, whereby being a director or officer, the Candidate would constitute circumstances in which a real, potential or apprehended conflict of interest would arise.
- The Chief Electoral Officer shall determine whether circumstances exist under which a real, potential or apprehended conflict of interest would arise.
- 8.8 Candidates who use malicious or objectionable practice or conduct themselves in a malicious or objectionable manner during the Campaign Period shall be subject to disqualification at the discretion of the Chief Electoral Officer.
- 8.9 Candidates shall not be permitted to use the offices or equipment of the MNBC or any program delivery offices for the purposes of presenting or advancing their campaign at any time during the campaign period.

## **ARTICLE NINE – ELECTION BY ACCLAMATION**

- 9.1. If only one Candidate is nominated for any one office at the close of nominations the Chief Electoral Officer shall declare that Candidate acclaimed to office, the day following the close of nominations.

## **ARTICLE TEN – NO CANDIDATES NOMINATED**

- 10.1. If, after the close of nominations there are offices that remain without Candidates or without persons elected by acclamation, the Chief Electoral Officer shall set another day for the receipt of nominations for the remaining offices subject to available funding. Nominations shall be received for an Election to be held no earlier than three (3) months and no later than six (6) months from the date of the original Election and shall follow the processes and rules set out in this *Electoral Act*.

## **ARTICLE ELEVEN – POSTING OF NOTICE OF POLL & CANDIDATES**

- 11.1. The Chief Electoral Officer shall, within five (5) days after the close of nominations, post on the MNBC website a notice indicating the names of the Candidates, the voting method options, and the date and time for voting.
- 11.2. Candidates whose nominations are accepted by the Chief Electoral Officer shall be entitled to receive a copy of the applicable List of Electors, a copy of the *Electoral Act* and other materials as deemed appropriate by the Chief Electoral Officer.

## **ARTICLE TWELVE – WITHDRAWAL OF CANDIDATE**

- 12.1. A Candidate may withdraw at any time up to twenty-one (21) days prior to Election Day by filing with the Chief Electoral Officer a written, signed and witnessed declaration to that effect.
- 12.2. When a Candidate has withdrawn, the Chief Electoral Officer shall take whatever steps are necessary to ensure that Electors are advised when receiving a ballot.

## **ARTICLE THIRTEEN – DEATH OF CANDIDATE**

- 13.1. If a Candidate for the position of President, Vice-President, Chairperson of the Métis Youth of British Columbia, or Chairperson of the Métis Women of British Columbia dies after close of nominations and prior to closing of the Polling Stations on Election Day, the Election shall be held.
- 13.2. If a Candidate for Regional Director, Regional Youth Representative of the Métis Youth of British Columbia, or Regional Women's Representative of the Métis Women of British Columbia dies after close of nominations and prior to closing of the Polling Stations on Election Day, the Election shall be held.

## **ARTICLE FOURTEEN – APPOINTMENT OF RETURNING OFFICER AND POLL CLERK**

- 14.1. The Chief Electoral Officer shall appoint a Returning Officer and a Poll Clerk for each location where a Polling Station is to be established in the electoral region, or in the case of a Mail-in Ballot in accordance with Sub-Article 5.6 herein the Chief Electoral Officer shall appoint a Returning Officer and Poll Clerks for the location designated to

receive ballots.

- a. The Returning Officer with assistance from a Poll Clerk is responsible for the conduct at a Polling Station in an electoral region.
  - b. The following persons shall not be appointed as either a Returning Officer or a Poll Clerk:
    - i. A person who is the spouse, child, brother, sister, mother, father, common-law partner, or individual who lives with any Candidate;
    - ii. A member of the Métis Nation British Columbia Senate;
    - iii. An individual who is a Candidate or a Candidate's representative.
    - iv. A person who is the spouse, child, brother, sister, mother, father, common-law partner, or who lives with either a Returning Officer or Poll Clerk, shall not be appointed for the same Polling Station location.
- 14.2 A person appointed, as either a Returning Officer or Poll Clerk shall hold office from the time appointed until thirty (30) days after the Election Day.
- 14.3 The Chief Electoral Officer may remove from office any Returning Officer or Poll Clerk who:
- a. Is incapable, by reason of illness, of satisfactorily performing their duties under the *Electoral Act*;
  - b. Fails to discharge competently their duties as Returning Officer or Poll Clerk so as to comply with an instruction of the Chief Electoral Officer;
  - c. Knowingly makes a contribution to a Candidate's campaign whether or not the contravention occurs in the exercise of his or her duties under the Act.
- 14.4 Where a vacancy occurs in the office of Returning Officer or Poll Clerk, the Chief Electoral Officer shall forthwith appoint another person to fill the vacancy.

## ARTICLE FIFTEEN – POLLING HOURS

- 15.1. Polling shall begin at 8:00 a.m. Pacific Daylight Time or Mountain Daylight Time in accordance with the particular time zone on the date of the Election and close at 8:00 p.m. Pacific Daylight Time or Mountain Daylight Time on that same day.
- a. Advance polls shall be open for at least four (4) consecutive hours between 8:00 a.m. and 8:00 p.m. on the day they are scheduled.
- 15.2 In the case of an Election by Mail-in Ballot, Electors shall be able to mail or deliver their ballots to the location or locations established by the Chief Electoral Officer within such specified period of time as may be established by the Chief Electoral Officer but in any event such period of time shall not be less than fourteen (14) calendar days.
- 15.3 In the case of an Election by Online Voting System, Voters shall be able to vote within such specified period of time as may be established by the Chief Electoral Officer but in any event such period of time shall not be less than 14 calendar days.

## ARTICLE SIXTEEN – LOCATION OF POLLING STATIONS

- 16.1. A Polling Station shall be in a location that in the determination of the Chief Electoral Officer is convenient for the Electors.
- 16.2. In the case of an Election by Mail-in Ballot there shall be a location or locations established by the Chief Electoral Officer for the purpose of receiving Mail-In Ballots.
- 16.3. In the case of online voting, the system used shall be secure.
- 16.4. A final List of the Polling Stations will be listed twenty-one (21) days prior to the Election Date.
- 16.5. Best efforts will be made to ensure that every Polling Station will be accessible to persons who have a disability that could affect their ability to vote on the Election date.
- 16.6. No Polling Station may be located in the following places:
  - a. Premises where alcohol or spirits are served; or
  - b. Premises in which a Candidate has an interest.

## ARTICLE SEVENTEEN – SCRUTINEERS

- 17.1. Each Candidate may appoint Scrutineers in writing to the Chief Electoral Officer to represent them at each Polling Station, and to observe the Election procedures on their behalf.
  - a. A Candidate may appoint more than one Scrutineer to attend a particular Polling Station while voting is in progress but only one Scrutineer per Candidate may be present in the polling area at any one time.
  - b. A Candidate shall supply their scrutineer with a form approved for such use by the Chief Electoral Officer, appointing them as a scrutineer. If scrutineers are only present for part of a day and are replaced by another scrutineer, the replacement scrutineer must have their own form to show the Returning Officer.
- 17.2. Scrutineers may observe the operation of the Polling Station and observe the counting of the ballots.
- 17.3. In the case of a Mail-in Ballot Election a Candidate may appoint up to 2 scrutineers to be present at the designated location or locations during the opening of the ballot boxes and the counting of the ballots.

## **ARTICLE EIGHTEEN – BALLOT BOXES**

- 18.1. The Chief Electoral Officer shall provide each Returning Officer with a ballot box to conduct the Election in his or her region. The ballot box shall be made of durable non-see-through material and accompanied by a sufficient number of appropriate seals. The ballot box shall permit the deposit of ballots but not permit their removal without breaking the seals after they have been attached.

## **ARTICLE NINETEEN – CONTENTS OF BALLOTS**

- 19.1 The Chief Electoral Officer shall ensure that a sufficient number of ballots are prepared for an Election.
- 19.2 Each ballot shall be printed in the English language and shall contain the name of the Candidates which shall be arranged with the Candidates for the Offices of President, Vice- President, Chairperson of the Métis Youth of British Columbia, or Chairperson of the Métis Women's Secretariat-British Columbia located first and arranged alphabetically in order of their surnames. The Candidates for Regional Director, Regional Youth Representative of the Métis Youth of British Columbia, and Regional Women's Representative of the Métis Women's Secretariat-British Columbia located second and arranged alphabetically in the order of their surnames.
- 19.3 If two (2) or more Candidates for the same office have the same surnames, their names shall be listed in alphabetical order according to their given names.
- 19.4 Ballots shall be printed on one side only.

## **ARTICLE TWENTY – POLLING BOOTHS**

- 20.1. Each Polling Station shall contain one or more polling booths arranged so that when an Elector is in the polling booth they are screened from observation and may mark their ballot without interference.
- 20.2. In each polling booth, Electors will be provided with a suitable table, desk or shelf and a suitable marking instrument for marking their ballots. These materials shall be properly maintained during polling hours.

## **ARTICLE TWENTY-ONE – MATERIAL AT POLLING STATION**

- 21.1 The Returning Officer shall before the opening of the Poll ensure the following are available:
- a. An area where Electors can mark their ballots in private;
  - b. A document providing voting instructions for Electors;
  - c. A Poll Book where the names of all Electors who vote are to be entered;
  - d. A copy of the final List of Electors;
  - e. A ballot box or ballot boxes as required;
  - f. Tape to secure the ballot box or ballot boxes until the ballots are ready to be counted;

- g. A sufficient number of ballot papers;
- h. The material necessary to enable Electors to mark the ballot papers;
- i. Instructions for the Returning Officers and Poll Clerks; and
- j. Such other forms, office stationery and materials as may be required to enable the Returning Officer to perform their duties.

## **ARTICLE TWENTY-TWO – PERSONS ENTITLED TO REMAIN IN POLLING AREA**

22.1 Only the following individuals may remain in a polling area during polling hours:

- a. Returning Officer;
- b. Poll Clerk;
- c. Chief Electoral Officer;
- d. One Scrutineer per Candidate; and
- e. Interpreters.

22.2 Nothing in this *Electoral Act* restricts a Candidate from briefly visiting a Polling Station during polling hours.

## **ARTICLE TWENTY-THREE – SECRET BALLOT**

23.1 Voting shall be by secret ballot and in the case of an Election by Mail-in Ballot, a double envelope system as defined by the Chief Electoral Officer shall be used by Electors to send their ballots to the designated location or locations for receiving ballots.

23.2 In the case of online voting, the voter shall be required to authenticate their identity. Their identity and the personal authenticity information of the voter shall remain confidential.

23.3 No person in attendance at a Polling Station or at the counting of votes shall fail to maintain or fail to aid in maintaining the secrecy of the voting.

## **ARTICLE TWENTY-FOUR – SECRECY OF VOTING**

24.1 Each Returning Officer, Poll Clerk, Candidate and/or Scrutineer in attendance at a Polling Station or at the counting of the ballots shall assist in maintaining the secrecy of the voting process and they shall not communicate or attempt to communicate any information obtained at the Polling Station regarding which Candidate an Elector has voted for or is about to vote for.

24.2. Returning Officers and Poll Clerks shall not communicate any information obtained at the counting of the ballots to any person other than the Chief Electoral Officer or those in their office.



## ARTICLE TWENTY-FIVE – OPENING OF POLLING STATION - DISPLAY OF BALLOT BOX

- 25.1. Each Returning Officer shall attend the Polling Station at least thirty (30) minutes prior to the opening of his or her Polling Station.
- 25.2. During the 30 minutes immediately prior to the opening of the Polling Station, the Returning Officer shall show the ballot box to Candidates, Scrutineers and other persons entitled to be present so that they may see that the ballot box is empty.
- 25.3. After the ballot box has been shown, it shall be locked or sealed for receipt of ballots and at all times during the hours of voting.

