Mosquito, Grizzly Bear’s Head, Lean Man First Nation
Election Law 2022

Governing Elections for Chief and Council of Mosquito, Grizzly Bear’s Head, Lean Man First Nation
Preamble

We, the members of the Mosquito, Grizzly Bear’s Head, Lean Man First Nation, recognize that we are guided by the ancestral cultural teachings and natural laws passed down through stories and customs from our ancestors.

We, the members of the Mosquito, Grizzly Bear’s Head, Lean Man First Nation, in exercising our Treaty, Indigenous, Aboriginal and Inherent Rights, enact this Mosquito,
Grizzly Bear’s Head, Lean Man First Nation Election Law as an expression of our sovereignty and self-governing status.

We, the members of Mosquito, Grizzly Bear’s Head, Lean Man First Nation, fully recognize that any and all government-imposed law including the Indian Act are colonial and foreign to the Nakoda people, the “Nakon”, and therefore such laws are susceptible to corruption, designed to create animosity and divisions amongst us and are not reflective of who we are, as sovereign, united “Nakon” people.

We, the members of Mosquito, Grizzly Bear’s Head, Lean Man First Nation, understand that we have the inherent right to develop our own Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law, 2022 and agree to enact this Law, as part of our continuing work to restore our traditional “Nakon” governance processes, which have been displaced since British colonization, including our traditional processes for identifying, respecting and honoring the true leaders of our people, according to our “Nakon” laws, values, beliefs, and practices.

Short Title

This Law may be cited as the Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022 (the “Law”).

Article I. Interpretation

1.01 Definitions—In the within Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022:

“Appeals Tribunal” means the Elders Advisory Council supported by Independent Legal Counsel in accordance with the provisions of this Law.

“Ballot” means a sheet of paper or a card used to cast or register a vote;

“Ballot Box” or “Ballot Boxes” means an inconspicuous box in which a Ballot is dropped after voting, and unable to be read;

“By-election” means an Election under the Law for either a Chief and/or one or more Councillors to fill a vacancy or vacancies that occurred during a term of office of Council or due to some, but not all, of the offices of Council being filled at the General Election, see also By-election in sub-section 4.02(b);

“Candidate” means an eligible voter who is an individual registered as a member of the First Nation and is at least the age of eighteen (18) years on or before the date of the nomination, who qualifies to run for and does run for the position of Chief or a Council position of the First Nation, as described in this Law;
“Chief” means the Chief of Mosquito, Grizzly Bear’s Head, Lean Man First Nation;

“Chief and Council” means the Chief and Council duly elected pursuant to this Law;

“Chief Electoral Officer” means the person referred to as such and appointed by the Chief and Council by resolution in accordance with substantially the same form as outlined in Appendix “A” under the Law who is in charge of an Election under the Law;

“Clear Criminal Records Check” means a written statement from a recognized law enforcement agency with access to criminal records computer database(s) stating that the proposed candidate being the subject of a criminal records search of such database(s) has not been convicted of the following offences within five (5) years immediately preceding the Election Day:

(a) An offence under the Controlled Drugs and Substances Act of Canada or offence under the Food and Drugs Act of Canada, involving the importation, trafficking or possession for the purpose of trafficking of a prohibited or controlled substance covered by any of such legislation of Canada or successor legislation of Canada;

Or has been convicted at any time, without limitation of years, prior to the Election Day:

(b) An offence contrary to any election law of any First Nation within Canada, or other such applicable election laws of any province of Canada, of an election law enacted by Canada, or an offence under the Criminal Code of Canada arising from an election law violation.

(c) An indictable offence under the Criminal Code of Canada, or of a dual offence where the Crown has elected to proceed by way of indictment, for fraud or any other breach of trust violations.

“Council” means the governing body of Mosquito, Grizzly Bear’s Head, Lean Man First Nation and made up of the Chief and the Councillors of Mosquito, Grizzly Bear’s Head, Lean Man First Nation;

“Councillor” means a member of Council;

“Days” means a series of days being any days of the week inclusive of the first day and exclusive of the last day;
“Deputy Electoral Officer” means the person referred to as such and selected according to substantially the same form outlined in Appendix “B” under the Law who assists the Chief Electoral Officer;

“Director of Operations” means the person designated as such in the organization structure of Mosquito, Grizzly Bear’s Head, Lean Man First Nation and is the senior administrative officer or successor position;

“Drug Screening Test” means a technical analysis of a biological specimen, for example urine, hair, blood, sweat and/or oral fluid/saliva, to determine the presence or absence of specified parent drugs or their metabolites to determine the presence of any illegal drug or substance, as defined by the Controlled Drugs and Substances Act (S.C. 1996, c. 19) as may be amended from time to time.

“Elders Advisory Council” means a Council of at least three Elders chosen by the Chief and Council or the Chief Electoral Officer pursuant to the terms of this Law who have the support of Independent Legal;

“Election” means a General Election or a By-election;

“Election Day” means the day and date for an Election under the Law;

“Elector” means a person who is:

- (a) A Mosquito, Grizzly Bear’s Head, Lean Man First Nation Member whose name appears on the ISC Department’s Membership list;
- (b) Lives on or off of the Mosquito, Grizzly Bear’s Head, Lean Man First Nation reserve;
- (c) At least eighteen (18) years of age on or before voting day; and
- (d) Not disqualified from voting at Elections for Council.

“Electoral Officer” means the person appointed by the Council to oversee the election process;

“Electorate” means the eligible voting membership;

“Electors List” means the list of Electors for an Election as maintained by the Department of Indigenous Services Canada Registrar and contains the names, in alphabetical order, of the Electors, or substantially all of the Electors with unintentional omissions being acceptable;

“First Nation” means the Mosquito, Grizzly Bear’s Head, Lean Man First Nation;

“First Nation Business Entity” means any corporation, limited partnership or other entity owned or controlled in part, directly or indirectly, by the First Nation;
“General Election” means an Election under the Law for the Chief and five (5) Councillors of Mosquito, Grizzly Bear’s Head, Lean Man First Nation;

“Independent Legal” means an independent lawyer chosen in accordance with this Law and not associated with the Mosquito, Grizzly Bear’s Head, Lean Man First Nation through retainer or otherwise and who can maintain objectivity while assisting the Elders Advisory Council.

“Law” means the Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022;

“Member” means a person who is a member of the First Nation;

“Nomination Day” or “Nomination Meeting” means the day and date set for the meeting and the closing of nominations for candidates for an Election;

“Performance Bond” means a monetary sum that is provided by a Candidate to guarantee his or her obligations to campaign for either the position of Chief or Councillor;

“Scrutineer” means an agent of a Candidate who shall be an Elector who is appointed by the Candidate;

“Status Number” means the number assigned to a Member under the Indian Registry maintained by the Government of Canada;

**Article II. Custom & Composition**

2.01 Elections of the First Nation are conducted under the Law and the provisions of the Law constitute the exercise of original inherent jurisdiction under the custom of the First Nation along with the provisions as contained in any legislation of the First Nation that may exist from time to time dealing with Elections or the ability of a Chief or Councillor to hold office.

2.02 The Council of the First Nation consists of one Chief and five (5) Councillors selected by Electors in an Election under the Law and such elected Council shall hold office no longer than four (4) years.

**Article III. Eligibility for Candidacy**

3.01 No person is entitled to vote at an Election unless such person is an Elector.

3.02 A person who is seeking to be elected under the Law as a Chief or Councillor is a Candidate for such position only if such person meets all of the following criteria
and is confirmed in writing by the Chief Electoral Officer as being a recognized Candidate in an Election for either the position of Chief or Councillor:

(a) Is an Elector;
(b) Is at least eighteen (18) years of age on the day of the Nomination Meeting;
(c) Has achieved a minimum of Grade twelve (12) education from a recognized learning institution, or an equivalent educational program, as determined by the Chief Electoral Officer;
(d) Is not disqualified from being a Candidate under the provisions of the Law or other legislation of the First Nation;
(e) Is running for only one position in an Election;
(f) Is not an employee of the First Nation, or any of the First Nation Business Entities, with the right of such employees to request and receive a leave of absence without pay effective the day of becoming a Candidate;
(g) Does not hold a contract with the First Nation at the time of closing of nominations except as it relates to a school bus, community water delivery and community waste disposal contract;
(h) Does not have an outstanding debt of more than ONE HUNDRED DOLLARS ($100.00) owed to the First Nation as verified by the finance department and/or the Director of Operations, if it is confirmed that the individual has an outstanding debt, the amount of the debt will be required to be paid up by the Nomination Day;
(i) Can provide a Clear drug/illegal substances test; and
(j) Can provide a Clear Criminal Records Check.

