

MÉTIS NATION BRITISH COLUMBIA



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MÉTIS NATION GOVERNING ASSEMBLY ACT

AS RATIFIED SEPTEMBER 2024 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.
- 2.5 “**Constitution**” shall mean the Constitution of the Métis Nation British Columbia (the "MNBC") as amended from time to time.
- 2.6 “**Clerk**” shall mean the Clerk of the Métis Nation Governing Assembly.
- 2.7 “**Community Governance Charter**” means the written document that shall set out the terms of the relationship between a Community and the MNBC.
- 2.8 “**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 British Columbia (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.

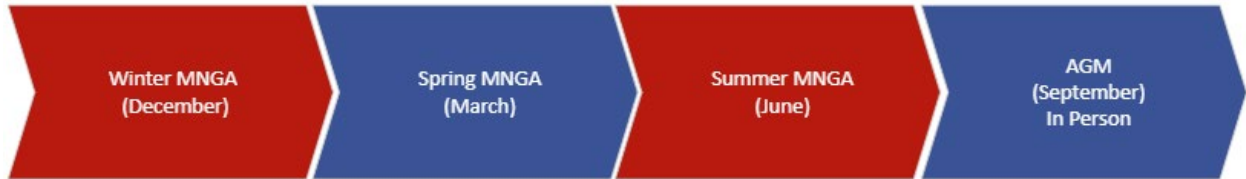
And that the interest means that a reasonable person would conclude that the interest or personal benefit to be gained could influence or affect the decision-making of a member.

- 2.9 “**Deputy Speaker**” shall mean the Deputy Speaker of the MNGA.
- 2.10 “**Executive**” shall mean the Executive members of the MNBC who are elected province-wide and which includes the President, Vice-President, Treasurer, and Secretary.
- 2.11 “**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, starting with MNGAs in the Winter (December), Spring (March), and Summer (June), and concluding with the AGM in September of each year.



- 2.13 “**Governing Assembly**” shall mean a meeting of the MNGA as set out in the Constitution.
- 2.14 “**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.”
- 2.15 “**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
- 2.16 “**Legislation**” means laws and/or acts , and includes resolutions that introduce new or amend existing laws and/or acts.
- 2.17 “**Métis Nation Governing Assembly**” (MNGA) means the legislative body of the MNBC, as set out in the Constitution.
- 2.18 “**Métis Nation British Columbia**” means, the organization that represents the Métis Citizens pursuant to the provisions of the Constitution.
- 2.19 “**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, Chairperson of the Métis Youth BC Council, and the Chairperson of the 2SLGBTQIA+ Provincial Governance Council, and which represents the Métis Citizens and for the purpose of this Act will be referred to as the MNBC.
- 2.20 “**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.
- 2.21 “**Regions**” shall mean the MNBC regions as are defined by the Constitution.
- 2.22 “**Roll Call**” shall mean the call to order of a General Assembly.



- 2.23 “**Senate**” shall mean the MNBC Senate.
- 2.24 “**Speaker**” shall mean the Speaker of the MNGA.
- 2.25 “**Urgent Business**” means business of a time sensitive matter that requires the attention of the MNGA in the current governance cycle.

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, MYBC Chairperson, the Chairperson for the 2SLGBTQQIA+ Governing Council; 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.

3.3.1 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*.

3.4 If the Provincial Chair of the Métis Women of British Columbia is unable to attend a Governing Assembly, the MWBC Vice-Chair may attend in their place.

3.5 If the Provincial Chair of the Métis Youth of British Columbia is unable to attend a Governing Assembly, the MYBC Vice-Chair may attend in their place, so long as they are at least 18 years of age.

3.6 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.



- 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.
- 3.10 Despite Article 3.9, 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.
- 3.11 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.
 - a. Such a motion must specify the nature of the conflict in general terms.
 - b. 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.
- 3.12 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.
- 3.13 A Person suspended from being a member of the MNGA may appeal the suspension to the Senate, whose decision shall be final and binding.

ARTICLE FOUR - VOTING AND QUORUM

4.0 In this Act:

- 4.1. 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. 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. 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.
- 4.4. 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;
- 4.5. Legislation or amendments to the Constitution that have been approved by the Governing



Assembly shall be presented for final approval or adoption by the Métis Citizens in attendance at an MNBC Annual General Meeting or Special General Meeting.

- 4.6 Legislation or amendments to the Constitution which have been 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.
- 4.7 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.
- 4.7.1 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 – 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.

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

6.0 The Speaker and Deputy Speaker, or two Co-Speakers shall:

- 6.1 Be elected by the MNGA at a Governing Assembly;
- 6.2 May be made from within or outside the MNGA, but must be a registered MNBC Citizen pursuant to the *Citizenship Act*;
- 6.3 Be for a term of two (2) years subject to re-appointment;
- 6.4 Be responsible for the procedures, rules, debates and decorum of the Governing Assembly;
- 6.5 Receive the list of members and seating arrangements of the Governing Assembly from the Clerk as established by the Roll Call;
- 6.6 Approve all participation in debates and voting;
- 6.7 Secure a written record of the Governing Assembly and certify the minutes;
- 6.8 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;
- 6.9 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;

ARTICLE 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 and notice, the minutes of the previous MNGA for adoption, and all reports to be presented to the MNGA.
- 7.4 Obtain and retain a certified copy of the minutes from the Speaker;
- 7.5 Provide the draft minutes of the previous MNGA for adoption by the members 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 EIGHT - SENATE

- 8.0 The Senate shall, in relation to the MNGA:
 - 8.1 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 NINE- 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 TEN – 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;
- 10.1.10 2SLGBTQQIA+ Provincial Governance Council Report,
- 10.1.11 Any other reports required by the Constitution or Legislation.

10.2 Expenditure Report

- 10.2.1 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 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 TWELVE - NOTICE OF LEGISLATION AND CONSTITUTIONAL AMENDMENTS, AND NOTICE OF OTHER MATTERS

12.1 Legislation or amendments to Legislation:

- a) Shall be submitted only by the members of the MNGA;
- b) Shall be submitted to the Clerk no less than 30 days prior to the MNGA 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) If approved by the MNGA, 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.

12.2 Constitutional Amendments



- a) Shall be submitted only by the members of the MNGA;
- b) Shall be submitted to the Clerk no less than 40 days prior to the MNGA meeting 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) If approved by the MNGA, will be presented 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 submitted only by the members of the MNGA;
- b) Shall be 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 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 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) 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.

12.5 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 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.

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 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:

- 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.

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, MWBC Regional Representative, MYBC Regional Representative, or the Regional Representative for the 2SLGBTQQA+ Provincial Governance Council.

ARTICLE 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.
- 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.



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.