## ARTICLE TWENTY-SIX – ADVANCE POLLS

- 26.1 The Chief Electoral Officer shall establish at least one advance poll to accommodate electors. Such a poll may take place at a location of a Community which has requested and received a secure ballot box, or may be a mobile polling station, or both, at the discretion of the Chief Electoral Officer. The dates, times, and locations of advance polls will be scheduled to provide reasonable access to as many electors as possible.
- 26.2 Advance Poll(s) shall be held on a day or days designated by the Chief Electoral Officer.
  - a. The days and times of a Mobile Polling Station in Communities shall be included in the list of polling stations referenced in Section 16.4 of the *MNBC Electoral Act*.
- 26.3 Any person on the list of electors and in possession of a mail ballot who attends an advance poll may mark their ballot and deposit it at that advance poll, in the ballot box reserved for Mail Ballots.
- 26.4 Any person who meets the criteria set out in Article 6 of this *Act* and:
  - Has not received a mail-in ballot, and
  - Has not voted online, and
  - Signs a document witnessed by the Chief Electoral Officer or Returning Officer, attesting that they have not voted before and will not vote again in the current election, online, by mail, or in person,May receive a ballot from the Chief Electoral Officer or Returning Officer at an advance poll conducted in their Community or Region where they are ordinarily resident and vote in person.
- 26.5 Any person who has received a mail ballot and has spoiled it:
  - i. May exchange the spoiled ballot for a replacement ballot, or
  - ii. If not in possession of the spoiled ballot, may receive a replacement ballot after signing a document witnessed by the Chief Electoral Officer or Returning Officer,

attesting that they have not voted before and will not vote again in the current election, online, by mail, or in person;

at an advance poll conducted in their Community or Region where they are ordinarily resident and vote in person

The Chief Electoral Officer or Returning Officer shall ensure a log of replacement ballots is kept.

## **ARTICLE TWENTY-SEVEN – POLL BOOKS**

- 27.1 Each Returning Officer shall be provided with a Poll Book in which the Returning Officer or the Poll Clerk shall enter the names of all Electors who attend the Polling Station and apply to vote unless those names are previously printed therein. The Returning Officer or Poll Clerk shall record whether those Electors are objected to or vouched for and by whom and if objected to whether the Elector voted or not.

## **ARTICLE TWENTY-EIGHT – GENERAL PROCEDURES AT POLLING STATION**

- 28.1 Where an Elector presents themselves at the Polling Station for the purpose of voting, the voting process shall proceed as follows:
- a. Each Elector shall present their MNBC Citizenship Card for the purpose of proving their identity and Métis citizenship to the Returning Officer.
  - b. The Returning Officer shall ascertain whether the name of the person applying to vote (the “Applicant”) is on the List of Electors and, if it is,
  - c. Each eligible Elector shall be given a ballot to be marked clearly, in secret, for the Candidate of that Elector’s choice which thereafter shall be placed in a ballot box as instructed by the Returning Officer.
  - d. If the Applicant’s name is not on the List of Electors, the Returning Officer shall not permit that person to vote unless the Applicant can present a valid MNBC Citizenship Card that can be verified by the Returning Officer as being the MNBC Citizenship Card of the Applicant.
  - e. In the event that the Applicant can produce a valid MNBC Citizenship Card, the Returning Officer shall record, in the proper column of the Poll Book, the Applicant’s name, address and MNBC Citizenship number and shall provide that Applicant with a ballot paper on which the Applicant shall clearly mark, in secret, the Applicant’s choice of Candidate.
  - f. Upon being presented with a completed ballot by a person who is not on the List of Electors at the Polling Station where the Applicant has attended to vote and was permitted to vote by the Returning Officer, the Returning Officer shall:
    - i. Place the Applicant’s ballot in an envelope with the Applicant’s name, the date and time noted;
    - ii. Place that envelope into another envelope that shall be kept separate from the ballots cast by Electors (whose names were located on the List of Electors for that Polling Station) and forwarded to the Chief Electoral Officer for verification of the eligibility of the Applicant.

- g. If verified as eligible by the Chief Electoral Officer, the Applicant's vote shall be counted.
- h. Any Candidate or their scrutineer may object to the eligibility of any Métis citizen requesting a ballot. If in the opinion of the Returning Officer such objection is reasonable, it shall be noted in the Poll Book and shall include the reason for the objection along with the name of the Candidate on whose behalf the objection is being made. The Returning Officer may then give the Métis Citizen a ballot paper so that the Métis Citizen may cast their ballot. In the event of an objection to the Métis Citizen, the Returning Officer shall follow the procedure under *Article 36.7* of this *Electoral Act*.
- i. The Returning Officer shall record the names and obtain the signatures of all persons who, although deemed ineligible to vote, attended at the Polling Station and requested a ballot."

## ARTICLE TWENTY-NINE – CONDUCT AT POLLING STATION

- 29.1. No person shall interfere or attempt to interfere with an Elector who is marking their ballot or casting their vote or otherwise make any attempt to obtain, at the Polling Station, information as to the Candidate or Candidates for whom an Elector at that Polling Station is about to vote or has voted.
  - a. No individual shall, directly or indirectly, threaten to inflict injury, damage, harm or loss on or against an Elector so as to persuade or compel the Elector to vote or refrain from voting, or because the Elector voted or refrained from voting.
- 29.2. No person shall, having voted, apply at the same Election for a ballot paper in the Elector's own name, or vote more than once at the same Election.
- 29.3. No individual shall vote knowing that they have no right to vote, or induce or persuade any other individual to vote knowing that the other individual has no right to vote.
- 29.4. No person shall apply at an Election for a ballot paper in the name of another person, whether living or dead, or a fictitious person.
- 29.5. The campaign office of a Candidate must not be within one (1) kilometer of a Polling Station.
- 29.6. There shall be no campaigning in or in the vicinity of a Polling Station on Election Day.
- 29.7. Every Returning Officer and Poll Clerk is responsible for maintaining peace and order in their Polling Station during an Election.
- 29.8. During an Election, no Candidate or other person on behalf of a Candidate shall, directly or indirectly, or as an accessory, give or cause to be given any alcohol or spirits to or for any person, for the purpose of persuading that person to vote for the Candidate or for the purpose of influencing that person or any other person to vote or

refrain from voting at an Election.

- 29.9. No Candidate shall make or take a share or interest in a bet or wager based on the result of the Election.
- 29.10. Any person in breach of *Article 29* of this *Electoral Act* will be removed from the Polling Station and will not be entitled to vote.

### ARTICLE THIRTY – EXPLANATION OF VOTING

- 30.1 The Returning Officer may and upon request shall, either personally or through their Poll Clerk explain to the Elector as concisely as possible the way in which voting is to be performed.

### ARTICLE THIRTY-ONE – VOTING BY A DISABLED PERSON

- 31.1. Where an Elector on the List of Electors comes to a Polling Station to vote and is unable to mark a ballot due to an inability to read or has a physical or mental disability, the Returning Officer shall:
- a. Have a friend or relative complete an Elector Assistance Form indicating the name of the Elector, their own name and the reason the person is incapable of voting alone;
  - b. Permit that person to accompany the Elector into the polling area to mark the ballot in accordance with the Elector's instructions;
  - c. Receive the completed ballot, check their initials and place the ballot in the ballot box; and
  - d. Enter the reason the Elector was permitted to vote in this manner, and the name of the person who assisted the Elector, in the Poll Book.
- 31.2. An individual other than an Election Officer must not act to assist more than one Elector in an Election to mark a ballot unless the individual is assisting more than one member of their family.

### ARTICLE THIRTY-TWO – APPOINTMENT OF AN INTERPRETER

- 32.1 Where the Returning Officer has been given thirty (30) days advance notice by a Métis Community or an Elector in that Métis Community, that an Elector or Electors who are unable to speak or read the English Language may present themselves at a Polling Station, subject always to availability, an interpreter may be provided by the Returning Officer for the purpose of explaining to those Electors, questions and answers concerning voting in the following languages: Michif, French or Cree.
- 32.2. The interpreter must make a solemn declaration that they are able to make the translation and will do so to the best of their abilities.
- 32.3. Every interpreter shall make a declaration of secrecy.

### **ARTICLE THIRTY-THREE – REMOVAL OF BALLOT FROM POLLING STATION**

- 33.1. Except in the case of a Mail-in Ballot an Elector who has received a ballot paper shall not take it out of the Polling Station.

### **ARTICLE THIRTY-FOUR – FORFEITURE OF VOTING RIGHTS**

- 34.1. Where an Elector leaves the Polling Station without first delivering their ballot paper to the Returning Officer or returns it after declining to vote, they forfeit their right to vote and the Returning Officer shall make an entry in the Poll Book in the column for remarks to the effect that the Elector received the ballot paper, but took it out of the Polling Station or returned it declining to vote.
- 34.2. Where an Elector returns their ballot paper declining to vote, the Returning Officer shall immediately write the word “declined” upon it and preserve the ballot paper.

### **ARTICLE THIRTY-FIVE – SPOILED BALLOT**

- 35.1. An Elector, who upon voting, has inadvertently spoiled their ballot paper may on returning it to the Returning Officer obtain another ballot paper and the Returning Officer shall immediately write the word “spoiled” upon the returned ballot paper and preserve it as set out in this Article.

### **ARTICLE THIRTY-SIX – PROCEDURE ON CLOSE OF POLL**

- 36.1. After the closing of the poll, the Returning Officer shall, in the presence of the Poll Clerk and any Candidate and/or Scrutineers who may be present, immediately:
- a. Count the number of spoiled and declined ballots and record the total on the outside of the envelope containing these ballots and then seal it; and comply with the procedures as set out in Article 28 herein.
- 36.2. On complying with subsection 36.1, the Returning Officer shall count the number of Electors whose name appears on the List of Electors and the number of Electors recorded in the Poll Book as having voted and those persons who having attended were deemed ineligible to vote and shall draw a line immediately under the last name in the Poll Book and affix their initials to the list.
- 36.3. On complying with *Subsection 36.2*, the Returning Officer shall open the ballot box and proceed with a count of vote and record the result.
- 36.4. The Returning Officer shall endorse with the words “not initialed” any ballot paper that does not have their initials or the initials of such person acting on their behalf on the back thereof and any such ballot shall be counted with the other ballots but immediately upon the conclusion of the count, the Returning Officer shall:
- a. Count the number of “not initialed” ballots, and
  - b. Record the total on the outside of the envelope containing these ballots and seal it.

- 36.5 In counting votes, the Returning Officer shall reject any ballot that:
- a. Was not supplied by them;
  - b. Does not indicate any vote for any Candidate;
  - c. Contains votes for more Candidates than are to be elected;
  - d. Is so marked, that it is uncertain for which Candidate the vote was cast; and
  - e. Contains any writing or mark enabling the Elector to be readily identified.
- 36.6 Notwithstanding *Subsection 36.5*, a ballot shall not be rejected:
- a. By reason of any writing, numbering or mark omitted by the Returning Officer; or
  - b. When the vote, though incorrectly made on the ballot, clearly indicates the Elector's intention to vote for one particular Candidate.
- 36.7 In the event the Returning Officer determines that an Elector's right to vote has been reasonably disputed pursuant to *Article 28*, the Returning Officer shall make a note in the Poll Book of every objection and the name of any Candidate on whose behalf such objection was made. The Returning Officer shall place such ballot in a special envelope that shall, on its cover, contain the name of the Elector, their MNBC Citizenship number, the name of the Polling Station and the Returning Officer initials. Such envelopes shall be preserved by the Returning Officer and forwarded to the Chief Electoral Officer. The Returning Officer shall also forward the specific objection to such Elector, as noted in the Poll Book. The Chief Electoral Officer shall investigate the objection of such Elector and in the event the Chief Electoral Officer determines that the objection is valid, the ballot shall be placed in a separate envelope and shall not be counted. If the Chief Electoral Officer determines that the objection is without merit, the envelope shall be opened and the Chief Electoral Officer shall count the vote(s).
- 36.8 The Returning Officer at the conclusion of the count shall complete a statement of poll, indicating the number of votes for each Candidate, which shall be signed by the Returning Officer and Poll Clerk. The Returning Officer shall then immediately inform the Chief Electoral Officer, by phone or by fax, as to the number of votes for each Candidate, the number of spoiled ballots and any disputed Electors.
- 36.9 A copy of the statement of poll shall be attached to the Poll Book and one page shall be retained by the Returning Officer to be sent to the Chief Electoral Officer.
- 36.10 Upon completion of the statement of poll, the Returning Officer shall in presence of the persons authorized to be present, place into separate packets the:
- a. Statement of poll;
  - b. The ballots objected to but counted;
  - c. The ballots objected to but not counted;
  - d. The rejected ballots not objected to;
  - e. The rejected ballots objected to;
  - f. The spoiled and declined ballots;

- g. The discarded ballots;
  - h. The unused ballots;
  - i. The envelopes containing the ballots of those persons who voted in accordance with *Article 28* herein;
  - j. The Poll Book with the declaration of the Returning Officer therein;
  - k. The List of Electors used at the poll;
  - l. The declaration of Electors;
  - m. The statement of the number of Electors as marked by the Returning Officer as “Voter assistance”;
  - n. The notes taken of objections to ballot papers found in the ballot box; and
  - o. All other documents that were completed prepared or used at the Election.
- 36.11 The Returning Officer shall seal each of the envelopes mentioned in *Section 36.10* with their own seal and initial the outside of the envelopes.
- 36.12 The Returning Officer shall mark on the outside of each of the envelopes a short statement of the contents of the envelopes, the date and name of the Election and their name.
- 36.13 The Returning Officer shall then return all envelopes and relevant documents to the Chief Electoral Officer as directed.