3.03 Each person nominated for the position of Chief must submit a non-refundable Performance Bond of FIVE HUNDRED DOLLARS ($500.00) by money order or certified cheque payable to the First Nation no later than five (5) calendar days from the Nomination Day. For greater certainty, the Performance Bond shall be used to pay for the costs of the Election.

3.04 Each person nominated for the position of Councillor must submit to the Chief Electoral Officer or Deputy Electoral Officer, a non-refundable Performance Bond of TWO HUNDRED FIFTY DOLLARS ($250.00) by money order, certified cheque payable to the First Nation no later than five (5) calendar days from the Nomination Day. For greater certainty, the Performance Bond shall be used to pay for the costs of the Election.

**Article IV. Calling an Election**

4.01 Except as may otherwise be provided in the Law, Election Day is set by the Chief and Council on the first Friday in April unless that date is a statutory holiday then it will be on the second Friday in April on a FOUR (4) year cycle.

4.02 An Election is called by the Council in the following circumstances:
(a) A General Election is called before the expiration of the term of office for Council and in any event no later than seventy (70) days before the term of office of the current Council expires;

(b) A By-election is called as soon as practicable after the date that the vacancy occurs. The Council shall have the discretion of calling a By-election taking all circumstances into consideration, including the cost and timing of a By-election.

4.03 The calling of the Election is in the form of a resolution of Council being in the same form or substantially the same form as set out in Appendix “A” to the Law stating the call for the Election, setting Election Day and appointing a Chief Electoral Officer, the Appeals Tribunal and independent Legal Council.

4.04 The completed form as set out in Appendix “A”, is posted no less than forty-five (45) days before Election Day at the band office located on the First Nation and on the First Nation website and other social media, if possible.

4.05 The Chief Electoral Officer’s duties are set forth in Appendix “B”.

4.06 The Council may tender out the fees and reasonable expenses that the First Nation is prepared to pay the Chief Electoral Officer and any Deputy Electoral Officers to carry out the Election pursuant to the Law as Council may determine as reasonable.

4.07 The Chief Electoral Officer, in cooperation with the First Nation membership clerk, prepares or causes to be prepared an Electors List and prepares or causes to be prepared an election notice (the “Election Notice”) in the same form or substantially the same form as outlined in Appendix “C” to the Law and posts or causes to be posted the Election Notice at least thirty (30 days) prior to the Election Day as follows:

(a) In one or more conspicuous place(s) in one or more community buildings located within the First Nation, and on the First Nation website; and

(b) By way of regular mail sent to the last known address of each off-reserve Elector and post marked as outlined below.

In the event of a postal strike or a threatened postal strike during the thirty (30) days before an election, the Chief Electoral Officer shall provide the Election Notice, by publishing the notice at least thirty (30) days prior to the Election Day in newspapers that service the district of the Cities of North Battleford and Saskatoon located in Saskatchewan, as well as using social media.

4.08 A Notice of Election provides the date, time and place for each of the following election events, being:
(a) Notice of Election Day;
(b) Information on Electronic voting;
(c) Location of voting polls; and
(d) Notice of Nominations.

Article V. Nominations

5.01 The Election Notice contains the date, time and place of the Nomination Day being the last day open for nominations to be a Candidate in an Election and being not less than thirty (30) days before Election Day.

5.02 The Chief Electoral Officer encloses a nomination form (the “Nomination Form”) in the same form or substantially the same form as outlined in Appendix “D” to the Law with the Election Notice and the Chief Electoral Officer shall provide additional nomination forms to any Elector who requests such form. The Chief Electoral Officer shall record the names of off-reserve Electors who were sent the mail out Nomination Form and the date of mailing on a mail-out control sheet.

5.03 Nominations of Candidates are considered by the Chief Electoral Officer only if:

(a) The nomination is made using a Nomination Form in the same form or substantially the same form as outlined in Appendix “D” to the Law;
(b) The Nomination Form is in writing signed by two (2) other Electors and signed by the Candidate, which Candidate can only accept one (1) nomination position either for Chief or for Council;
(c) The original copy of the Nomination Form is given to the Chief Electoral Officer or a Deputy Electoral Officer on Nomination Day;
(d) If requested, the Chief Electoral Officer may require a Clear Criminal Records Check.

5.04 The Chief Electoral Officer sets and chairs a Nomination Meeting held on the Nomination Day at a community building on Mosquito, Grizzly Bear’s Head, Lean Man First Nation Reserve to be reserved by the Chief Electoral Officer for such use, commencing at a time as determined in the Election Notice and running for at least three hours. The Chief Electoral Officer serves as the secretary for the Nomination Meeting or may delegate the role of secretary to a Deputy Electoral Officer. The Nomination Meeting shall be set at a time during the day to accommodate Electors who are working during the day and live off-reserve.

5.05 The Chief Electoral Officer prior to the Nomination Meeting shall open all the mail in Nomination Forms received by the Chief Electoral Officer. There shall be a list of Candidates compiled prior to the Nomination Meeting and any person nominating may only nominate one Candidate for Chief and up to five Candidate for Council.
5.06 Nominations can be made from the floor of the Nomination Meeting held under the Law with the Nomination Form signed at such meeting. A nomination from the floor is conditional on the Candidate meeting the eligibility criteria outlined in section 3.02.

5.07 The Chief Electoral Officer opens the Nomination Meeting and declares the following as the agenda for the Nomination Meeting:

(a) Opening Prayer;
(b) Reading of the Election Notice;
(c) Reading section 5 of the Law if necessary;
(d) Subject to section 5.06, naming those Candidates whose nomination has been confirmed under the Law together with the two (2) nominators and the nominated position;
(e) Opens the floor for further nominations;
(f) Closing of nominations; and
(g) Closing Prayer.

The Chief Electoral Officer has charge of the Nomination Meeting and uses processes and procedures that are fair, respectful, equitable and efficient.

5.08 The Nomination Meeting shall close at a time as determined by the Chief Electoral Officer (not less than three (3) hours in length), and as listed in Appendix “C” to the Law.

5.09 The candidacy of a Candidate is confirmed by the Chief Electoral Officer signing the Nomination Form of the Candidate a maximum of five (5) days after the Nomination Meeting which confirmation can be withdrawn by the Chief Electoral Officer pursuant to section 5.12. The Chief Electoral Officer shall also confirm nomination with Candidates who were not in attendance at the Nomination Meeting. The Chief Electoral Officer shall fill out a separate Nomination Meeting report in the same form or substantially the same form found in Appendix “E”.

5.10 In the event the number of persons filing nominations to positions on Council does not exceed the requisite number, the Chief Electoral Officer shall declare the persons so nominated to be duly elected and caused to be posted a notice directed to the Electors in the same manner as the Election Notice stating that a vote will not be required due to the Election by acclamation and advising as to the results.

5.11 A candidate may withdraw his or her nomination at any time prior to the closing of the poll, by submitting to the Chief Electoral Officer a written withdrawal signed in his presence or in the presence of a justice of the peace, a notary public or a commissioner for oaths. Any candidate who withdraws before the closing of the poll must complete and sign a withdrawal form. Any votes cast for any such candidate shall not be counted.
5.12 The Chief Electoral Officer shall cancel the confirmation of a Candidate at any time so that the Candidate cannot run for office in the Election in the event the Chief Electoral Officer takes the matter to the Appeals Tribunal which determines on reasonable grounds and with the right of the Candidate to respond to the following events:

(a) That the Candidate has engaged in a corrupt practice in connection with the Election such as engaging in the use of bribery, threats, extortion, alcohol, drugs or giving or promising to give property to secure a vote(s);
(b) That the Candidate is ineligible to be a Candidate; or
(c) That the Candidate does not submit the Performance Bond within five (5) days after the Nomination Meeting.

