RESOLUTION 2

APPROVED AS AMENDED AT THE
2025 MÉTIS NATION BRITISH COLUMBIA
ANNUAL GENERAL MEETING

Subject:	By-election Timing and Filling Vacancies on MWBC, MYBC, and the ~~2SLGBTQQIA+ Provincial Governance Councils~~ 2SMBC
Legislation Affected:	*Constitution; MPCBC Bylaws*
Submitted by:	Métis Nation Governing Assembly via MNBC Board of Directors
Submitted to:	AGM Clerk
Date Submitted:	March 31, 2025
Vote Required for Approval:	75%

WHEREAS

1. If vacant seats on the MNBC Board, MWBC, MYBC, or the 2SMBC ~~2SLGBTQQIA+ Provincial Governance Council~~ remain after an election, the *Constitution* requires that a by-election be called within 120 days of the date of that vacancy;

2. 120 days is a short time period to take all the steps necessary to meet the other deadlines, set out in the *Electoral Act,* including convening the MNGA to set an election date and preparing materials to ensure the by-election is run properly;

3. Discrepancies in legislation must be rectified;

4. It is important that MWBC, MYBC, and the 2SMBC ~~2SLGBTQQIA+ Provincial Governance Council~~ have all positions filled;

5. The *Constitution* and the *Electoral Act* are silent on the process that occurs after a by-election is held and vacancies in Regional Representative positions remain, which could lead to ongoing by-elections at a substantial cost to MNBC.

BE IT RESOLVED THAT

A. Article 47 of the *Constitution* be amended by striking the words “one hundred and twenty (120)” and inserting the words “one hundred and eighty (180)” in their place.

   AND that the following words be added after the word “level”: For the purposes of counting the 180 days, every day from December 24 to January 2 (inclusive) is not counted”

B. Insert the underlined words in Article 47.4 of the *Constitution,* as set out below:

47.4. 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. In the case of a vacancy on the 2SMBC ~~2SLGBTQQIA+ Provincial Governance Council~~, an interim Representative will be recommended to the MNGA by the 2SMBC ~~2SLGBTQQIA+ Provincial Governance Council~~ in consultation with the relevant Regional Governance Council. An interim Director or Representative shall be subject to Article 45 of the Constitution.

C. The following be added as a new article before Article 48 of the *Constitution*:

If a vacancy remains in any Regional Representative position for MWBC, MYBC, or the ~~2SLGBTQQIA+ Provincial Governance Council~~ 2SMBC following a by-election to fill vacancies that were not filled in the original election, a recommendation to fill the position(s) until the end of the current term will be submitted to the MNGA for approval, as set out in Article 47.4.

D. All Articles in the *Constitution* be renumbered as appropriate.

E. Article 10.1 of the *Electoral Act* be amended by deleting the struck-through text and inserting the underlined text as set out below:

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 a ~~an Election~~ by-election to be held ~~no earlier than three (3) months and~~ no later than 180 days ~~six (6) months~~ from the date of the original Election and shall follow the processes and rules set out in this *Electoral Act.* For the purposes of counting the 180 days, every day from December 24 to January 2 (inclusive) is not counted.

(a) If a vacancy remains in any Regional Representative position for MWBC, MYBC, or the 2SMBC ~~2SLGBTQQIA+ Provincial Governance Council~~ following a by-election to fill vacancies that were not filled in the original election, a recommendation to fill the position(s) until the end of the current term will be submitted to the MNGA for approval, as set out in Article 47.4 of the *Constitution.*

F. Article 4.11 of the MPCBC Bylaws be amended by striking “one hundred and twenty (120)” and insert “one hundred and eighty (180)” in its place. For the purposes of counting the 180 days, every day from December 24 to January 2 (inclusive) is not counted.