#### **ARTICLE THIRTY-SEVEN – ANNOUNCEMENT OF VOTE**

- 37.1 The Chief Electoral Officer shall publicly announce the results of the Election and declare elected the Candidates who received the largest number of votes.
- 37.2 When the original reports and ballots have been received from the Returning Officers, the Chief Electoral Officer shall check the reports, but not the ballots, and verify or confirm the results.

#### **ARTICLE THIRTY-EIGHT – RECOUNT**

- 38.1 Subject to *Article 37.2* herein, the Chief Electoral Officer shall recount the ballots where applicable if the Chief Electoral Officer decides that there is a need for a recount or if they receive a written request to recount from a Candidate within seven (7) days from the date of the Election;
- 38.2 A Candidate shall be entitled to require a recount if:
- a. The Candidate has been nominated to contest the position of President, Vice-President, Chairperson of the Métis Women of British Columbia, or the Chairperson of the Métis Youth of British Columbia;
  - b. The Candidate has been nominated to contest the position of Regional Director, Regional Representative for the Métis Women of British Columbia (MWBC) or Regional Youth Representative for the Métis Youth of British Columbia;
  - c. There are no more than fifteen (15) votes difference between the Candidate who has the most votes for that position and the Candidate requesting a

- recount; and
- d. Two (2) or more Candidates for the same position have an equal number of votes, the Chief Electoral Officer shall declare a tie and conduct a recount.

#### **ARTICLE THIRTY-NINE – RECOUNT PROCEDURE AND TIE BREAKING VOTE**

- 39.1 The Chief Electoral Officer shall give written notice to each Candidate of the place, date and hour of the recount
- 39.2 The recount shall, if possible, be held within the next seven (7) days from receipt of a Candidate's written request for a recount.
- 39.3 No person may be allowed in the room where the recount is being conducted except the following:
  - a. The Chief Electoral Officer;
  - b. The Returning Officer (at the CEO recommendation);
  - c. The Candidates or an Elector appointed in writing to be present on behalf of each of the Candidates.
- 39.4 In recounting the ballots, the Chief Electoral Officer shall follow the same counting rules that a Returning Officer is required to follow under this *Electoral Act*.
- 39.5 The Chief Electoral Officer will be required to set another Election Day in the event of a tie between two or more Candidates receiving the most votes for the same position. The Election in that event would be conducted solely for the purpose of filling the subject position and only the tied Candidates would be eligible to run. Such Election shall be held no earlier than three (3) months and no later than six (6) months from the date of the original Election and shall follow the process and rules set out in this *Electoral Act*.

#### **ARTICLE FORTY – ANNOUNCEMENT OF RECOUNT RESULTS**

- 40.1 Upon the completion of any and all recounts, the Chief Electoral Officer shall certify the final results of the Election publicly announce the results of the recount and declare the names of the successful Candidate who received the largest number of votes.

#### **ARTICLE FORTY-ONE – DESTROYING BALLOTS**

- 41.1 The Chief Electoral Officer shall destroy all ballots ninety (90) days from the date of the Election unless:
  - a. Directed by an order of a Court; or
  - b. Directed by an order of the Senate; or
  - c. A request for a recount is received in which case the ballots shall be destroyed after ninety (90) days from the date of the recount unless otherwise ordered.



## ARTICLE FORTY-TWO – ELECTION APPEAL

- 42.1 Decisions of the Chief Electoral Officer during an Election may be appealed to the Métis Nation British Columbia Senate.
- a. The Chief Electoral Officer will have the authority to refuse Candidates and voters who do not meet the required eligibility pre-requisites and deadlines set out in the *MNBC Electoral Act*.
  - b. All Candidates or electors refused will have the option to file a written Election appeal before the Métis Nation British Columbia Senate.
- 42.2 A Candidate or elector will have fourteen (14) days from the date of the Election or fourteen Days from the date of the recount to file a written Election appeal before the MNBC Senate.
- a. The written appeal sent to the MNBC Senate should outline the rationale of the Election appeal, along with any documents or other materials that should assist the appeal.
  - b. As part of filing an Election appeal, the Candidate or elector shall deposit with the MNBC Finance Department the sum of \$150.00 in cash or money order. This deposit is non-refundable and serves as security for administrative costs in connection with carrying out the appeal process.
- 42.3 The Chief Electoral Officer will provide information at the request of the MNBC Senate during the Election appeals process so as to deliver a fair and balanced decision.
- a. The Chief Electoral Officer will be responsible in providing reasons for refusal as supported by the Articles in the *Electoral Act*.
  - b. The MNBC Senate reserves the right to set a date when the Candidate or elector who filed the Election appeal may present their arguments in person. The onus to prove the appeal to the satisfaction of the MNBC is upon the individual who filed the Election appeal.

## ARTICLE FORTY-THREE – GENERAL

- 43.1 The appeal will not be successful if it is shown that the Election was conducted in accordance with this *Election Act* and that the irregularity, failure, non-compliance or mistake did not materially affect the result of the Election, and no Election is void by reason of:
- a. Failure to publish, late distribution or non-receipt of the Métis communities;
  - b. A failure to hold a poll at any place appointed for holding a poll;
  - c. A non-compliance with the provisions of this *Electoral Act* relating to the counting of the votes or with regard to limitations of time; or
  - d. Any mistake in the use of the prescribed forms.

#### **ARTICLE FORTY-FOUR – INTERPRETATION**

- 44.1. Unless the context otherwise requires, words imparting the singular number shall include the plural number, as the case may be, and vice-versa.

#### **ARTICLE FORTY-FIVE – REGULATORY AUTHORITY**

45. The Métis Nation Governing Assembly may, by resolution, make election rules regarding matters not specifically set out in the *Electoral Act*. Such rules will expire 30 days after election day for the election they pertain to.

# MÉTIS NATION BRITISH COLUMBIA



## MÉTIS NATION GOVERNING ASSEMBLY ACT

AS RATIFIED SEPTEMBER 2023 ANNUAL GENERAL MEETING

---

## ARTICLE ONE - TITLE

1.0 This Act may be cited as "*The Métis Nation Governing Assembly Act*"

## ARTICLE TWO - INTERPRETATION

2.0 In this Act:

- 2.1. **“Act”** shall mean the *Métis Nation Governing Assembly Act*.
- 2.2. **“Chartered Community”** are those Métis Communities that have entered in a Community Governance Charter agreement with the MNBC.
- 2.3. **“Constitution”** shall mean the Constitution of the Métis Nation British Columbia (the "MNBC") as amended from time to time.
- 2.4. **“Clerk”** shall mean the Clerk of the Métis Nation Governing Assembly.
- 2.5. **“Community Governance Charter”** means the written document that shall set out the terms of the relationship between a Community and the MNBC.
- 2.6. **“Conflict of Interest”** shall exist when an immediate family member of a member of the MNGA or a person or individual has an interest in a matter being dealt with by the MNGA. An immediate family member is defined as father, mother, stepfather, stepmother, foster parent, brother, sister, spouse (including a common law spouse), child (including a child with a common law spouse), ward, father-in-law, mother-in-law or relative permanently residing with a member or any close personal or business associate. An interest in a matter will arise when a person or individual may benefit financially or otherwise as a result of a matter being dealt with by the MNGA.  
  
A conflict of interest shall also exist when a member of the MNGA is or has become a director or officer, whether elected, appointed or otherwise, of a Métis provincial organization, association or group whose interests are in conflict with the interests of the MNBC in that their activities could negatively affect MNBC’s ability or authority to operate, negotiate on behalf of and represent the Métis people in British Columbia.
- 2.7. **“Deputy Speaker”** shall mean the Deputy Speaker of the MNGA.
- 2.8. **“Executive”** shall mean the Executive members of the MNBC who are elected province-wide and which includes the President, Vice-President, Treasurer, and Secretary.
- 2.9. **“Gabriel Dumont Scout”** or **“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.’
- 2.10. **“Governing Assembly”** shall mean a meeting of the MNGA as set out in the Constitution.

- 2.11 **“Housekeeping Matters”** in the context of an amendment, addition or replacement of an Article contained in or proposed for Legislations of the Constitution means those matters that do not affect the meaning of intent of the Article of the subject Legislation of the Constitution. In the event of ambiguity, the proposed amendment, addition or replacement of an Article contained in or proposed for Legislation of the Constitution shall be deemed to be not a Housekeeping Matter.”
- 2.12 **“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.
- 2.13 **“Métis Nation Governing Assembly”** (MNGA) means the legislative body of the MNBC, as set out in the Constitution.
- 2.14 **“Métis Nation British Columbia”** means, the organization that represents the Métis Citizens pursuant to the provisions of the Constitution.
- 2.15 **“Métis Nation British Columbia”** (MNBC) means the organization which is comprised of the Regional Representatives ("Directors"), the Executive (President, Vice-President, Secretary and Treasurer), Chairperson from the Métis Women of British Columbia and Chairperson of the BCMUYC and which, represents the Métis Citizens and for the purpose of this Act will be referred to as the MNBC.
- 2.16 **“Orders of the Day”** shall mean the compilation of documentation for members of the MNGA including the Agenda, Reports, Minutes, Draft Legislation, Motions and Constitutional Amendments to be tabled at a General Assembly of the MNGA.
- 2.17 **“Regions”** shall mean the MNBC regions as are defined by the Constitution.
- 2.18 **“Roll Call”** shall mean the call to order of a General Assembly and shall include the identification and an announcement of the Speaker for that General Assembly, the names of all members of the MNGA, Gabriel Dumont Scouts, and invited guests in attendance at the General Assembly and shall state whether a Quorum of MNGA members are in attendance.
- 2.19 **“Senate”** shall mean the MNBC Senate.
- 2.20 **“Speaker”** shall mean the Speaker of the MNGA.

### ARTICLE THREE - COMPOSITION OF THE MÉTIS NATION GOVERNING ASSEMBLY

3.0 In this Act:

- 3.1 The MNGA shall be composed of:

- a) The MNBC Executive as represented by the President, Vice-President, Treasurer, Secretary; plus the Regional Directors, Métis Women of British Columbia Chairperson and MYBC Chairperson; and
  - b) The Presidents of the Chartered Communities of the MNBC.
- 3.1.1 A person shall hold one member position at MNGA meetings. If the person holds more than one role that is part of the membership of the MNGA as set out in 3.1 above, they must inform the Clerk of the role they will be fulfilling.
- 3.2 In the event a Community President is unable to attend a Governing 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.
- 3.4 No member of the MNGA shall be allowed to be in conflict of interest. If found to be in a conflict of interest by a majority of the MNGA, that member shall be subject to a permanent or temporary suspension from being a Member of the MNGA by a majority vote of the Members of the MNGA where at least three-quarters of the Members of the MNGA are present. A person so suspended may appeal the suspension to the Senate whose decision shall be final and finding.

## ARTICLE FOUR - VOTING AND QUORUM

### 4.0 In this Act:

- 4.1. Fifty percent (50%) plus one of the members of the Métis Nation Governing Assembly constitutes a quorum for the General Assembly. However quorum must include a majority of the MNBC Board of Directors;
  - 4.2.1 Roll call voting shall be the method of voting for the Métis Nation British Columbia Governing Assembly for ratification or amendments to the MNBC Constitution or Legislative Acts.
    - a) Each member of the MNGA is entitled to one vote per motion at meetings.
  - 4.2.2 The procedure for taking roll call votes is to call the names of the representatives or delegates alphabetically, and to have each person indicate orally their vote. All those in favor of the adoption of the Resolution will say, "Yes" as their names are called. Those opposed will say "No". Those who wish to abstain will say, "Abstain". The MNGA Clerk will call the roll.