5.14 If a nominee is not in attendance at the Nomination Meeting, the written consent of the candidate to run must be hand delivered or sent by facsimile or email to the Chief Electoral Officer or his or her designate within five days of the closing of the Nomination Meeting.

5.15 The decisions made under Article V are final subject to any further review in Federal Court.
Article VI. The Electors List, Election Conduct and Polls

6.01 At least fourteen (14) days before Election Day, the Chief Electoral Officer posts one (1) or more copies of the updated Electors List obtained from the Registration Unit of the Regional office minus personal information such as Status Number, address or telephone number, at the Band Office located on the First Nation, the First Nation website and/or on social media.

6.02 Any Elector may apply to have the Electors List revised on the ground that the name of an Elector is incorrectly set out therein or the name of an Elector is missing or the name of a person not qualified to vote provided the said elector provides documentation from the Department of Indigenous Services Canada (ISC).

6.03 If the Chief Electoral Officer is satisfied that the Electors List should be corrected, the Chief Electoral Officer makes the necessary correction.

6.04 The Chief Electoral Officer provides a copy of the Electors List to all candidates who request the same.

6.05 There is one voting location on Election Day being a community building located on the First Nation.

6.06 As set out in the Election Notice, voting by mail is only available to an Elector who makes a written request for a mail-in voting package at least 7 calendar days before the Election Day (the “mail-in Voting Package”) from the Chief Electoral Officer who upon receipt of request will promptly send the mail-in voting package as soon as feasible and provide a return mailing address. The Elector must return the mail-in voting package to the Chief Electoral Officer prior to the close of the polls.

6.07 A mail-in Voting Package consists of the following:

(a) Voting instructions, as outlined in section 7.17 of the Law and on the Ballot outlined on substantially the same form found in Appendix “F”;
(b) Declaration of identity, outlined on substantially the same form found in Appendix “G”;
(c) Return envelope with postage prepaid;
(d) Ballot initialed by the Chief Electoral Officer or a Deputy Electoral Officer;
(e) A Ballot envelope;
(f) A statement identifying the polling location and advising the Elector that he/she may vote in person at a polling location on the day of the Election; and
(g) A list of the names of the Candidates who were acclaimed.
An Elector who has requested and received a mail-in Voting Package, and who spoils or loses his/her Ballot, will not receive a replacement Ballot and must bring the Ballot to the polling location on Election Day to be cancelled by the Chief Electoral Officer before another Ballot is provided.

6.08 The Chief Electoral Officer procures or causes to be procured two (2) voting stations with electronic equipment to assist those who require help with secured electronic voting and one Ballot Box for mail-in ballots to be used at the polling location(s).

6.10 The Chief Electoral Officer or a Deputy Electoral Officer will ensure voting stations to provide assistance with electronic voting are free from observation, and the Chief Electoral Officer or a Deputy Electoral Officer may appoint a constable to maintain order at such polling place.

6.11 The Chief Electoral Officer and Deputy Electoral Officer shall preside over the polling location and outside the polling location and maintain order at all times, and may cause to be removed any person who in any way interferes, disrupts, or attempts to influence the orderly conduct of the poll, and if necessary, the Chief Electoral Officer and Deputy Electoral Officer may get the assistance of the Royal Canadian Mounted Police.

6.12 No election propaganda will be allowed to be posted in or around the polling location or in/on any band buildings.

6.13 Candidates or voters will not use any form of bribery or threats to solicit votes.

6.14 Any voter that is intoxicated or is under the influence of alcohol and/or drugs and is creating a disturbance, they will not be allowed to be present at the polling location or vote and will be asked to leave the premises until sober and not disruptive. This will be determined at the discretion of the Chief Electoral Officer.

6.15 A polling station is kept open from 9:00AM to 8:00PM.

6.16 A Candidate is entitled to not more than two (2) Scrutineer’s; however, only one (1) Scrutineer shall be allowed in a polling place at any one time.

6.17 The Chief Electoral Officer or a Deputy Electoral Officer, immediately before the commencement of the poll, opens the Ballot Box and call such persons as may be present to witness that each Ballot Box is empty. The Chief Electoral Officer or a Deputy Electoral Officer then locks and properly seals the Ballot Box to prevent each Ballot Box from being opened without breaking the seal, and places such Ballot Box in view for the reception of the Ballots, and the seal for each Ballot
Box is not to be broken nor the Ballot Box unlocked during the time appointed for taking the poll.

**Article VII. The Vote**

7.01 Separate paper Ballots are prepared with one for the position of Chief and the other for the position of Councillor for mail-in voting in substantially the same form as outlined in Appendix “F” to the Law and separate electronic Ballots are created for the voting platform.

7.03 The Chief Electoral Officer or Deputy Electoral Officer shall ensure that no one Elector can vote more than once.

7.04 An Elector whose name does not appear on the updated and current Electors List may vote at an Election if the Chief Electoral Officer or a Deputy Electoral Officer is satisfied that such person is qualified to vote by providing documentation that they are a registered member, signed by the Department’s Registrar and the Chief Electoral Officer or Deputy Electoral Officer may require such voter to swear an oath or affirmation of Elector in substantially the same form as outlined in Appendix “G” to the Law. The First Nation membership clerk shall be present on the date of the Election Day in order to cross-check and verify that a name that does not appear on the Electors List is qualified to vote.

7.05 Any Candidate, Scrutineer of a Candidate, Elector, Chief Electoral Officer or Deputy Electoral Officer can request that an oath or affirmation in substantially the same form as outlined in Appendix “G” to the Law be administered to any person intending to vote at the Election. The Chief Electoral Officer will ensure there is a Commissioner of Oaths or Notary of Public available on Election Day.

7.06 A person who does not meet the requirements of section 7.04 and has refused to take the oath or affirmation referred to in the Law when requested to do so shall not be permitted to vote.

7.07 The Chief Electoral Officer or Deputy Electoral Officer may and when requested to do so explain the manner of voting to a voter.

7.14 No person may interfere or attempt to interfere with a voter when such voter is voting or obtain or attempt to obtain information as to how a voter is about to vote or has voted.

7.15 Every Elector who is at the polling station or on the electronic platform during open poll is entitled to vote before the poll is closed.

7.17 The procedure to vote by mail is to use the documentation contained in the mail-in-Voting Package as follows:
(a) The Elector completes and signs the declaration of identity in substantially the same form as outlined in Appendix “G”;
(b) The Elector marks the Ballot;
(c) The Elector places the completed Ballot in the Ballot envelope and seals the Ballot envelope;
(d) The Elector places the Ballot envelope and the declaration of identity in the return envelope which has the return address of the Chief Electoral Officer;
(e) The Elector sends the return envelope to the Chief Electoral Officer by mail or courier, or hand delivers the return envelope to the Chief Electoral Officer or any Deputy Electoral Officer prior to the close of the polling place on Election Day;
(f) An Elector who votes by mail may not vote in person unless that Elector brings his or her mail-in Voting Package to the polling place, on Election Day, which shall be forthwith marked “Cancelled” by the Chief Electoral Officer or any Deputy Electoral Officer;
(g) If the above procedure is not followed or the return envelope is not received by the Chief Electoral Officer or a Deputy Electoral Officer prior to the close of the polling place on Election Day, the ballot envelope is not opened and the vote is not counted.

7.18 The procedure for electronic voting shall be as follows:

(a) The Chief Electoral Officer shall ensure that instructions for electronic voting are clearly provided on all notices, the electronic voting platform landing page, and available for distribution upon direct request from any elector.
(b) The electronic voting platform must operate across all digital platforms (smart phones, tablets, laptops and personal computers) and across all major operating systems.
(c) To cast an electronic vote, the elector shall:
   (i) visit the landing page (or home page) of the electronic voting platform;
   (ii) confirm their eligibility to participate using electronic voting;
   (iii) complete the elector registration process;
   (iv) declare their intent and desire to vote electronically;
   (v) complete the authentication and elector verification process;
   (vi) mark their electronic ballot(s); and
   (vii) confirm their electronic vote.
(d) During the electronic vote process set out in this section the Chief Electoral Officer will:
   (i) receive an email notification confirming the elector registration.
(ii) receive an email notification confirming the elector voted electronically.
(iii) mark the elector as having voted electronically on the Voters list.

