



RESOLUTION 5

ADOPTED AT THE SEPTEMBER 2024
MÉTIS NATION BRITISH COLUMBIA
ANNUAL GENERAL MEETING

Subject: *MNGA Act* Amendments

Legislation Affected: *MNGA Act*

Submitted by: Métis Nation Governing Assembly via MNGA Governance Committee

Submitted to: AGM Clerk

Date Submitted: June 2, 2024

Vote Required for Approval: Majority

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, starting with MNGAs in the Winter (December), Spring (March), and Summer (June), and concluding 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.
- 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;~~ 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~~ 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 Eleven:

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 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 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