- 4.2.3 All resolutions submitted as housekeeping as determined by the MNGA shall not require the roll call voting process as described in article 4.2.1 and 4.2.2 and shall be determined by a simple majority of the Roll Call at a General Assembly.
- 4.3. Resolutions and ratifications other than Legislation or amendments to the Constitution and the ratification or approval of any appointments shall be made by a simple majority of the Roll Call at a Governing Assembly;
- 4.4. The MNGA shall, at a Governing Assembly, draft, review and consider Legislation and amendments to the Constitution for first reading, also referred to as ratification herein, and presentation to the MNBC at an Annual General Meeting or Special Meeting;
- 4.5. Ratification of Legislation or amendments to the Constitution that are properly before a Governing Assembly shall require majority of seventy-five percent (75%) of the Roll Call at a Governing Assembly;
- 4.6. Legislation or amendments to the Constitution that have been ratified by the Governing Assembly shall be presented for final approval or ratification by the Métis Citizens in attendance at an MNBC Annual General Meeting or Special General Meeting.
- 4.7. Legislation or amendments to the Constitution which have been ratified by the Governing Assembly shall be provided to the MNBC at least forty-five (45) days prior to an Annual General Meeting or Special General Meeting to be included in the agenda of that Annual General Meeting or Special General Meeting.
- 4.8. The MNGA may, by resolution, make election rules regarding matters not specifically set out in the *Electoral Act*. Such rules will expire 30 days after election day for the election they pertain to.
  - 4.8.1 That any elected representative, who is a declared candidate in a current election, who is a member of the MNGA, may not propose such a rule.

## ARTICLE FIVE - SPEAKER OF THE MÉTIS NATION GOVERNING ASSEMBLY

- 5.0 The Speaker and Deputy Speaker shall:
  - 5.1 Be appointed by the MNGA at a Governing Assembly;
  - 5.2 May be made from within or outside the MNGA, but must be a registered MNBC Citizen pursuant to the *Citizenship Act*;
  - 5.3 Be for a term of two (2) years subject to re-appointment;
  - 5.4 Be responsible for the procedures, rules, debates and decorum of the Governing Assembly;

- 5.5 Receive the list of members and seating arrangements of the Governing Assembly from the Clerk as established by the Roll Call;
- 5.6 Approve all participation in debates and voting;
- 5.7 Secure a written record of the Governing Assembly and certify the minutes;
- 5.8 Require Gabriel Dumont Scouts to expel for the remainder of the day any MNGA member or any observer from the Governing Assembly for failing to follow the ruling of the Speaker;
- 5.9 Ensure that only MNGA members are seated in the designated Assembly area with all other individuals or observers seated outside of the designated Assembly area;
- 5.10 Approve all documentation to be circulated to MNGA members.

## **ARTICLE SIX - CLERK**

- 6.0 The Clerk of the MNGA shall:
  - 6.1 Be a designate of the Métis Provincial Council of British Columbia;
  - 6.2 Be responsible for compiling the necessary documentation for the Orders of the Day;
  - 6.3 Be responsible for the presentation of the agenda prepared by the MNGA, for a Governing Assembly of the MNGA as directed by the MNBC;
  - 6.4 Obtain and retain a certified copy of the minutes from the Speaker;
  - 6.5 Provide the certified minutes of the MNGA to the members of the MNGA at least 14 (fourteen) days prior to the date set for a Governing Assembly;
  - 6.6 Secure, by contract, an independent person or agency to duly record the minutes and procedures of the MNGA;
  - 6.7 Ensure that the necessary staff are in place for a Governing Assembly;
  - 6.8 Also hold the seat as Clerk at an Annual General Meeting or Special General Meeting of the MNBC; and
  - 6.9 Be authorized to appoint or designate a Deputy Clerk to assist in carrying out their duties.



## **ARTICLE SEVEN - SENATE**

7.0 The Senate shall, in relation to the MNGA:

7.1 Maintain a Ceremonial Role in the MNGA and Governing Assemblies by:

- a) Being responsible for Opening and Closing Prayers;
- b) Swearing-In any new members.

## **ARTICLE EIGHT- GABRIEL DUMONT SCOUTS**

8.0 In this Act:

8.1 Gabriel Dumont Scouts will be appointed by the MNBC to maintain order and ensure proper procedure during a Governing Assembly.

## **ARTICLE NINE - REPORTING**

9.0 Notwithstanding any sittings or meetings of the MNGA to conduct business that is not the subject of a Governing Assembly, the following written reports shall be tabled by the Clerk for the MNGA and shall be included in the Orders of the Day:

9.1 Executive Reports;

- 9.1.1 President
- 9.1.2 Vice-President
- 9.1.3 Secretary
- 9.1.4 Treasurer
- 9.1.5 Regional Director Reports;
- 9.1.6 Métis Women of British Columbia Report;
- 9.1.7 Ministerial Reports, including, where applicable, program reports and audits;
- 9.1.8 Senate Report;
- 9.1.9 Métis Youth of British Columbia Report; and
- 9.1.10 Any other reports required by the Constitution or Legislation.

9.2 Expenditure Report

- 9.2.1 An interim Expenditure Report for the period between April 1st and December 31st of the current fiscal year shall be given, which shall contain all spending by MNBC elected members and the Executive Director/CEO including but not limited to: remuneration, travel costs, accommodation costs, per diems, honoraria, legal and professional fees, consultant and contractor fees and reimbursed expenses. Each year the Expenditure Report of the entire previous fiscal year's expenditures of MNBC elected members and executive staff shall be posted on the MNBC website by June 1st.

## **ARTICLE TEN- MINUTES**

- 10.0 The Minutes of a Governing Assembly shall:
- 10.1 Be received and prepared by an independent individual or person;
  - 10.2 Be forwarded to the Clerk; and
  - 10.3 Refer to the Minutes of the previous Governing Assembly, which shall be included in the Orders of the Day.

## **ARTICLE ELEVEN - NOTICE OF LEGISLATION AND CONSTITUTIONAL AMENDMENTS, AND NOTICE OF OTHER MATTERS**

- 11.1 Legislation or amendments to Legislation:
- a) Shall be tabled only by the members of the MNGA;
  - b) Shall be tabled with the Clerk no less than 30 days prior to the MNGA being held in the manner required and shall be included in the Orders of the Day for the MNGA, which shall consider the proposed Legislation or amendments to the Legislation.
  - c) Notice of the proposed Legislation or amendments to the Legislation shall be distributed to the members of the MNGA no less than 21 days prior to the MNGA being held, and
  - d) Be given first reading and if approved, ratified by the MNGA for presentation to the MNBC at an Annual General Meeting or Special Meeting in accordance and for the purpose as set out in Article 4 herein.
- 11.2 Constitutional Amendments
- a) Shall only be tabled by the members of the MNGA;
  - b) Shall be tabled with the Clerk no less than 40 days prior to the MNGA meeting being held in the manner required and shall be included in the Orders of the Day for the MNGA, which shall consider the proposed amendments to the Constitution;
  - c) Notice of the proposed amendments to the Constitution shall be distributed to the members of the MNGA no less than 21 days prior to the MNGA being held; and
  - d) Be given first reading and if approved, ratified by the MNGA for presentation to the MNBC at an Annual General Meeting or Special Meeting in accordance and for the purpose as set out in Article 4 herein.

11.3 Other Matters

- a) Shall be tabled only by the members of the MNGA;
- b) Shall be tabled with the Clerk no less than 30 days prior to the MNGA meeting being held in the manner required and shall be included in the Orders of the Day for the MNGA, which shall consider the matters;
- c) Notice of the matters, the minutes of the previous MNGA, and all reports of Ministers, Regions, and all other reports that are to be presented to the MNGA shall be distributed to the members of the MNGA no less than 21 days prior to the MNGA being held; and
- d) Be considered at the MNGA.

11.4 Notice of Legislation and proposed Constitutional amendments, and other matters from the MNBC Board of Directors

- a) Notice of Legislation and proposed Constitutional amendments and other matters from the MNBC Board of Directors shall be tabled with the Clerk no less than 45 days prior to the MNGA meeting being held, and shall be distributed to the members of the MNGA no less than 40 days prior to the MNGA meeting being held.

11.5 Resolutions of an urgent and pressing nature

- a) Resolutions of an urgent and pressing nature proposing to deal with a matter(s) that has arisen after the filing deadline with the Clerk, and that such matter(s) may have implications for the Métis Nation if it is not dealt with on an urgent basis by the MNGA, may be added to the Order Paper by the Clerk, if at least 50% plus one of the MNGA members in attendance agree.

11.6 Notice of the MNGA

- a) Notice of the date and location of the MNGA shall be distributed to the members of the MNGA no less than 60 days prior to the MNGA meeting being held.

## ARTICLE TWELVE - APPLICATIONS, PROCLAMATIONS

- 12.0 The MNGA shall be authorized to receive and determine applications for Métis Community Governance Charter from applications in accordance with the requirement as outlined in Article 56.1 of the MNBC Constitution. The application terms of the Métis Community Governance Charter shall consider any special circumstances that may affect the status on an existing or prospective Métis Community Governance Charters.

- 12.1 The MNGA shall proclaim:
- a) The date of the next MNBC election, as set out in the Constitution; and
  - b) Holidays and days of commemoration, such as Louis Riel Day.
- 12.2 The MNGA shall, at the request of the MNBC in accordance with Article 46 of the MNBC Constitution, receive nominations for the appointment of an MNBC Director (except for the office of President) to fill vacancies on the MNBC Board of Directors and the position MWBC Regional Representative or MYBC Regional Representative.

### **ARTICLE THIRTEEN - FINANCING**

- 13.0 Fiscal resources for the institution and maintenance of the MNGA shall be provided by the MNBC if available, in accordance with the laws and regulations of the MNBC Financial Policies and Procedures, shall provide financial resources to the MNGA as required for the purposes of carrying out the provisions of this Act.
- 13.1 The fiscal resources allocated by the MNBC for the purposes in 13.1 shall be those fiscal resources that are within the means available to the MNBC for those purposes.
- 13.2 The Speaker shall make formal written request to the MNBC for all expenditures of the MNGA.
- 13.3 The MNBC shall actively pursue fiscal resources for the functions of the MNGA.
- 13.4 The MNBC will be responsible for the expenses and any remuneration for the MNGA in pursuance of the provisions of this Act.

# **MÉTIS NATION BRITISH COLUMBIA**



## **MÉTIS NATION NATURAL RESOURCES ACT**

AS RATIFIED SEPTEMBER 2021 ANNUAL GENERAL MEETING

## ARTICLE ONE – TITLE

- 1.0 This Act is cited as “Métis Nation British Columbia - Natural Resource Act.”

## ARTICLE TWO – INTERPRETATIONS

- 2.0 In this Act and subsequent Addendums and Regulations:

- 2.1 “**Act**” means the *MNBC Natural Resource Act*.
- 2.2 “**Addendums**” are Ministerial approved supplements to the *Natural Resource Act* that enables the development of annually renewed, low-level legislation.
- 2.3 “**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.
- 2.4 “**Captain’s Assembly**” consists of the eight voting regional Captains of the Hunt.
- 2.5 “**Captain of the Hunt**” means a MNBC citizen who has been selected, through the BCMANR Policies and Procedures, and endorsed by the Regional Governance Council of their respective region.
- 2.6 “**Constitution**” means the *Constitution* of the MNBC as amended from time to time.
- 2.7 “**Issuer**” means a person that is delegated the authority by BCMANR to issue licensing, tags and permits.
- 2.8 “**Legislation**” means legislative documents, laws and/or acts including amendments to existing legislative documents, laws and/or acts and, for the purposes of this Act, will include draft or proposed Legislation.
- 2.9 “**MNBC**” means the Métis Nation British Columbia which represents and/or is comprised of the Métis Citizens of British Columbia and which is governed by the provisions of the *Constitution*.
- 2.10 “**Métis Citizen**” as defined by the *MNBC Citizenship Act*.
- 2.11 “**Minister of Environmental Protection**” means the MNBC Board Member that has been assigned the Environmental Protection and Métis Rights Ministry.
- 2.12 “**Minister of Economic Development and Natural Resources**” means the MNBC Board Member that has been assigned the Natural Resource Ministry.
- 2.13 “**Ministry of Environmental Protection**” means the MNBC Secretariat department that is responsible for all environmental protection regulations and policy, under the authority of the Minister of Environmental Protection (political), Senior Director of Environmental Protection (technical) and BCMANR.

- 2.14 **“Ministry of Economic Development and Natural Resources”** means the MNBC Secretariat department that is responsible for all natural resource issues under the authority of the Minister of Economic Development and Natural Resources (political), Senior Director of Economic Development and Natural Resources (technical) and BCMANR.
- 2.15 **“Parties”** for the purpose of consultation means government, proponents, regulatory agencies and other external entities whose mandate includes Aboriginal consultation.
- 2.16 **“Region”** means a MNBC Region as determined by the *Constitution*.
- 2.17 **“Regulation”** is the annually renewed provincial and regional rules that manage the Métis harvest.
- 2.18 **“Senate”** means the MNBC Senate.
- 2.19 **“Senior Director of Economic Development and Natural Resources”** means a person that is employed by the MNBC Secretariat and has expertise and experience in the natural resource section.
- 2.20 **“Senior Director of Environmental Protection”** means a person that is employed by the MNBC Secretariat with the requisite expertise and experience in environmental protection.
- 2.21 **“Youth”** for the purpose of harvesting under the authority of this *Act* and to provide consistency with existing provincial and federal government legislation (i.e. *B.C. Wildlife Act*) means a Métis Citizen between the ages of 10-18 years of age.