(e) Where the elector has voted electronically the elector shall not be permitted to vote by mail-in ballot.

7.19 The Chief Electoral Officer shall ensure electronic voting platform is populated with a list of eligible Voters at least 14 days prior to Election Day and will verify all eligible voters.

(a) The Chief Electoral Officer shall have administrative access to the electronic voting platform to view and download daily reports and detailed activities reports.
(b) Individual voting results shall remain secret at all times and individual elector choices shall be encrypted in such a way as to ensure voter anonymity.

7.20 At a minimum the electronic voting platform shall exceed the threshold of elector verification and due diligence for mail-in ballots, and at minimum shall require for each elector:

(a) A digital signature (or equivalent);
(b) A unique personal identification number (PIN);
(c) A registry number (status card number); and
(d) Their date of birth.

7.21 Automated email notifications shall be generated in real-time to the Elector and Chief Electoral Officer of all and any activity associated with an Elector using the electronic voting platform, including:

(a) attempted registration and/or voting;
(b) completed elector registration;
(c) completed voting;
(d) failed registration and/or vote;
(e) system or communication failures, interruptions or lost data.

7.22 Daily detailed activity reports shall be generated via email to the Chief Electoral Officer.

7.23 At the official close of the poll the Chief Electoral Officer shall be able to access the tabulated electronic vote results.

7.24 All electronic voters list, ballots and confidential voter information shall be deleted and wiped from the servers of the electronic voting platform pursuant to
section 10.01, and certification to this effect will be provided by the Chief Electoral Officer.

7.25 Once an elector has voted once electronically, they cannot vote again electronically, and shall be restricted from doing so again by the electronic voting platform program Code.

7.26 Electronic voting will end automatically at the official close of the electronic poll and the electronic voting platform will no longer be accessible by voters.

7.27 After the close of the polls the Chief Electoral Officer shall add the Electronic Voting results to the results of the mail-in ballots and shall make a declaration certifying the recorded number of Electronic Votes.

7.28 Without contravening any part of this Law, Council may make regulations governing electronic voting procedures.

Article VIII. Mail-in Vote Count

8.01 Immediately or as soon as practicable after the close of the polling location, the Chief Electoral Officer or a Deputy Electoral Officer, in the presence of such of the Candidates or their Scrutineers as may be present, shall gather all of the mail-in Voting Package envelopes and do the following:

(a) Examines the entire mail-in Voting Packages and examines to ensure the Declaration if Identity has been completed correctly and does not open those mail-in-Voting envelopes where the person described in the Declaration associated with the ballot envelope voted in person at a polling station as shown by examining the Electors List, otherwise the mail-in Voting Package envelope is opened, the ballot is placed in the Ballot Box, the Electors List is marked showing the Elector as having voted by mail and the balance of the mail-in Voting Package;
(b) Opens the Ballot Box(s) located in the poll and examines the mail-in Ballots and rejects all spoiled Ballots;
(c) In circumstances where a Mail-in Ballot is not clear as to some but not all of the Candidate selections or it was determined that a voter also voted electronically then both mail-in and electronic Ballot shall be considered a spoiled ballot;
(d) Makes a written note of any objection made by any Candidate or his/her agent to any mail-in Ballot found in the Ballot Box and decides any question arising out of the objection, subject to review on recount or on an Election appeal;
(e) Numbers such objection and place a corresponding number on the back of the Ballot with the word “allowed” or “disallowed”, as the case may be,
with the initials of the Chief Electoral Officer or a Deputy Electoral Officer;

(f) Counts the votes given for each Candidate from the Ballots not rejected and make a written statement of the number of votes given to each Candidate and the number of Ballots rejected and not counted by the Chief Electoral Officer or a Deputy Electoral Officer, which statement is then signed by the Chief Electoral Officer or a Deputy Electoral Officer and such other persons authorized to be present as may desire to sign the statement.

8.02 Immediately after the completion of the counting of the votes from the mail in votes and electronic vote, the Chief Electoral Officer publicly declares to be elected the Candidate or Candidates having the highest number of votes, and the Chief Electoral Officer posts in a conspicuous place in the administrative offices of the First Nation, a statement signed by the Chief Electoral Officer showing the number of votes cast for each Candidate in substantially the same form as Schedule “A” and Schedule “B” as outlined in Appendix “H” to the Law.

8.03 Where it appears that two (2) or more Candidates have an equal number of votes, the Chief Electoral Officer shall immediately conduct a coin toss and declare the winning Candidate and such declaration shall be final.

Article IX. Report of the Chief Electoral Officer

9.01 The Chief Electoral Officer prepares and signs a report in substantially the same form as Appendix “H” to the Law.

9.02 One copy of the report of the Chief Electoral Officer is forwarded to each of the Candidates upon request, whether successful or not and results are posted in the Band office and Band Hall.

Article X. Disposition of Ballots

10.01 The Chief Electoral Officer deposits all mail-in Ballots in sealed envelopes and retains the same for sixty (60) days, and unless an appeal is launched, the Chief Electoral Officer destroys the Ballots in the presence of two (2) witnesses who make a declaration that they witnessed the destruction of those papers in accordance with Appendix “I” to the Law. Electronic votes shall be kept for sixty days (60) and if no appeal, the votes shall be deleted in the presence of two witnesses from the voting platform. If an appeal is launched, the destruction of such Ballots including electronic votes is delayed until the decision on the appeal is made.

Article XI. Term and Oath of Office
The term of office of the newly elected Chief and/or Councillors commences on midnight on the date of the Election or at time the results are announced.

Unless otherwise terminated under the Law or other legislation of Mosquito, Grizzly Bear’s Head, Lean Man First Nation, the term of office of the Council ends four (4) years after the Election Day of the last General Election.

In the event of an Election appeal, the members of Council elected at an Election hold office pending the decision of the Appeals Tribunal.

Each Candidate as a precondition to commencement of taking office takes an Oath of Office in substantially the same form as in Appendix “J” to the Law, at a ceremony.

All successful Candidates for Chief and Council shall remain subject to random Drug Screening Tests throughout the term as determined by Council resolution or the Electors, at a duly convened meeting of Electors for such purpose.

Article XII. Status of Chief and Councillor

An employee on a leave of absence that is elected is deemed to have resigned as an employee of the First Nation and is not entitled to any further or other compensation for such resignation other than payment of outstanding salary, holiday pay and severance pay to the extent applicable under legislation of the First Nation governing the same and if no such legislative provisions exist then as determined under the operations manual or the personal policy manual of the First Nation in effect at the time.

The Chief can designate an Acting Chief to serve as Chief in circumstances where the Chief is unable to serve as Chief due to illness or absence other than removal from office. In the event that the Chief is unable to serve as Chief and unable to designate an Acting Chief due to illness, Council by majority vote can designate a Councillor to serve as Acting Chief until such time as the health of the Chief changes and allows the Chief to serve as Chief. In the event the Chief has resigned or has been removed from office under the Law, then the Council by majority vote may as soon as practicable, designate a Councillor to serve as Acting Chief until a new Chief is elected under the Law.

Article XIII. Election Appeals

The result of the Election may be appealed by the following procedure in this section.
13.02 At least seventy (70) days prior to the date selected as the Election Day, the Band Council shall by resolution, set the date of the General Election, set the locations of the polling stations, appoint a Chief Electoral Officer and appoint Independent Legal Counsel and Appeals Tribunal for the purpose of conducting the Election pursuant to this Law in substantially the same form found in Appendix “A”.

13.03 The Appeals Tribunal will consist of a three member Elders Advisory Council who have the support of an Independent Legal Counsel and language interpreter(s). The Appeals Tribunal will handle all appeals and if required to provide advice on a removal as outlined in section 14. The Appeals Tribunal and Independent Legal Council shall be chosen by the Chief and Council at least seventy (70) days prior to the end of their term. The Appeals Tribunal members shall submit a letter of acceptance prior to the first sitting.