### ARTICLE THREE – PURPOSE OF THE ACT

- 3.0 The purpose of this Act is to provide Métis specific legislative authority for the regulated management of all natural resources in British Columbia which are utilized by the Métis Citizens, thus;
  - 3.1 Establish natural resource regulation, policy and guidelines by combining both Métis traditional knowledge and western-based science management principles;
  - 3.2 Institute sound conservation practices and measures;
  - 3.3 Protect the sustenance and cultural needs of the Métis Citizens in British Columbia;
  - 3.4 Ensure adequate consultation on all natural resource issues.

### ARTICLE FOUR – FINANCES

- 4.0 The financial requirements for MNBC’s Ministry of Environmental Protection shall be satisfied as follows:
  - 4.1 Where fiscal resources are available, the MNBC, in accordance with the laws and regulations of the MNBC Financial Policies and Procedures, shall provide financial resources to BCMANR as required for the purposes of carrying out the provisions of

this Act.

- 4.2 Such resources shall be within the means available to the MNBC for such purposes.
- 4.3 The Senior Director of Environmental Protection shall make a formal written request to the MNBC for all expenditures of BCMANR.
- 4.4 The MNBC shall actively pursue financial resources for the functions of BCMANR and the Ministry of Environmental Protection.
- 4.5 The MNBC will be responsible for travel expenses and honorariums for BCMANR while conducting official BCMANR business, pursuant to this Act.

## **ARTICLE FIVE – RECORD KEEPING AND REPORTING PROCEDURES**

5.0 In this Act:

- 5.1 BCMANR shall keep written minutes of all meetings, and shall issue these minutes to the Senior Directors and Ministers of Natural Resources and Environmental Protection.
- 5.2 All decisions of BCMANR shall be recorded and a report provided to the Citizens at an Annual General Meeting or Special General Meeting of the MNBC and the Métis Nation Governing Assembly.
- 5.3 The MNBC's Minister responsible for Natural Resources will be required to report all updates to the MNBC Board of the Directors.

## **ARTICLE SIX – HARVESTING FOR PROFIT AND COMMERCIAL PURPOSES**

6.0 In this Act the harvesting of wildlife and fish for profit or commercial purposes;

- 6.1 Is not authorized, and;
- 6.2 Only permits harvesting by Métis Citizens for food, social, ceremonial and traditional purposes.

## **ARTICLE SEVEN – MANAGEMENT AGREEMENTS**

7.0 Management agreements;

- 7.1 The MNBC Board of Directors may enter into agreements with Canada or British Columbia pertaining to management, perpetuation or rehabilitation of wildlife or fish populations or the ecosystems of which those populations are a part.
- 7.2 The MNBC Board of Directors may enter into agreements with aboriginal nations, non-government organizations and stakeholder groups that pertain or contribute to natural resource management and conservation of fish and wildlife populations and habitats.
- 7.3 The MNBC Board of Directors may enter into agreements with the owners of lands



respecting the management of the lands for the purposes mentioned in *Article 3.0*, and such agreements may authorize BCMANR to carry out habitat improvement work, protective measures, stocking programs, fencing, erection of signs, harvesting activities and any other management practice.

- 7.4 The MNBC Board of Directors may enter into agreements, for the purpose of consultation, as per *Article 11.0* of this Act.

## ARTICLE EIGHT – MNBC HARVESTING CARDS

- 8.0 In this Act:

8.1 MNBC Harvesting Cards

8.1.1 MNBC Harvesting Cards may be issued to Métis Citizens who submit applications and meet requirements for approval. This Act applies only to those persons who have chosen to harvest under the authority of the Act.

8.1.2 A MNBC Citizen cannot harvest a wildlife and fish quota (or bag limit) under multiple licensing authorities (i.e. MNBC Harvesting Card and a Province of British Columbia *Wildlife Act* hunting license).

8.1.3 The holder of a MNBC Harvesting Card constitutes acceptance of all terms and conditions for use of the card as outlined in this Act and any subsequent regulations created under the authority of Article 9.0.

8.1.4 Contravention of terms is an Offence.

8.1.5 No person shall contravene the terms or conditions of the person's MNBC Harvesting Card.

8.2 Transfer of MNBC Harvesting Card, validation or tag;

8.2.1 Except as provided in the regulations, no MNBC Harvesting Card shall be transferred and no person shall buy, sell, exchange or in anyway be a party to the transfer of a MNBC Harvesting Card, validation or tag, or in any way use or attempt to use a MNBC Harvesting Card, validation or tag, issued to any other person.

8.3 MNBC Harvesting Cards apply only to those species, areas and times described by regulations developed under the authority of *Article 9.0*.

8.4 Cancellation of MNBC Harvesting Card in event of error;

8.4.1 BCMANR may cancel any MNBC Harvesting Card where an error has been made from any cause when issuing it, and the holder has no claim for indemnity or compensation with respect to it other than the adjustment or refund of any fee collected.

8.5 MNBC Harvesting Card is to be carried and produced upon demand;

- 8.5.1 No holder of a MNBC Harvesting Card shall hunt, fish, trap or collect natural resources unless at that time they have a valid MNBC Harvesting Card on their person;
- 8.5.2 The holder of a MNBC Harvesting Card shall produce the card to any enforcement officer whenever requested.
- 8.6 MNBC Harvesting Card obtained by misrepresentation;
  - 8.6.1 The holder of a MNBC Harvesting Card obtained by any false or misleading statement made in respect of any information required for the issue of the MNBC Harvesting Card shall be deemed to be the holder of a void MNBC Harvesting Card and the holder will be prosecuted under this Act.
- 8.7 Refusal of MNBC Harvesting Card;
  - 8.7.1 An issuer of MNBC Harvesting Cards may refuse to issue a MNBC Harvesting Card where the refusal is due to failure to verify MNBC Citizenship for the applicant or,
  - 8.7.2 An issuer of MNBC Harvesting Cards may refuse to issue a MNBC Harvesting Card where the refusal is reasonably necessary for the achievement of the purpose and intent of this Act as per *Article 3.0*.
- 8.8 Notice of refusal
  - 8.8.1 Where an issuer of MNBC Harvesting Card refuses to issue a MNBC Harvesting Card, BCMANR shall serve notice of the refusal on the application for the MNBC Harvesting Card.
- 8.9 A person, who has not complied with terms of any BCMANR Captain's Assembly decisions related to offences under the Act, will not be eligible to apply for a MNBC Harvesting Card, unless the offence has been overturned by a successful MNBC Senate appeal.

## ARTICLE NINE – REGULATIONS BY BCMANR

- 9.0 BCMANR will make regulations that are consistent with *Article 3.0* and develop regulations based on the principles of existing case law, and whereas;
  - a. An agreement (as per *Article 7.0*) that has been endorsed between the MNBC and a provincial and/or federal government partner, or;
  - b. Legislative or political direction has been provided by the Métis Nation Governing Assembly, MNBC Annual General Assembly or a ratified motion of the MNBC Board of Directors, however;
  - c. If neither *Articles 9.0 a.* nor *9.0 b.* are present, then provincial and federal government legislation and regulation will be sanctioned.

- 9.1 BCMANR will make regulations as follows:
  - 9.1.1 Respecting threatened species or endangered species;
  - 9.1.2 Application for MNBC Harvesting Cards and permits as per *Article 8.0*;
  - 9.1.3 Prescribing the conditions of a MNBC Harvesting Card and conditions that the Issuer may attach to a MNBC Harvesting Card when they issue it to a Métis Citizen;
  - 9.1.4 Limiting the number and types of tags and permits that may be held by a person;
  - 9.1.5 Prescribing fees;
  - 9.1.6 Prescribing the maximum number of a species of wildlife, by sex and age, that a person may kill or possess in a period of time and the circumstances in which a person may kill or possess wildlife;
  - 9.1.7 Designating no shooting and/or no harvesting areas;
  - 9.1.8 Providing for cancellation or suspension of, periods of ineligibility for and periods of suspension of MNBC Harvesting Cards for specified offences or combinations of offences, and specifying what a second or subsequent offence is, consistent with *Article 12.0*;
  - 9.1.9 Specifying lakes, streams or areas of British Columbia for the purpose of requiring Métis Citizens to hold a MNBC Harvesting Card issued under the authority of this Act to engage in angling in that lake, stream or area for special designated harvests;
  - 9.1.10 Respecting how decision for appeal may be supplied for the purposes of *Article 13.0*;
  - 9.1.11 Prohibiting or regulating methods and devices for hunting or taking wildlife and respecting safety in those activities;
  - 9.1.12 Providing for the reporting and recording;
  - 9.1.13 Requiring wildlife or a part of wildlife to be permanently or temporarily marked or tagged;
  - 9.1.14 Requiring that a person who kills wildlife, take that wildlife or a part of it to a place and report to a person specified by BCMANR;
- 9.2 Without limiting *Article 9.1*, BCMANR will make regulations as follows:
  - 9.2.1 Specifying open seasons or closed seasons, or both, for a sex, age or species of wildlife;

- 9.2.2 Prescribing the hours of the day or night during which the hunting of wildlife is prohibited or allowed;
- 9.2.3 Prescribing restrictions on the manner in which fish caught by angling may be dressed or packed and limits on the amount of fish or fish parts possessed by a person at a place other than at a private residence;
- 9.2.4 Prescribing MNBC Harvesting Cards or permits that must be held to angle for or to catch and retain a designated species of fish or to angle in a designated area of British Columbia, including tidal waters;
- 9.2.5 Prescribing tags that must be attached in the prescribed manner to fish caught by angling;
- 9.2.6 Prescribing an offence under a specified provision of this Act, or a regulation under this Act, as an offence.
- 9.3 BCMANR, despite anything in this Act, may make regulations respecting the issue of permits.
- 9.4 Regulations must assure public safety and public health.
- 9.5 This Act authorizes the creation of a BCMANR Policy and Procedure section pertaining to the process for regulation development.
- 9.6 All regulation must be approved, via motion, by the BCMANR Captain's Assembly.

## **ARTICLE TEN – ENVIRONMENTAL PROTECTION**

- 10.0 This Act authorizes the development of Environmental Protection Policy.
  - 10.1 The Environmental Protection Policy is the responsibility of the MNBC Ministry of Environmental Protection.
  - 10.2 BCMANR will be responsible for all Environmental Protection regulations developed under the authority of this Act.
  - 10.3 The MNBC Board of Directors has the approval authority for all Environmental Protection Policy.