13.04 Within thirty (30) days after an Election, any Candidate in the Election or any Elector who gave or tendered his/her vote at the Election who has reasonable grounds for believing that:

(a) There was corrupt practice in connection with the Election by any person and without limitation including any of the following done directly or indirectly:

(i) Using bribery, threats, extortion, intimidation, alcohol, drugs or giving or promising to directly or indirectly give property, money, employment or contract rights to a select Elector or Electors to secure a vote or to promote a candidate(s);

(ii) Supplying alcohol or illegal substances to an Elector or at any meeting of Electors for the purpose of promoting a candidate(s);

(iii) Betting or wagering or taking a share in a wager relating to the results of a nomination or an election;

(iv) Impersonate the Chief Electoral Officer or a Deputy Electoral Officer;

(v) Solicit, compel or abet voting by ineligible Electors;

(vi) Soliciting Electors to obtain mail-in Voting Packages with a view to using the procedure to control the associated vote;

(vii) Submit false voting returns or unlawfully creating, altering or destroying documents referred to in the Law;

(b) There was a violation of the Law that might have affected the result of the Election; or

(c) A person nominated to be Candidate in the Election was knowingly ineligible to be a Candidate may launch an appeal to the Appeals Tribunal in accordance with the Law based on particulars duly verified by a sworn Affidavit.

13.05 An appeal to the Appeals Tribunal is launched using the following procedure:

(a) The appellant delivers a written Notice of Appeal substantially in the same form as outlined in Appendix “K” with attached sworn Affidavit specifying the grounds of appeal verified by affidavit, together with supporting documents with the name, address and contract information of the applicant
clearly noted, and such Notice of Appeal to the Appeals Tribunal in the care of the Director of Operations within thirty (30) days after Election Day;
(b) The appellant delivers an appeals bond in the amount of FIVE HUNDRED DOLLARS ($500.00) by cash or certified cheque which will be returned if the appellant is successful in the appeal, or if the appeal is dismissed the appeals bond shall be used towards the costs of the Appeals Tribunal.
(c) On receipt of the same, the Chief Electoral Officer refers the matter to the Appeals Tribunal appointed under this Law;
(d) The Appeals Tribunal determines the estimated costs to hear the appeal;
(e) The Appeals Tribunal advises the appellant and the Council of the sum required to be deposited with the Appeals Tribunal to cover the costs of the Appeals Tribunal to hear the appeal ("appeal deposit") and the time for paying the same, which sum is paid in the form of, bank draft or money order. For greater certainty the appellant and respondent shall bear their own costs in connection with the appeal and the costs associated with the appeal will be the responsibility of the First Nation;
(f) On receipt of the appeal deposit within the time specified, the Appeal Tribunal formally acknowledges the appeal. Prior to providing the Council and affected parties with copies of the appeal documentation, the Appeals Tribunal shall redact the appeal documentation to remove all personal and sensitive information while still retaining the name of the appellant. The Appeals Tribunal shall also advise the Chief Electoral Officer to make available any Election documents as requested by the Appeals Tribunal and sets a hearing date and location as soon as practicable;
(g) After the hearing is complete, the Appeals Tribunal renders a written decision and provides copies to all affected parties.

13.06 Any Candidate may, within fourteen (14) days of receipt of the copy of the Notice of Appeal, forward to the Appeals Tribunal a written answer to the particulars set out in the appeal together with any supporting documents relating thereto duly verified by affidavit.

13.07 All particulars and documents filed in accordance with the provisions of the Law constitute and form the record. As and when documents are filed in accordance with the provisions of the Law, the Appeals Tribunal in turn provides copies in a timely manner to each of the parties and to the Candidates in the Election. Personal information must be redacted from the documents in order to protect the privacy of the individuals filing the particulars and documents, in compliance with any applicable privacy laws in force from time to time.

13.08 The onus to prove the grounds of the appeal is on the party(s) launching the appeal.

13.09 An appeal is decided on the standard of a balance of probabilities and all material evidence in dispute requires corroboration.
The Appeals Tribunal renders a written decision within forty-five (45) days from the date the appeal was filed with the Appeals Tribunal. If the Appeals Tribunal does not render a written decision within such time frame, then the appeal is deemed to be denied. The Appeals Tribunal provides a decision on the appeal which decision takes any one of the following forms:

(a) Denial of the appeal;
(b) Allow the appeal, set aside the Election and call a new General Election;
(c) Allow the appeal and set aside the Election as it relates to certain of the Candidates and call a By-election (subject to section 1 and 4.02(b)); and
(d) Impose penalties as the Appeals Tribunal determines just as to persons who are found guilty of a corrupt practice under the Law.

The Appeals Tribunal, in its absolute discretion, disposes of the appeal deposit, as it deems proper.

The Appeals Tribunal as part of its decision orders that any of the persons or Candidates referred to in Section 13.09 of the Law is ineligible to be a Candidate under the Law in the subsequent election.

**Article XIV. Resignation & Removal**

**14.01** A resignation of a Chief or Councillor is made in writing signed by the person who intends to resign, with an effective resignation date stated in the resignation document. The resignation is deemed to be “accepted” when the written resignation is delivered to the Director of Operations or to the chairperson at a meeting of Council.

**14.02** In the event of the resignation by the Chief and all the Councillors, none of the resignations are effective until the day and date the Council takes all of the necessary steps to call a General Election.

**14.03** A Chief or Councillor shall resign if they are unable to perform their duties and functions as a result of long-term disability being a disability that extends or will reasonably extend for a period longer than twelve (12) months and only pursuant to a resolution of Council requesting the same.

**14.04** A Chief or Councillor may be removed from office if such person does or is guilty of any of the following:

(a) Knowingly or negligently through Law or omission in a material and substantial manner causing financial loss or putting the reputation of the First Nation into disrepute;
(b) Is absent from three (3) consecutive First Nation assemblies or duly convened Council meetings or a combination thereof without just cause determined by the remaining members of Council;
(c) Is convicted of an indictable offense under the *Criminal Code of Canada*, or of a dual offense where the Crown has elected to proceed by way of indictment;

(d) Is convicted of an offense under the *Controlled Drugs and Substances Act* of Canada or offense under the *Food and Drugs Act* of Canada, involving the importation, trafficking or possession for the purpose of trafficking of a prohibited or controlled substance covered by any of such legislation of Canada or successor legislation of Canada; and

(e) Using or attempting to use the office of a Chief or Councillor to obtain money, property or special consideration from a person doing business or intending to do business with the First Nation for the personal benefit of such Chief or Councillor or the immediate family of such Chief or Councillor.

**14.05** The Chief and Council have the power to suspend a member of Council, with or without pay pending the disposition of criminal charges.

**14.06** An application to remove or suspend a Chief or Councillor from office is made by the Council based on a resolution of Council.

**Article XV. Discipline**

**15.01** An Elector or group of Electors ("the Complainant") may submit a complaint to the Council concerning alleged conduct of the Chief or one (1) or more Councillors using the following procedure:

(a) The Complainant completes a form substantially the same as outlined in Appendix "L" to the Law and delivers a copy to the Director of Operations to take to the Elders Advisory Council with support of Independent Legal advisor.

(b) If the Complainant provides sufficient details to fully describe the event and the nature of the alleged wrongdoing, the Director of Operations places the matter on the agenda for the next meeting of Council or if the Complainant does not provide sufficient details, then the Director of Operations rejects the complaint setting out the deficiencies and the Complainant may complete a new form substantially the same as outlined in Appendix "L" to the Law with better particulars and submit the matter to the Director of Operations;

(c) The Elders Advisory Council with support of Independent Legal on receiving a duly completed complaint is required to do the following:

   (i) Make a decision as to whether a meeting with the Complainant is required and if so the Director of Operations will schedule such a meeting as soon as practicable with the Complainant;

   (ii) Render a written decision as to the complaint which decision will include a description of the action that the Elders Advisory Council determine is to be taken concerning the complaint and provide a copy of the same to the Complainant;
(iii) Request further and better particulars of the complaint from the Complainant and information as to the matter from other persons before proceeding further and on receipt of better particulars consider the matter and provide a written decision with a copy to the Complainant.