## **ARTICLE ELEVEN – CONSULTATION**

- 11.0 This Act authorizes the development of an MNBC Consultation Guidelines and supporting procedures.
  - 11.1 The development of MNBC's Consultation Guidelines is the joint responsibility of the MNBC Ministries of Natural Resources and Environmental Protection. The policy will be revised from time to time to reflect MNBC's position with respect to consultation within context of current Supreme Court of Canada rulings and associated regulatory requirements as they apply to Métis rights and interests;

- 11.2 The Consultation Guidelines will include a definition of traditional knowledge, written by the BCMANR Captain's Assembly, to ensure adherence to purpose of this Act in *Article 3.0*.
  - 11.2.1 Traditional knowledge protocol and procedure in the Consultation Guidelines will be established by the BCMANR Captain's Assembly.
- 11.3 The MNBC Board of Directors has the approval authority for all Consultation Guidelines.
- 11.4 The implementation of the Consultation Guidelines is the joint responsibility of the Senior Directors of Natural Resources and Environmental Protection, under the direction and guidance of the respective MNBC Ministers, where relevant.
- 11.5 Consultation Guidelines will address the following principles;
  - 11.5.1 Promote the adherence of government, proponent and regulatory agencies to the implementation of Aboriginal consultation in a manner that respects and addresses the unique culture, heritage by:
    - 11.5.1.1 Increasing awareness of the Métis in British Columbia including the cultural, heritage and land use issues of concern to Métis;
    - 11.5.1.2 Strive to ensure the timely and effective avoidance, mitigation, accommodation and/or compensation of potentially adverse impacts to Métis rights and interests in keeping with current MNBC mandates related to consultation;
  - 11.5.2 The MNBC Ministry of Economic Development and Natural Resources and the Ministry of Environmental Protection will endeavor to keep apprised of and inform the MNBC's Board of Directors of current case law, regulatory requirements, government policies and other matters that may influence Métis rights and interests and have bearing on the MNBC's Consultation Guidelines;
  - 11.5.3 Establish appropriate, efficient practices that will fulfill MNBC consultation principles in accordance with MNBC Board direction for all natural resource matters.
  - 11.5.4 Promote and facilitate the protection of traditional land use locations and other historical resources of significance to Métis within British Columbia;
  - 11.5.5 Guide Parties in fulfilling their consultation duties and objectives in a spirit of reconciliation and transparency and will meet each party's goal of fairness and certainty; and,
  - 11.5.6 Guide MNBC's decision-making processes regarding consultation as it relates to all natural resource matters including resource development and land management practices.
- 11.6 Consultation Guidelines will require the MNBC to;

- 11.6.1 Represent and advocate for consultation of British Columbia Métis Citizens with governments, regulators, proponents and other relevant agencies;
- 11.6.2 Provide direction and support to the Chartered Métis Communities;
- 11.6.3 Work with BCMANR to ensure traditional and contemporary land use information is employed to support consultation where such information is available; or,
  - 11.6.3.1 If absent, advocate for resources to compliment the consultation project with adequate traditional and contemporary land use information.
- 11.6.4 Provide information to government and industry to facilitate consultation activities;
- 11.6.5 Manage and determine the adequacy of consultation activities within the context of MNBC consultation policies, legal precedents and regulatory requirements;
- 11.6.6 Report to the Chartered Métis Communities, government, regulators, proponents and other relevant agencies regarding decisions concerning consultation as related to their respective mandates; and,
- 11.6.7 Consider any other issue or take any other action the MNBC deems necessary to ensure consultation adequately protects the rights and interests of British Columbia Métis Citizens.

## **ARTICLE TWELVE – COMPLIANCE AND ENFORCEMENT**

- 12.0 This Act authorizes the BCMANR Captain's Assembly to function in the following compliance and enforcement capacities;
  - 12.1 To operate in the capacity of the initial judiciary in relation to offences against this Act or any regulations empowered by this Act.
  - 12.2 Powers available to the Captain's Assembly for offences against this Act are;
    - a. Suspension of a MNBC Harvesting Card for a period not to exceed two years, offences greater than two years are considered an apprehension.
    - b. Apprehension of a MNBC Harvesting Card for a period not to exceed five years. If the apprehension is recommended by the Captain's Assembly to be greater than five years; the MNBC Minister of Environmental Protection Resources must sanction the apprehension.
    - c. Community service hours
    - d. Reparations or mitigated measures

- 12.3 Determine the policies and procedures for the compliance and enforcement authorities assigned under this Act.

### **ARTICLE THIRTEEN – APPEAL MECHANISM**

- 13.0 The MNBC Senate has the authority to hear appeals for;
  - 13.1 Any decisions established under the authority of this Act, or;
  - 13.2 Any offences established by the BCMANR Captain’s Assembly under the authority of *Article 12.0* of this Act.

### **ARTICLE FOURTEEN – BCMANR NATURAL RESOURCE FUND**

- 14.0 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.

# MÉTIS NATION BRITISH COLUMBIA



## MÉTIS NATION SENATE ACT

AS RATIFIED SEPTEMBER 2023 ANNUAL GENERAL MEETING



## ARTICLE ONE - TITLE

- 1.0 This Act may be cited as "The Métis Nation British Columbia Senate Act"

## ARTICLE TWO - INTERPRETATION

- 2.0 In this Act:
- 2.1. **“Act”** means the *Métis Nation British Columbia Senate Act*.
  - 2.2 **“Constitution”** means the Constitution of the Métis Nation British Columbia (“MNBC”) as amended from time to time.
  - 2.3 **“Legislation”** means legislative documents, laws and/or acts including amendments to existing legislative documents, laws and/or acts and, for the purposes of this Act, will include draft or proposed Legislation.
  - 2.4 **“Métis Nation British Columbia”** means the organization which represents and/or is comprised of the Métis Citizens of British Columbia and which are governed by the provisions of the Constitution.
  - 2.5 **“Métis Nation Governing Assembly”** (MNGA) means the legislative authority of the Métis Nation British Columbia, as set out in the Constitution.
  - 2.6 **“Ordinarily Resident”** means the Region to which the person is registered as a member and the Region of the member's fixed home address to which whenever they are absent they have the intention of returning.
  - 2.7 **“Region”** means Region as determined by the Constitution.
  - 2.8 **“Registrar”** means the individual who fulfils the office of Registrar as defined in the *Citizenship Act*.
  - 2.9 **“Senate”** means the Métis Nation British Columbia Senate.
  - 2.10 **“Senator”** means a member of the Métis Nation British Columbia Senate.

## ARTICLE THREE - MANDATE AND POWERS OF THE SENATE

- 3.0 The Senate shall:
- 3.1 Act as the judicial arm of the Métis Nation British Columbia in accordance with the provisions of the Constitution;
  - 3.2 Consist of seven (7) Senators, one Senator per Region; and

- 3.3 Determine and abide by guidelines for protocol, policy and procedure and to provide to the MNBC a written copy of those guidelines (the “Protocol Guidelines”).
- 3.4 A Senator shall not be subject to any civil action, suit of prosecution as a result of any things done or not done in relations to the performance of their duties as Senators.

#### **ARTICLE FOUR - QUALIFICATIONS FOR A SENATOR**

- 4.0 A person is eligible for appointment to the Senate if they:
  - 4.1 Are a Citizen of the Métis Nation British Columbia;
  - 4.2 Are appointed by the Regional Governance Council by a motion at a Regional meeting;
  - 4.3 Are ordinarily resident in the Region from which they were appointed;
  - 4.4 Are non-partisan and non-political, including non-affiliation except as members only of Federal, Provincial and Métis organizations;
  - 4.5 Are at least fifty-five (55) years of age; and
  - 4.6 They have not been convicted of a criminal offence carrying a penalty of two (2) years or greater.
  - 4.7 They are registered with the Métis Nation British Columbia Central Registry in accordance with the Métis Nation British Columbia Citizenship Act.

#### **ARTICLE FIVE - APPOINTMENT AND RATIFICATION OF SENATORS**

- 5.0 Notice of Senate appointments shall be forwarded to the MNBC and the Senate Chairperson, when appointed, by the official charged with recording the minutes of the meeting at which the appointment was made. The submission will include a copy of the minutes of the meeting, indicating the motion and shall be accompanied by a resume and biography of the appointed Senator.
  - 5.1 A call for application for Senators will be issued by the MNBC 120 days prior to the Senators term.
  - 5.2 The application package must contain:
    - a) Biography of the Applicant.
    - b) Proof of age.
    - c) Copy of the MNBC Provincial Métis Citizens card.
    - d) A Criminal Record Check in accordance with the MNBC Constitution and Senate Act.

- e) Nomination in writing by a Métis Citizen that holds a MNBC Provincial Métis Citizens card.
  - f) Application package must be submitted to the MNBC Regional Director 30 days prior to the end of the Senator's term.
- 5.3 The Regional Governance Council shall review the Applicant's submissions and will reject applications that do not contain the items listed in 5.2.
- 5.4 All or any candidates shall not participate in the Regional Governance Council meeting or when Senator deliberations are being carried out.
- 5.5 The Regional Governance Council will deliberate until the appointment of their Regional Senator is reached by simple majority.
- 5.6 The successful Applicant will upon notification of their appointment, immediately resign any and all positions held within the MNBC, MNGA, Community or subsidiary Board, Commission or Committee, Métis Women of British Columbia, or the Métis Youth of British Columbia.

## **ARTICLE SIX - TERM AND REMOVAL OF OFFICE**

- 6.0 In this Act:
  - 6.1 The term of office for a Senator shall be four (4) years;
  - 6.2 Notwithstanding Article 6.1, the term of office of a Senator shall terminate if a Senator is:
    - a) Disqualified for violating any part of this Act; or
    - b) Is unable to fulfill their duties on a permanent basis.
  - 6.3 A Senator shall be removed or suspended from office by the Senate:
    - a) For being convicted of an indictable offence and all appeals are exhausted;
    - b) If they take up residency outside of the Province of British Columbia;
    - c) For actions unbecoming the stature of a Senator while holding office;
    - d) By voluntarily resigning in writing to the Chairperson of the Senate;
  - 6.4 A Senator shall take a leave of absence from the office of the Senate upon being charged with an indictable offence and pending final determination of the allegations forming the basis for the charge;
  - 6.5 A Senator may be suspended by a seventy five percent (75%) majority of the Senate. The suspension may be with or without remuneration at the sole discretion of the Senate and shall be effective immediately upon that Senator being notified of their

suspension;

- 6.6 A Senator may appeal their suspension to the MNGA by written notice to the MNGA within thirty (30) days of receiving notice of his suspension.

## **ARTICLE SEVEN – GUIDELINES FOR PROTOCOL, CODE OF ETHICS, STANDARDS OF CONDUCT**

- 7.0 Within four (4) months of the final ratification of this Act, the Senate shall prepare, compile and deliver to the MNGA a copy of guidelines, in writing, setting out the Protocol, Code of Ethics and Standard of Conduct pursuant to which the Senate shall conduct its affairs and manage and administer the duties and functions of the Senate in accordance with this Act and the Senator's fiduciary duty to the MNGA, the MNBC and Métis Citizens.

## **ARTICLE EIGHT - COMMITTEES OF THE SENATE**

- 8.0 Pursuant to this Act the Senate shall establish any such committees as are required by the Métis Nation British Columbia Constitution or Legislation and as required to carry out the following duties:
- a. Mediation;
  - b. Citizenship and Central Registry Appeals;
  - c. Election Appeals;
  - d. Regional and Community Disputes;
  - e. Ceremonial Activities and Exchanges;
  - f. Conducting Opening / Closing Prayers;
  - g. Directing Swearing-In Ceremonies and Oaths;
  - h. Presenting Awards and Gifts of Recognition where applicable;
  - i. Displaying Métis Flags and Sashes; and
  - j. Natural Resources Appeals;
- 8.1 Each committee established pursuant to Article 8.1 shall appoint an individual from among its members to serve as the spokesperson for that committee.

## **ARTICLE NINE - APPEALS**

- 9.0 Members of the Senate conducting appeals shall:
- a) Hear and provide written decisions on all matters and appeals properly before the Senate;
  - b) Have such powers, rights and privileges as may be necessary in regards to attendance, swearing in and examination of witnesses, the production and inspection of documents, the enforcement of its orders and other matters necessary or proper for the due exercise of its jurisdiction.

- c) The Senate shall determine the tribunal or committees required for the jurisdictions supplied under Article 8.0 of this Act.
  - d) Consider and determine issues with a majority of members in attendance; and
  - e) May appoint an individual(s) to inquire into and report on any matter before making a decision on it.
- 9.1 In all matters concerning appeals, be bound by the rules of natural justice;
- 9.2 Where a time frame to submit an appeal is not otherwise legislated, any appeal by a MNBC Citizen must be made within sixty (60) days of the event.
- 9.2.1 The Senate will consider an application for an extension of time to appeal.
- 9.3 All decisions of the Senate must be in writing and sealed, then forwarded to the affected parties within thirty (30) days of its decision.
- 9.4 The decisions of the Senate shall be in writing and forwarded to the Métis Nation British Columbia for its review and such action as necessary by the Métis Nation British Columbia.

## **ARTICLE TEN - QUORUM AND VOTING**

- 10.0 To conduct official Senate business:
- 10.1 A simple majority of the Senators will constitute a quorum for a full Senate sitting and/or a simple majority of the composition of a Senate committee and/or tribunal.
- 10.2 Decisions made by a quorum of the Senate shall be deemed to be a decision of the Senate.

## **ARTICLE ELEVEN - FINANCES**

- 11.0 The Financial requirements for the institution and operation Senate shall be satisfied as follows:
- 11.1 Where fiscal resources are available, the MNBC, in accordance with the laws and regulations of the MNBC Financial Policies and Procedures, shall provide financial resources to the Senate as required for the purposes of carrying out the provisions of this Act.
- 11.2 Such resources shall be within the means available to the MNBC for such purposes.
- 11.3 The Chairperson of the Senate shall make formal written request to the MNBC for all expenditures of the Senate.
- 11.4 The MNBC shall actively pursue fiscal resources for the functions of the Senate.

11.5 The MNBC will be responsible for travel expenses and honorariums for the Senate while conducting official Senate business, pursuant to this Act.