15.02 The written decision of the Elders Advisory Council in response to a complaint can include any of the following:

(a) A decision to take no action; or
(b) Institute disciplinary measures as the same relates to the person(s) being the subject of the complaint which may include suspension without pay, change of portfolios, requirement to provide an apology, or such other disciplinary measures that the Elders Advisory Council considers as in the best interests of the First Nation.
(c) The Chief and Council are bound by the decision of the Elders Advisory Council which is final.

Article XVI. Council Responsibility to Pass Regulations and Forms

16.01 Council, by resolution, may pass regulations for the good administration of this Law and such regulations shall not be inconsistent with this Law.

16.02 Forms are outlined from Appendix “A” to “L” attached to this Law form part of this Law.

Article XVII. Passing, Amendment and Effect

17.01 The process for developing and passing amendments to this Code may be initiated by:

   a) a request presented to Council, signed by at least 30 eligible Electors, and setting out the specific area in this Code proposed for amendment; or
   b) a Council resolution.

17.02 Upon receipt of an amendment proposal in accordance with section (new), Council will prepare a notice that sets out:

   a) a summary of the proposed amendments to this Code;
   b) a statement that the full copy of the proposed amendments can obtained at the administration office; and
   c) a description of the amendment process.

17.03 The notice provided for in section (new) will be:

   a) posted in at least one conspicuous place on reserve; and,
b) posted on the Mosquito Grizzly Bear’s Head Lean Man First Nation’s website.

17.04 Electors may, within 14 days of publication of the notice outlined in section 17.03, provide comments concerning the proposed amendments in writing to Council.

17.05 Following receipt of written comments concerning the proposed amendments pursuant to section 17.04 Council will review the comments and make changes (if any) to the proposed amendments as they deem necessary to arrive at a final amendment proposal. Alternatively, Council can reject the proposed amendments entirely.

17.06 Council will submit the final amendment proposal to a community referendum to be conducted in accordance with the normal process for holding community referendums which may include an electronic voting process.

17.07 Should the majority of the votes cast at a referendum be in favour of the proposed amendments being brought to the Code, Council will amend the Code accordingly.

17.08 Notice of 30 days will be provided and posted in public areas to advise of the ratification vote.

17.09 The Law must be passed by way of a 50% plus one of the voters who attend and cast a vote at the ratification vote.

17.10 The Law can be amended or repealed by way of 50% plus one of those Electors who cast a vote for such amendment at a First Nation Band meeting called for the purpose of amending or repealing this Law.

**Article XVIII. Mail-in Vote for Proposed Amendment(s)**

18.01 The Electoral Officer will, at least 30 days before the referendum, mail to every Elector who is not Ordinarily Resident on the Reserve, and to every Elector whose application to vote by Mail-in Ballot has been received, a Mail-in Ballot package consisting of:

   a) a ballot initialed on the back by the Electoral Officer;
   b) an inner postage-paid return envelope, pre-addressed to the Electoral Officer;
   c) a second inner envelope marked “ballot” for inserting the completed ballot;
   d) a voter declaration form setting out:
      i. the name of the Elector;
      ii. the membership number and date of birth of the Elector; and
iii. the name, address, and telephone number of the witness to
the signature of the Elector;
e) a voter declaration designating an individual to hand deliver their
Mail-in Ballot to the Electoral Officer
f) the notice of referendum set out in section 17.03 and,
g) a letter of instruction regarding voting by Mail-in Ballot that will
also include a statement advising Electors that they may vote in
person at the Polling Station on the day of the referendum if they
return their Mail-in Ballot to the Electoral Officer at the Polling
Station or swear a written declaration before the Electoral Officer,
a justice of the peace, notary public, or duly appointed
commissioner for taking Oaths that they have lost the Mail-in
Ballot.

18.02 An Elector who is Ordinarily Resident on the Reserve and who is unable to vote
in person on referendum day may, at least 10 days prior to the referendum,
request a Mail-in Ballot package from the Electoral Officer.

18.03 An Elector not residing on the reserve who has not received a Mail-in Ballot
package may, no later than 10 days prior to the referendum, request a Mail-in
Ballot package from the Electoral Officer.

18.04 Upon receipt of a request for a Mail-in Ballot package under section 18.02 or
18.03 the Electoral Officer will mail or deliver a Mail-in Ballot package described
in section 18.01 to the Elector whom so requests.

18.05 The Electoral Officer will indicate on the Voters List that a ballot has been
provided to each Elector to whom a Mail-in Ballot was mailed, or otherwise
provided, and keep a record of the date on which, and the address to which, each
Mail-in Ballot was mailed or otherwise provided.

18.06 An Elector will vote by Mail-in Ballot by:
   a) placing an “X” or other mark that clearly indicates the Elector’s choice;
   b) folding the ballot in a manner that conceals the Election or any marks, but
      exposes the Electoral Officer’s initials on the back;
   c) placing the ballot in the inner envelope and sealing the envelope;
   d) completing and signing the voter declaration form in the presence of a
      witness who is at least 18 years of age;
   e) placing the inner envelope and the completed, signed and witnessed voter
declaration form in the postage-paid envelope; and
   f) by delivering, mailing or otherwise ensuring receipt by the Electoral
      Officer of the envelope before the close of polls on the day of the
      referendum.
18.07 Where an Elector is unable to vote in the manner set out in section 18.06 the Elector may enlist the assistance of another person to mark the ballot and complete and sign the voter declaration form in accordance with that section.

18.08 Mail-in Ballots that are not received by the Electoral Officer before the close of polls on the day of the referendum will not be counted. The ballots will be retained for 45 days from the date on which the referendum was held or until a decision on an appeal is rendered, whichever date is later, after which time the Electoral Officer may, unless directed otherwise by Council, destroy them in the presence of two witnesses who will make a declaration that they witnessed the destruction of those papers.

18.09 Elections held under the amended Code will take place no sooner than 90 days from the community referendum.

18.10 The Law takes effect immediately upon the issuance of a Ministerial Order removing the First Nation from the application of sections 74 to 79 of the Indian Act. Such Ministerial Order will be issued once the Law has received approval by the First Nation Electors through a ratification process.

The Council of Mosquito, Grizzly Bear’s Head, Lean Man First Nation approves this Law on the 6th of April 2022.

[Signatures of Councillors]

Crystal Fafard (Legal counsel)
APPENDIX “A”
RESOLUTION OF COUNCIL

Made at a duly convened Council meeting of

The Council of the MOSQUITO GRIZZLY BEAR’S HEAD LEAN MAN FIRST NATION

Date of the duly convened meeting

Day Month Year

On motion duly made and seconded

Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022

Call for an Election
To set an Election Day and choose a Chief Electoral Officer, Appeals Tribunal and Elder’s Advisory Council

BE IT RESOLVED THAT:

1. Mosquito, Grizzly Bear’s Head, Lean Man First Nation call a General Election under the Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022 (the “Law”) for the position of Chief and five (5) Councillors. (OR) Mosquito, Grizzly Bear’s Head, Lean Man First Nation call a By-election Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022 (the “Law”) to fill vacancies for the position of Chief (deleted if not applicable) and for the position of (insert number of Councillors) Councillors.

2. Election Day is set for (insert date)

3. The Chief and Council hereby appoint (name of appointee) to Law and preside as the Chief Electoral Officer;

4. The Chief and Council hereby appoint (names of Elder’s) to preside as Appeals Tribunal and address disputes as set out in this Law; and

5. The Chief and Council hereby appoint (name of appointee) to Law and preside as the Independent Legal Council.

6. An elector who wants to receive a mail-in voting package, must make a written request within 7 calendar days of receiving the election notice to the Electoral Officer and provide proof of identity by provided 2 copies of government issued photo ID. The mail-in voting package must be delivered or mailed to the Electoral Officer before the close of the polls.
Quorum 4

Chief

Councillor

Councillor

Councillor

Councillor

Councillor
APPENDIX “B”

DUTIES OF THE CHIEF ELECTORAL OFFICER

1. In co-operation with the Mosquito, Grizzly Bear’s Head, Lean Man First Nation Membership Clerk, the Chief Electoral Officer shall prepare a List of Electors from the electors list provided by the Department, and mailing addresses for Electors residing off-reserve from the Membership Clerk. In addition, the Chief Electoral Officer should include all mailing dates, including second-mail outs, for each and every notice and ballots sent to mailing addresses for Electors residing off-reserve.

2. The Chief Electoral Officer shall choose two (2) Deputy Electoral Officers to assist him or her with their duties as the Chief Electoral Officer.

3. The Chief Electoral Officer shall establish an Election file and electronic Platform for each Election which shall contain copies of all correspondence, memorandums, and other information relevant to the conduct of each Election. For greater certainty the Chief Electoral Officer shall record the names of off-reserve Electors who were sent mail-out nomination packages as well as the date of mailing on a mail out control sheet. The Chief Electoral Officer shall also fill out the Nomination Meeting report found in Appendix “E” and Election Report found in Appendix “H”.

4. The Chief Electoral Officer shall promptly obtain from the band administration a list of all Electors who have debts to the Mosquito, Grizzly Bear’s Head, Lean Man First Nation as of the closing Date of Nomination, and shall disqualify any candidate owing more than ONE HUNDRED DOLLARS ($100.00).

5. The Chief Electoral Officer shall undertake any activities or responsibilities necessary to conduct the nomination in the manner prescribed in the Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022.

6. The Chief Electoral Officer shall supervise and ensure that all Elections are conducted in accordance with Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022 and procedures outlined herein. They shall do all other things necessary to ensure the proper conduct of an Election.

7. Seven (7) days prior to Election Day, the Chief Electoral Officer shall appoint such polling clerks and interpreters, as he or she deems necessary for the proper conduct of the Election.

8. The Chief Electoral Officer shall arrange for appropriate polling booths constructed in a manner that ensures the secrecy and privacy of the voting procedure.

9. The Chief Electoral Officer shall undertake any other duties as necessary or assigned by the Council from time to time relating to the conduct of an Election or By-election.

10. The Chief Electoral Officer has the power to determine the appropriate remedy to address a failure to adhere to the Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022, including:
(a) ordering the removal of any campaign materials;

(b) posting public notices correcting misrepresentations of fact communicated in the course of campaigning;

(c) order a Candidate or Scrutineer of a Candidate to do anything the Chief Electoral Officer considers necessary to remedy defamation or sabotage or to correct a misrepresentation of fact or,

(d) ordering the removal of a Candidate's name from the Ballot in circumstances where the Chief Electoral Officer considers the breach of the Mosquito, Grizzly Bear's Head, Lean Man First Nation Election Law 2022 to have been deliberate, malicious, and of a severity which cannot otherwise be remedied.

CONFIRMED BY THE MOSQUITO GRIZZLY BEAR’S HEAD LEAN MAN FIRST NATION CHIEF AND COUNCIL

__________________________
Chief

__________________________
Councillor

__________________________
Councillor

__________________________
Councillor

__________________________
Councillor

__________________________
Councillor
NOTICE OF AN ELECTION is hereby given for a General Election (change if By-election) by secret electronic or mail-in ballot held under the Mosquito, Grizzly Bear's Head, Lean Man First Nation Election Law 2022 ("the Law") for the positions of Chief and five (5) Councillors (change to fit By-election) for Mosquito, Grizzly Bear's Head, Lean Man First Nation for the next ensuing term. Election Day is (insert Election Day). There are two (2) Polling Stations to provide assistance provided for electronic voting located at the Band Hall on Mosquito, Grizzly Bear's Head, Lean Man First Nation and voting commences at 9 a.m. and ends at 8 p.m. Subject to the provisions of the Law, every Member of Mosquito, Grizzly Bear's Head, Lean Man First Nation eighteen (18) years of age as of Election Day is entitled to vote.

Electors who require a mail-in voting package, must make a written request for a mail-in voting package at least 10 calendar days before the Election Day (the "mail-in Voting Package") from the Chief Electoral Officer who upon receipt of request will promptly send the mail-in voting package as soon as feasible and provide a return mailing address. The Elector must return the mail-in voting package to the Chief Electoral Officer prior to the close of the polls.

NOMINATION DAY NOTICE is hereby given that nominations are open. Nominations will be held on (insert date) ("Nomination Day") commencing at _ a.m. and ending at _ p.m. The nominations are governed by the Law and in particular Section 3 and 5 of the Law. Candidates are urged to read the Law. Copies of the Law can be obtained from the Chief Electoral Officer. A completed Nomination Form must be submitted to the Chief Electoral Officer prior to the close of nominations. For nominations from the floor, a completed Nomination Form must be submitted before the close of Nominations, and further, the Chief Electoral Officer may request a Clear Criminal Records Check and clear drug/illicit substances test prior to the Election Day in order to be eligible as a Candidate and be entered on the Ballot.

Given under my hand at ______________ this __________ day of ______________, 20_____.

(insert name, Chief Electoral Officer)

(insert Address)
(insert Phone & Fax & Email as may be applicable)
APPENDIX “D”

Nomination Form
Mosquito, Grizzly Bear’s Head, Lean Man First Nation

The undersigned Electors of Mosquito, Grizzly Bear’s Head, Lean Man First Nation hereby nominate ________________ (insert name) as a Candidate for the position of ________________ (insert with Chief or Councillor) of Mosquito, Grizzly Bear’s Head, Lean Man First Nation for the next ensuing term.

Elector Name (Print) Registry Number Elector Signature

Nominator 1

Nominator 2

I, ________________ (insert name), hereby accept my nomination and am a qualified Candidate pursuant to the Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022 (“Law”) for the above position and understand that the within nomination is not effective unless the within form is signed the Chief Electoral Officer on or before the deadline specified in the Law. The undersigned further acknowledges that the undersigned has read and understands the Election procedures, duties and obligations under the Law.

Dated at this _____ day of ________________ 20___

__________________________
Signature of Candidate

The Chief Electoral Officer hereby confirms that based on information provided to date, the above Candidate meets the eligibility requirements for Candidates under the Law.

Dated at this _____ day of ________________ 20___

__________________________
Signature of Chief Electoral Officer
APPENDIX “E”

Chief Electoral Officer’s Nomination Meeting Report

1. Mosquito, Grizzly Bear’s Head, Lean Man First Nation

   Band Number: 343

2. Total number of band members:

3. The band council is composed of one Chief and ______ (#) Councillors.

4. The notice of nomination meeting was:

   a) Posted on the _____ day of _____________, 20_____, at the following locations:

   ___________________________________________
   ___________________________________________

   b) Mailed to _____ (#) off-reserve electors during the period from the day of

      ___________ to the _____ day of _____________, 20____.

5. The nomination meeting was held on the ___ day of _____________, 20____, at

   ______________________, from __________ to __________.
   (Location)
### Nominations for Chief/Councillor

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<tr>
<th>Candidate’s Name and Band Number</th>
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APPENDIX “F”

Ballots
Mosquito, Grizzly Bear’s Head, Lean Man First Nation

Mail-in Ballot for Position of Chief

Choose ONE (1) of the following persons for the position of Chief, and preferably mark your choice with an “X”.

☐ (Insert name* and occupation of Candidate for Chief in alphabetical order)
☐ (Insert name* and occupation of Candidate for Chief in alphabetical order)
☐ (Insert name* and occupation of Candidate for Chief in alphabetical order)
etc.

Mail-in Ballot for Position of Councillor

Choose a MAXIMUM OF Number (#) or (insert different number if less than Number (#)) persons (adjust as required) until the following persons for the position of Councillor and preferably mark your choice with an “X”.

☐ (Insert name* and occupation of candidate for Councillor in alphabetical order)
☐ (Insert name* and occupation of candidate for Councillor in alphabetical order)
☐ (Insert name* and occupation of candidate for Councillor in alphabetical order)
☐ (Insert name* and occupation of candidate for Councillor in alphabetical order)
☐ (Insert name* and occupation of candidate for Councillor in alphabetical order)
e etc.