11.6 In the absence of timely Senate resources, the Senate will be provided full consideration for required resources on a case-by-case basis through mutual consultation between the Senate and MNBC.

## **ARTICLE TWELVE - RECORD KEEPING AND REPORTING PROCEDURES**

12.0 In this Act:

12.1 The Senate shall keep written minutes of all meetings and shall issue such reports to those persons or individuals as may be required.

12.2 All decisions of the Senate shall be recorded and a report and posted on the MNBC website for general Citizenship to view.

## **ARTICLE THIRTEEN – CLERK OF THE SENATE**

13.0 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.

# MÉTIS NATION BRITISH COLUMBIA



**MÉTIS NATION**  
BRITISH COLUMBIA

## MÉTIS NATION VETERANS ACT

AS RATIFIED SEPTEMBER 2023 ANNUAL GENERAL MEETING

## **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 meet the Department of Veterans Affairs Canada definition for a Veteran, being a current member or, a former member of, the Canadian Armed Forces (Regular Forces or Reserve Forces), that was released with an honourable discharge and, who successfully underwent basic training is considered to be a Métis Veteran. A Métis Veteran shall also include those still serving or retired RCMP members. 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 MVBC Members who wish to join MVBC may apply for associate membership of MVBC and may be accepted as an associate member (the “Associate Member” or “Associate Members” as the case may be) of MVBC. The MVBC Committee will assess and accept or deny applications for Associate Membership.
- 3.3 The MVBC Committee may, at their sole discretion, revoke a person’s associate membership.
- 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.
- 3.5 A Member or Associate Member may resign their membership in MVBC, through a written request submitted to the MVBC Committee.

## **ARTICLE FOUR – METIS VETERANS BC COMMITTEE**

- 4.1 Métis Veterans BC Committee (the “MVBC Committee”) shall be constituted of a Métis Veteran Chairperson, seven Métis Veteran Representatives (the “Regional Representatives”), a Woman Veteran Representative, and a Service Officer, all being MVBC members.
- 4.2 The MVBC Membership shall elect from among themselves the Chairperson, Women’s Representative, and Service Officer. The MVBC Regional Representatives shall be appointed in consultation with the appropriate MNBC Regional Governance Council.



- 4.3 The term of office for all MVBC Committee members shall be no more than four (4) years. Elections and appointments shall be held at a MVBC General Meeting, in the year on which the term for those MVBC Committee members shall expire.
- 4.4 The MNBC Minister of Veterans will notify the relevant Regional Director no less than ninety (90) days before their MVBC Regional Representative term will expire, and an appointment must be made by the Regional Governance Council, if a suitable candidate can be found.
- 4.5 No Member may serve for more than two (2) consecutive terms as Chairperson, Women's Representative, or Service Officer, without the approval of the MNBC Minister of Veterans.
- 4.6 At least one member of the MVBC Committee shall be a serving or retired member of the RCMP, if a suitable candidate can be found.
- 4.7 A Treasurer and Membership Clerk will be appointed by the MVBC Committee from the MVBC Committee Regional Representatives, who, together with the Chairperson, Women's Representative, and Service Officer, shall collectively act and be known as the "Executive Committee".
- 4.8 The MVBC Committee shall be responsible for the following duties and functions on behalf of the Métis Veterans British Columbia:
  - a.) Maintenance of policy and procedures relating to the conduct and mandate of the Métis Veterans and Associate Members;
  - b.) 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, and other reports as requested by the MNBC Minister of Veterans;
  - d.) Serve as *Gabriel Dumont Scouts* as may be requested by MNBC from time to time;
  - e.) Co-ordinate and organize flag processions and flag placement as requested or appropriate from time to time; and other duties as required;
  - f.) Advocate to enhance the status of Métis Veterans;
  - g.) Provide service and support to Métis Veterans in British Columbia;
  - h.) Represent themselves as Métis veterans at municipal, provincial, federal, commemorative, or other events.
- 4.9 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 a MNBC Métis Nation Governing Assembly. The MVBC General Meeting will generally be held in conjunction with the MNBC Annual General Meeting.
- 4.10 Meetings of the MVBC Committee shall be called by the Chairperson. In the event that the Chairperson is unwilling or unable to call a meeting, three MVBC Committee members may call a meeting.

- 4.11 No less than seven (7) days' notice of a MVBC Committee meeting will be provided to all MVBC Committee members.
- 4.12 An MVBC Member, while conducting their duties of the MVBC, shall not be subject to any civil action, lawsuit, or prosecution, as a result of anything done or not done in relation to their duties.

## **ARTICLE FIVE – MNBC MINISTER OF VETERANS**

- 5.1 The MNBC Minister of Veterans shall be an MNBC Board Member.
- 5.2 The MNBC Minister of Veterans shall provide Provincial and Federal representation on behalf of the MVBC and will be accountable to the MVBC Committee. In the event the Minister of Veterans is unable to attend, the Minister may request that an alternate MNBC Board Member and the Chairperson of the MVBC attend in their place.
- 5.3 For the purpose of official business, the voice of the MVBC shall be brought to the MNBC, Métis National Council, Federal and Provincial Governments, organizations, and associations through the Minister in consultation with the MVBC Committee.

# MÉTIS NATION BRITISH COLUMBIA



**MÉTIS NATION**  
BRITISH COLUMBIA

## MÉTIS NATION WOMEN'S ACT

AS RATIFIED SEPTEMBER 2017 ANNUAL GENERAL MEETING

## PREAMBLE

0.0 Mission Statement of the Métis Women of British Columbia:

*"We the Métis women of B.C. have an agenda of an open heart and we respect and trust in the process.  
We are encouraging appropriate relationships, principles and procedures."*

## ARTICLE ONE – TITLE

1.0 This act may be cited as the *MNBC Women's Act* (the "Act").

## ARTICLE TWO – PURPOSE OF THE ACT

2.0 The purpose of this Act is to entrench the Métis Women of British Columbia (the "MWBC") in the MNBC governance structure to ensure that Métis Women are equally represented and engaged in all levels of governance.

## ARTICLE THREE - DEFINITIONS

- 3.1 In this Act:
- 3.2 **"MWBC Provincial Governance Council"** means the seven elected Métis Women's representatives, one from each Region and the Métis Women's Chairperson also known as the Minister Responsible for Métis Women.
- 3.3 **"Legislation"** means legislative documents, laws and/or acts including amendments to existing legislative documents, laws and/or acts.
- 3.4 **"MWBC"** means the Métis Women of British Columbia.
- 3.5 **"Minister Responsible for Métis Women"** means the person elected as MNBC Provincial Métis Women's Chairperson in accordance with the provisions of the *MNBC Electoral Act*, who shall serve as the Minister Responsible for Métis Women on the MNBC Board of Directors.
- 3.6 **"The Provincial Métis Women's Chairperson"** the MNBC Métis Women's representative elected in a Province wide election in accordance with the provisions of the *MNBC Electoral Act*.
- 3.7 **"Regional Métis Women's Representative"** means the MNBC Métis Women's Representative elected to represent the Métis Women of a Region in accordance with the provisions of the *MNBC Electoral Act*.
- 3.8 **"Métis Women"** means those Métis Women residing in British Columbia, 18 years of age and older.
- 3.9 **"Métis Nation Governing Assembly"** (MNGA) means the legislative body of the MNBC, as set out in the *Constitution*.

3.10 “**MNBC Assembly**” means MNBC Annual General Meeting (AGM).

#### ARTICLE FOUR – GENERAL OBJECTIVES

- 4.1 MWBC shall:
- 4.2 The MWBC Provincial Governance Council acknowledges and accepts the *MNBC Constitution* as the law governing the MWBC and agrees to comply with the provisions of the *MNBC Constitution* and MNBC Legislation.
- 4.3 The objective of MWBC is to listen to Métis Women, to voice Métis Women's perspectives, and to acknowledge the past and present contributions of Métis Women for the benefit of Métis People and the Métis Nation.
- 4.4 The voice of the Métis Women in British Columbia shall be brought to the MNBC, Métis National Council, Women of the Métis Nation Les Femmes Michif Otipemisiwak, Federal and Provincial Governments, organizations and associations through the MWBC Committee.

#### ARTICLE FIVE – MWBC GOVERNANCE STRUCTURE

- 5.1 MWBC shall:
- 5.2 The MWBC Provincial Governance Council shall attend every MNGA Assembly and MNBC Assembly.
- 5.3 The Provincial Women's Chairperson is a voting director on the MNBC Board of Directors.
- 5.4 The Provincial Women's Chairperson shall provide Provincial and Federal representation and be accountable to the Provincial Governance Council and the MNBC Board of Directors.
- 5.5 The seven Regional Women's Representatives each shall hold voting seats on their respective Regional Governance Councils.
- 5.6 All Métis Women of British Columbia (MWBC) Provincial Governance Council members shall not be subject to any civil action, suit or prosecution as a result of anything done or not done in relation to the performance of their duties as Métis Women of British Columbia representatives.
- 5.7 The MWBC Provincial Governance Council shall elect, from among its members, a Vice-Chair, and a Secretary.
- 5.8 The MWBC Provincial Governance Council shall hold no less than four meetings, including telephone or in person meetings, each year called by the Minister Responsible for Women or, in the event the Minister Responsible for Women is unwilling or unable to call a meeting shall be called by the Vice-Chair.
- 5.9 MWBC shall prepare and maintain written minutes of all meetings and conference

calls (the “MWBC Minutes”).

- 5.10 MWBC Minutes shall be archived in the head office of the Métis Nation British Columbia.
- 5.11 The MWBC Provincial Governance Council shall, on behalf of the MWBC take such action or hold such functions as may be deemed appropriate to encourage and support the Spiritual, Physical, Mental and Emotional well being Métis Women or for funding purposes.

## ARTICLE SIX – ELECTORAL PROCESSES

- 6.1 MWBC electoral processes are:
- 6.2 Métis Women seeking elected office must meet all eligibility requirements as set out in the *MNBC Constitution* and the *MNBC Electoral Act*.
- 6.3 The MWBC Provincial Governance Council shall be elected for a 4-year term in conjunction with the *MNBC Electoral Act*.

# MÉTIS NATION BRITISH COLUMBIA



## MÉTIS NATION YOUTH ACT

AS RATIFIED SEPTEMBER 2021 ANNUAL GENERAL MEETING

## ARTICLE ONE - TITLE

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

## ARTICLE TWO – PURPOSE OF THE ACT

- 2.0 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 In this Act:
- 3.2 “**MYBC Committee**” means the seven elected youth representatives, one from each Region and the Chairperson also known as the Minister Responsible for Youth.
- 3.3 “**Legislation**” means legislative documents, laws and/or acts including amendments to existing legislative documents, laws and/or acts.
- 3.4 “**MYBC**” means the Métis Youth of British Columbia.
- 3.5 “**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. All Métis Youth BC (MYBC) committee members shall not be subject to any civil action, suit or prosecution as a result of anything done or not done in relation to the performance of their duties as Métis Youth BC representatives.
- 3.6 “**The Provincial Youth Chairperson**” the MNBC Youth representative elected in a Province wide election in accordance with the provisions of the *MNBC Electoral Act*.
- 3.7 “**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*.
- 3.8 “**Métis Youth**” means those Métis Citizens between 15 to and including 30 years of age.
- 3.9 “**The Director of Youth**” shall mean an employee of Métis Nation BC who is hired or appointed as the Director of Youth to support and further the Métis Youth of British Columbia.

## ARTICLE FOUR – GENERAL OBJECTIVES

- 4.1 MYBC shall:
- 4.2 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.*

- 4.3 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.
- 4.4 *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.*
- 4.5 The Director of Youth shall assist MYBC in all administrative functions in advancing all MYBC youth initiatives throughout the Province.
- 4.6 The Director of Youth shall actively pursue funding to support and maintain the activities of the MYBC.

## **ARTICLE FIVE – MYBC GOVERNANCE STRUCTURE**

- 5.1 MYBC shall:
- 5.2 The MYBC Committee shall, subject to available funding, attend every MNGA Assembly and MNBC Assembly.
- 5.3 The Provincial Youth Chairperson is a voting director on the MNBC Board of Directors.
- 5.4 The Provincial Youth Chairperson shall provide Provincial and Federal representation and be accountable to the MYBC Committee and the MNBC Board of Directors
- 5.5 The seven Regional Youth Representatives each shall hold voting seats on their respective Regional Governance Councils.
- 5.6 The regional youth representatives should be accountable to the Métis Youth BC (MYBC) Committee, their Regional Governance Councils and Métis citizens of BC.
- 5.7 The MYBC Committee shall elect, from among its members, a Co-Chair, a Secretary and Treasurer, who shall collectively be known as the “Executive”.
- 5.8 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.
- 5.9 MYBC shall prepare and maintain written minutes of all meetings and conference calls (the “MYBC Minutes”).
- 5.10 MYBC Minutes shall be retained in the office of the Director of Youth.
- 5.11 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 PROCESSES

- 6.0 MYBC electoral processes shall:
- 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, including the Provincial Métis Youth Chairperson, shall be elected for a four (4) year term in conjunction with the *MNBC Electoral Act* and *MNBC Guidelines*.<sup>1</sup>
  - 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*.