*Include other names or “nicknames” of a Candidate if requested by such Candidate or otherwise required for clarity.
APPENDIX “G”

Oath or Affirmation of Identity of Elector

I, ____________________________, (insert name as appears in the Electors List) ("the Elector") solemnly swear (or insert affirm) that:

1. I am a member of Mosquito, Grizzly Bear’s Head, Lean Man First Nation pursuant to section 11 of the Indian Act and herewith provide documentation from the Department of Indigenous Services Canada;

2. I am of the full age of eighteen (18) years;

3. I have not voted before at this Election;

4. I have not received or been promised any consideration whatsoever for voting at this Election;

5. I am not otherwise disqualified from voting.

Sworn before me at the (insert place), in the Province of Saskatchewan, this _____ day of ________, 20___

Signature of the Elector

______________________________

A Commissioner for Oaths
for Saskatchewan
Expires:
Report of Chief Electoral Officer

Mosquito, Grizzly Bear's Head, Lean Man First Nation Election Law 2022 ("the Law")

1. Type of Election ("the Election"):  
   □ General Election  
   □ By-election  
   (Check appropriate box.)

2. The Election Day was ___________ (insert date)

3. The Composition of the Council of Mosquito, Grizzly Bear’s Head, Lean Man First Nation is one (1) Chief and five (5) Councillors.

4. The position of Chief and five (5) Councillors has a term ending _______________ (insert date).

5. The Election was for the following positions:
   □ Chief
   □ ______________ Councillors (insert number)  
   (Check appropriate boxes.)

6. Notice of Election was posted on ______________ (insert date) or earlier.

7. Nomination Day and Candidates Forum was ___________ (insert date).

8. The persons nominated for the position of Chief are as set out in Schedule "A" attached to and forming part of this report, except for the following persons who either withdrew their nomination or were declared by the Chief Electoral Officer as ineligible to be a Candidate. (delete entire paragraph if inapplicable for By-election purposes)

9. The persons nominated for the position of Councillor are as set out
in Schedule “B” attached to and forming part of this report, except for the following persons who either withdrew their nomination or were declared by the Chief Electoral Officer as ineligible to be a Candidate. (delete entire paragraph if inapplicable for By-election purposes)

10. The polling location on Election Day was on Mosquito, Grizzly Bear’s Head, Lean Man First Nation Reserve at ________ __________ ___ (insert place).

11. The Electors List was posted pursuant to the Law on ___________ (insert date) or earlier.

14. The Deputy Electoral Officers were _______________ and _______________ (insert names).

12. Total number of Electors listed on the Electors List was _______ (insert number after additions and deletions).

13. The total number of mail-in-Voting Packages received were _______ (insert number), and the number of mail-in-Ballots that were proper and were included in the number of ballots counted were ___________ (insert number).

14. The total number of ballots counted, including mail-in-Ballots were _______ (insert number).

15. The total number of ballot papers rejected was ___________ (insert number).

15. The total number of votes cast and counted for each Candidate for Chief are as shown on Schedule “A” attached to and forming part of this report (delete entire paragraph if inapplicable for By-election purposes).

16. The total number of votes cast and counted for each candidate for Councillor are shown on Schedule “B” attached to and forming part of this statement (delete entire paragraph if inapplicable for a By-election purposes).
17. The person declared to be elected for Chief was ____________________________ (insert name or delete entire paragraph if inapplicable for a By-election)

18. The following persons were elected as Councillors (insert names):

__________________________________________

__________________________________________

__________________________________________

__________________________________________

__________________________________________

__________________________________________

__________________________________________

__________________________________________

(delete entire paragraph if inapplicable for a By-election).

The undersigned Chief Electoral Officer hereby certifies that the foregoing report on the Election contains representations which are all true and accurate

Dated this _____ day of ________, 20 ________

(insert name, Chief Electoral Officer)

(insert Address)

(insert Phone)

(insert Fax)
## Report of Chief Electoral Officer

### Schedule “A”

### Position of Chief

Election Day _________ *(insert date)*

<table>
<thead>
<tr>
<th>Name of Candidate</th>
<th>Votes Cast</th>
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*(list candidates in descending order of votes)*

Certified as correct this _____ day of ____________, 20__

__________________________
Chief Electoral Officer

---

Report of Electoral Officer
Schedule “B”

Position of Councillor
Election Day __________ (insert date)

<table>
<thead>
<tr>
<th>Name of Candidate</th>
<th>Votes Cast</th>
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</table>

(list candidates in descending order of votes)

Certified as correct this ____ day of ____________, 20___

__________________________________________
Chief Electoral Officer
APPENDIX “I”

Witness of Authorized Mail-in Ballot Destruction

I ______________________ (insert name of witness) (“the Witness”) solemnly swear that I was present and witnessed the destruction of the Mail-in Election ballots by the Chief (or Deputy) Electoral Officer in accordance with the Mosquito, Grizzly Bear’s Head, Lean Man First Nation Election Law 2022.

Sworn before me at the (insert place), in the Province of Saskatchewan, this _____ day of ________, 20__ )

Signature of the Witness

__________________________
A Commissioner for Oaths

for Saskatchewan
APPENDIX “J”

Oath of Office

I have been elected by Mosquito, Grizzly Bear’s Head, Lean Man First Nation membership to the Council of the Mosquito, Grizzly Bear’s Head, Lean Man First Nation and solemnly swear and affirm:

"I will be faithful and bear true allegiance to the ancestors, the people, and all future generations of the Mosquito, Grizzly Bear’s Head, Lean Man First Nation. I will operate on spirit and intent of our Inherent Indigenous Rights and Treaty Rights.

I will uphold Mosquito, Grizzly Bear’s Head, Lean Man First Nation personnel and financial administration policies and act in accordance with all other Mosquito, Grizzly Bear’s Head, Lean Man First Nation governing documents, by-laws, general meeting resolutions, band council resolutions, policies, vision and mission statements, values, strategic plans, culture, language and spirituality.

I will carry out the powers entrusted to me and perform the duties of my office diligently, faithfully and to the best of my skill and knowledge, and at all times provide ethical, effective, efficient and responsible leadership to Mosquito, Grizzly Bear’s Head, Lean Man First Nation. I will endeavour at all times to advance the best interests of the Mosquito, Grizzly Bear’s Head, Lean Man First Nation.

That I will keep confidential all matters entrusted to me in confidence, I will not improperly disclose any matter that comes to my knowledge as a result of my office, I will not use any such knowledge for my personal advantage or gain, and I will not allow my private interests to improperly influence my conduct in public office.

That to the best of my knowledge, I am not disqualified in any way from holding the office of the Mosquito, Grizzly Bear’s Head, Lean Man First Nation Council, and I have not, by myself or any other person, knowingly engaged in bribery, corruption or intimidation to gain election to the Council office.

I will seek to bring honour to the Mosquito, Grizzly Bear’s Head, Lean Man First Nation in all circumstances in which I am called upon to represent the Mosquito, Grizzly Bear’s Head, Lean Man First Nation publicly. So help me Creator/Great Spirit."

Signed at Mosquito, Grizzly Bear’s Head, Lean Man First Nation, dated on the _____ day of __________, 20__. 

________________________
Signature of Chief or Councillor
To be served on the Respondent(s)
To be delivered to the Appeals Tribunal through in care of the Director of Operations
with proof of service on the Respondent(s)
APPENDIX “L”

Complaint as Against a Member of the Council

Notice of Application
Complaint as Against a Member of the Council

Attention: Director of Operations for an on behalf of the Elder’s Advisory Council with Support of Independent Legal

Applicant: (insert name)

Complaint as Against (insert name(s) of member(s) of Council)

The Applicant hereby formally registers a complaint as against the above-named member(s) of the Council of Mosquito, Grizzly Bear’s Head, Lean Man First Nation, with the following particulars:

Date of Event: (insert date)

Specific Mosquito, Grizzly Bear’s Head, Lean Man First Nation law or policy violated (if any): (quote the sections violated)

Description of event and wrongdoing: (relate to the law or policy violated)

Resulting Lawful injury caused by the wrongdoing and to whom: (Lawful injury and not theoretical)

Dated this ______ day of _________, 20____.

________________________________________

Applicant

Applicant Address: ________________________________
Applicant Internet Email Address: __________________________
Applicant Facsimile Number: __________________________
Applicant Telephone Number: ________________________________