---

<sup>1</sup> Amended September 2021 Annual General Meeting, not in force until 2024 MNBC Provincial Election.

**BYLAWS  
OF  
MÉTIS PROVINCIAL COUNCIL OF BRITISH COLUMBIA**  
(the “MPCBC” or the “Society” as the case may be)

**1. Definitions**

“Act” means the *Societies Act* of British Columbia as amended from time to time;

“AGM” means the Annual General Meeting of the Society.

“Board” or “Board of Directors” means the Directors of the Métis Nation British Columbia (the “MNBC”) which are the MNBC President; Vice-President; Métis Women’s Provincial Representative; the Métis Youth Provincial Representative; and the Regional Directors.

“Bylaws” means these Bylaws as may be altered from time to time.

“Community” means those individuals who, residing in a defined geographical area, are related to each other through Métis connections of a historical, cultural, or traditional nature.

“Constituent” means an individual who has a connection with a Métis Community and wishes to enjoin with Métis Citizens in celebrating the Métis cultural heritage. A Constituent shall not be entitled to a vote at meetings of the Society.

“Director” means a member of the Board of Directors.

“Distinct from other Aboriginal Peoples” means distinct for cultural and nationhood purposes.

“Member” means a Métis Citizen

“Métis Citizen” or “Citizen” as the case may be, means a person who self-identifies as Métis, is of historic Métis Nation Ancestry, is distinct from other Aboriginal peoples and is accepted by the Métis Nation as a Métis Citizen in accordance with the provisions of the *Citizenship Act*.

“Métis Nation” means the Aboriginal peoples descended from the Historic Métis Nation, which is now comprised of all Métis Nation Citizens and is one of the “aboriginal peoples of Canada” within s.35 of the Constitution Act of 1982.

“Métis Nation British Columbia (the “MNBC”) means the governing body of the Métis Citizens and Métis Communities in British Columbia which has as its Constitution the Constitution of the MNBC and as its administrative arm and secretariat, the MPCBC.

“Officer” means a person elected or appointed with the authority to sign documents and agreements on behalf of MPCBC if so authorized by the Board of Directors.

“SGM” means a special general meeting of the Society.

- 1.1 Subject to the Definitions herein provided the Definitions in the Act shall apply to these Bylaws.
- 1.2 In these Bylaws, words importing the singular include the plural and visa versa and words importing a gender applies to both genders.
- 1.3 Unless specified to the contrary in these Bylaws, any conflict between the provisions of these Bylaws and the Act or the regulations to the Act the provisions of the Act or the regulations will prevail.

## **2. Membership**

- 2.1 Annual Dues, if any, shall be determined by the Board of Directors.
- 2.2 Constituents shall not be deemed to be Métis Citizens and shall not be entitled to a vote.
- 2.3 A person shall cease to be a Member in the event of the following:
  - a) upon delivering a written letter of resignation to the Society or that Member’s Regional Director;
  - b) the death of the Member; or
  - c) the removal of the Member as a result of being confirmed on the Indian Registry System as maintained by Indigenous and Northern Affairs Canada.
- 2.5 Any Member may be suspended or removed from the Society or have their name removed from the list of the Members of the Society by a  $\frac{3}{4}$  majority vote at an AGM or SGM called for that purpose if notice of that suspension or removal is given to that person at least 30 days prior to the AGM or SGM and that person has had an opportunity to give an oral and/or written response to the suspension or removal.
- 2.6 Notice of a suspension or removal shall be made to the Member being suspended or removed in a written document which describes in plain, unambiguous language, the proposed suspension or removal and the reasons therefore as described in the MNBC policy and procedure manual as amended from time to time.
- 2.7 A Member shall not be suspended or removed from the Society or have their name removed from the list of Members in any way except as is set out in these Bylaws.
- 2.8 No Member may be suspended for more than four (4) years. A suspended Member may not run for any office or sit on any board.

- 2.9 The Society will strive to ensure that the Society its Members and Constituents gain fair benefit from, and have equal access to, all aboriginal programs in Canada and the Province of British Columbia.

### **3 Meetings**

- 3.1 A general meeting shall be held at the time and place that the Board determines.
- 3.2 Ordinary business to be conducted at a general meeting includes the following:
- a) adoption of the rules of order;
  - b) financial statements of the Society;
  - c) consideration of officers, Directors or auditors reports, if any;
  - d) election or appointment of Directors when applicable;
  - e) appointment of an auditor, if required;
  - f) business arising out of a report of the directors not requiring the passing of a special resolution; and
  - g) such other matters as shall be included on the Agenda for that AGM.
- 3.3 Annual General Meetings (“AGM”) shall be held in September of each year with no less than fourteen (14) days’ notice to the Members at a time, date and location chosen by the Board of Directors and, unless otherwise specified, shall be held in conjunction with the Annual General Meeting of the MNBC. The agenda for each AGM shall be provided to the Members no less than fourteen (14) days before the date of the AGM.
- 3.4 Special or Extraordinary General meetings (“SGM”) shall be held when circumstances deemed required by the Board of Directors on seven (7) days’ notice to the Members.
- 3.5 Notice of an AGM or SGM shall be provided to Members by facsimile, email or post at the last known facsimile number, email contact or address and must state the nature of any business, other than ordinary business, to be transacted at the meeting in sufficient detail to permit a member receiving the notice to form a reasoned judgment concerning that business.
- 3.6 Only Members shall be entitled to participate at an AGM or SGM. Only those Members who are 18 years of age or older on the date of the AGM or SGM; who have been a resident of British Columbia for at least 12 months prior to the date of the AGM or SGM; will be entitled to vote at a AGM or SGM.
- 3.7 Except for Annual General Meetings that are held in conjunction with the MNBC AGM the Chair for a general meeting shall be the President of the MNBC. If the President is unavailable the Vice-President shall act as Chair and in the event the President and Vice-President are unavailable the voting Members in attendance at the meeting shall elect an individual from the Members present at the meeting.
- 3.8 The quorum for the transaction of business at a general meeting is thirty-six (36) of the voting members.

- 3.9 If a quorum is not present within 30 minutes of the time set for the meeting, the meeting shall be adjourned to a date to be set by the Board of Directors and if a quorum is not present at that meeting within 30 minutes of the time set for that meeting, the Members who are present for that meeting constitute a quorum.
- 3.10 Voting at a general meeting shall be by voting cards or in the absence of such by a show of hands unless a secret ballot vote is requested by a majority of the members in attendance.
- 3.11 Voting by proxy is not permitted.
- 3.12 All matters to be decided at a general meeting are decided by ordinary resolution and adopted by simple majority unless the matter is required, by these Bylaws to be decided by a special resolution or another resolution with a higher voting threshold.

#### **4. Directors**

- 4.1 A Directors' meeting may be called by the President or by two (2) other Directors on seven (7) days' notice unless that notice period is waived by the Directors.
- 4.2 50% of the members of the Board of Directors shall constitute a quorum.
- 4.3 The President of the Society and in their absence, the Vice-President shall be the Chairperson for meetings of the Board of Directors. In the event the President or Vice-President is not available or does not attend at a meeting of the Board of Directors, the Directors in attendance at the meeting shall, upon confirming quorum, appoint a Director from among them to be the chairperson for the meeting.
- 4.4 The Board of Directors may exercise all the powers and do all the acts and things that the Society may do and may, in the exercise of their duties and on behalf of and in the name of the Society, raise or secure funds and the payment or repayment of money in the manner they decide.
- 4.5 The Board of Directors may institute annual Membership fees and such other fees or charges as are reasonable and necessary for application for membership or for the provision of services by the Society.
- 4.6 An officer who has been appointed to hold an office as set out in Sub-Article 3.2 may be suspended or removed from office by a majority vote of the Board of Directors at attendance at a meeting of the Board called for that purpose. The suspension or removal of a Director from a position as an officer does not suspend or remove that Director from his or her position as a director.
- 4.7 A Director may be removed from office:
  - a) when the Director is disqualified;

- b) when the Director is convicted of a criminal offence carrying a penalty of two years or greater; or
- c) when the Director has been removed by a majority vote of the Members in attendance and entitled to vote at an AGM or an SGM when notice of that Director's removal has been provided to the Director prior to the AGM or SGM.

A Director so removed may appeal the removal to the Senate whose decision shall be final and binding.

4.8 A Director ceases to be a Director when that Director

- a) dies;
- b) resigns by written instrument delivered to the Society;
- c) ceases to be the President of the MNBC, or is no longer the Vice-President of the MNBC, or is no longer a Regional Director of the MNBC, or is no longer the Chairperson of the Métis Women of British Columbia, or is no longer the Chairperson of the Métis Youth of British Columbia.;
- d) ceases to be a Citizen;
- e) is convicted of a criminal offence carrying a penalty of two years or greater; or
- f) is removed as a Director in accordance with the provisions of these Bylaws.

4.9 A Director may be suspended by a vote of the majority of the Members of the Board of Directors. A Director so suspended may appeal the suspension to the Senate whose decision shall be final and binding. A suspension may be with or without pay at the discretion of the Board of Directors.

4.10 A Director shall be given notice of any proposed resolution to remove or suspend that Director and he or she shall be given an opportunity to speak to the Board of Directors or to the Society Members in attendance at an AGM or SGM where the removal or suspension will be subject to discussion and/or vote.

4.11 In the event of a vacancy in the Board of Directors and subject to available financial resources, a by-election shall be held within one hundred and twenty (120) days of the date of vacancy except in the case of the office of President. In the event of a vacancy in the office of President and financial resources are unavailable, the sitting Vice-President will fill the office of President and the Board of Directors will appoint, from among them, a person to fill the office of Vice-President until a by-election or election is held for that purpose. In the case of any other vacancy on the Board of Directors, the Board of Directors will request the assistance of the MNGA who, in consultation with the relevant Regional Governance Council where appropriate, appoint a Director to fill the vacancy for such term and with such rights of participation in all of the governance processes as may be determined by the MNGA.

4.12 A Director may be remunerated for performing their duties as a director.

**5.0 Relationship with MNBC**

- 5.1 The Society acknowledges that the MNBC is the governing Provincial body of the Métis Citizens in British Columbia and in the geographical Area of the Society and shall, as the Administrative arm and secretariat of the MNBC, provide such support and assistance to the MNBC to fulfill its governance role as may be appropriate or required.
- 5.2 Any provisions of these Bylaws that are inconsistent with the MNBC Constitution shall be null and void as it relates to that matter. The Society acknowledges that the governance of the Society is intended to be consistent with the provisions of the MNBC Constitution and Legislated Acts.

**6.0 Financial**

- 6.1 The Society shall be the subject of an Audit each year by an auditor in good standing in in the Province of British Columbia.

**7.0 Dissolution**

- 7.1 On the winding up or dissolution of the Society any and all assets remaining after all the just debts of the Society have been paid shall be transferred to a society having a charitable purpose similar to that of the Society. Any transfer of assets to such society shall be sufficient to discharge any and all obligations and responsibilities of the Society in relation to those assets.

**8.0 Amendment**

- 8.1 Subject to the amendment by the MNBC Board of Directors of matters that are “Housekeeping Matters” as defined in the *Métis Nation Governing Assembly Act*, these Bylaws shall only be amended by a Special Resolution requiring the approval of at least 75% of the Society Members in attendance at a AGM or SGM where no less than fifteen (15) days notice of the proposed amendment has been given.
- 8.2 Amendments to Bylaws 1, Definition of Constituent; 2.3; 2.4; and 3.6 shall only be amended by a Special Resolution requiring the approval of at least 85% of the Members in attendance at an AGM or SGM where no less than thirty (30) days notice of the proposed amendment has been provided to the Members.
- 8.3 Except as provided elsewhere in these Bylaws, all proposed amendments to the Bylaws must be registered with the Board of Directors no less than ten (10) days prior to the date of the AGM or SGM and if approved, shall come into effect on the later of the date at which it is filed with the registrar of Societies or the date specified in the special resolution.
- 8.4 All approved amendments to the Bylaws shall be appended to the Bylaws.



