

**Aseniwuche Winewak Nation Society of Canada, A Fellowship of
Aboriginal People (Rocky Mountain People)**

Board of Directors Procedure 1/02

The Election Procedure

WHEREAS section 33 of *Bylaws of the Aseniwuche Winewak Nation Society of Canada, A Fellowship of Aboriginal People (Rocky Mountain People)* authorizes the Board of Directors to make a procedure governing the election of a President and Directors for the Society.

NOW THEREFORE the Board of Directors enacts as follows:

Definitions

In this procedure,

“AWN” means the Aseniwuche Winewak Nation Society of Canada,
A Fellowship of Aboriginal People (Rocky Mountain People)

“Board” means the Board of Directors of the AWN

“Candidate Nominee” means a person nominated to ~~contest~~ run for a
position in an election

“DEO” means Deputy Electoral Officer appointed by the Electoral
Officer to assist in the administration of an election

“Director” means a Member of the Board of Directors other than the
President

~~“Elector” means a person qualified to vote in an election under the
AWN bylaws and this procedure;~~

“Electoral Officer” means the person appointed to administer an
election in accordance with this procedure

“Member” means a Member of the AWN

“President” means the President of the AWN as established in the
Bylaws

“Voting Station” means the area designated as a Voting Station by
the Electoral Officer

“Voter” means a ~~person~~ member-in-good-standing of the AWN who
casts a vote in an election under this procedure as defined in the AWN
bylaws.

Part 4

Voters List

AWN must provide

Membership list

AWN Directors will review a list of members representing their respective co-op / enterprise 6 months before an election is to be scheduled. Directors will confirm that residents 18 years of age or older are on the membership list, and to the best of their knowledge, the list is accurate and complete. If, according to the AWN Bylaws, a member is deemed 'Not in Good Standing' then a note should be made on the list.

At least 45 days before voting day the AWN shall provide the Electoral Officer with a list of the names of all AWN Members in good standing ~~eligible to vote~~ for the positions of President and Directors. The list should include the names of the Members in alphabetical order, ~~the Cooperative or Enterprise they are considered members of, whether the member is living on the Cooperative or Enterprise they are considered a member of,~~ their mailing address and their Membership card number.

Changes to list

From the time the list is provided to the Electoral Officer until the end of office hours on the day of the nomination meeting, a version of the list should be available for Members to view at the AWN offices. The ~~Electoral Officer~~ Executive Director shall update the electors list if a Member can demonstrate her or his name has been left off the list, is incorrect, ~~or the name of a person not qualified to vote is included in the list.~~

Part 5

Nominations

Notice of nominations

~~At least~~ 14 days before the day on which a nomination meeting is to be held, the ~~Electoral Officer~~ Executive Director shall ~~post a~~ give notice of the nomination meeting to the community. ~~in a prominent place on each of the Cooperatives and Enterprises and~~ This notice will be published ~~the notice of the meeting~~ in the local newspaper, ~~or in a document mailed or delivered to every Member's residence (could be the AWN newsletter)~~ and through Social Media.

Requirements of valid nominations

The Electoral Officer shall not accept a nomination unless the names of the nominator, seconder and nominee appear on the list of ~~Electors~~ Voters and the nomination form is signed by the nominator and seconder and includes a written acceptance signed in the prescribed form by the ~~elector~~ member nominated, stating

- (a) that the ~~elector~~ nominee is eligible to be elected to the office
- (b) that the ~~elector~~ nominee will accept the office if elected
- (c) that the ~~elector~~ nominee has read the qualifications to run for and hold office or has had them explained, and understands them, and
- (d) a telephone number, and address and email address by which notices ~~respecting~~ regarding the election may be provided.

Upon receiving a valid nomination form, the Electoral Officer shall complete and sign the ~~elector's~~ nomination form.

End of the meeting

At the end of the nomination ~~meeting~~ day the Electoral Officer shall

- (a) if only 1 Member is nominated for President or a particular Director position, declare those Members to be elected and post at the AWN office a declaration that the ~~Candidates~~ Nominees are elected by acclamation or
- (b) if more than 1 Member is nominated for President or a particular Director position, announce that an election will be held on the day set out in the nomination notice

Extension of nomination period

If no nominations are received for the position of President or a particular Director position, the Electoral Officer shall announce that nominations for those positions shall remain open for ~~1~~ 2 more hours.

Nominations for those positions only will be accepted during the ~~meeting~~ day extension. Nominations for ~~positions where 1 or more nominations were received during the posted meeting time will not be accepted~~ will only be accepted for vacant director positions during the extension.

If there are still positions with no nominees at the end of the ~~1~~ 2 hour extension, the Electoral Officer ~~shall extend the meeting for 1 more hour to accept nominations for the remaining vacant positions. At the end of the second extension,~~ shall end the nomination meeting ~~must end~~. If vacant positions remain, they shall be filled in accordance with the bylaws. If the President position has no nominations, a separate, special election will be called.

required in the case of the Executive Director) shall grant a leave of absence requested under this section. The leave of absence shall start on the first working day following the nomination meeting.

If an employee who has been granted a leave of absence is not elected, the employee may return to work, in the position the employee held before the leave started, on the fifth day after the voting day or sooner if agreed to by the employee's supervisor.

President position:

The current president will cease work on nomination day and not return until 5 days after the election.

If the President position has not been held by the former president then the outgoing president's position with ADC is immediately terminated. The outgoing President and the incoming President will not attend the worksite until 5 days after the election.

A hand-over meeting will be scheduled within 2 days of the return to work with the outgoing president, the incoming president and the executive director. This meeting will be held outside regular business hours.

If an employee who has been granted a leave of absence is declared an elected director, the employee shall ~~remain on a leave of absence until the employee is deemed to have resigned on the day the employee's be terminated~~ when the term of office begins.

Part 8 Ballots

- Printing of ballots If an election is required, the Electoral Officer shall ~~cause a sufficient number of ballots to be printed.~~ Print a separate ballot for President, and a ballot listing all director positions combined.
- Names on ballot Each ballot shall contain the name of each ~~Candidate~~ nominee in the form setout in the ~~Candidate's~~ nomination form.
- Order of names on ballot The names of the ~~Candidates~~ Nominees on each ballot shall be arranged separately for each race and listed in alphabetical order of the surnames ~~and, if 2 or more Candidates have the same surname, the names of those Candidates shall be arranged alphabetically in the order of their given names.~~ If two ~~Candidates~~ Nominees have exactly the same name, the Electoral Officer shall discuss with the two candidates what additional information must be added to the ballots so voters can tell the difference between those

Part 10 Voting

Statement of elector the purpose of Voter eligibility	<p>Every Member in good standing who arrives at the Voting Station for voting shall present his or her membership card Identification to the Electoral Officer. The Electoral Officer shall confirm the member's name appears on the List of Electors Members and ask the Member to make a statement in the prescribed form that they are eligible vote as an elector, and that Member shall be permitted to vote after making the statement in the presence of the Electoral Officer.</p> <p>If a person does not have his or her membership card, the person shall be permitted to vote if her or his name appears on the List of Electors and he or she produces photo identification.</p> <p>If a person with a membership card does not appear on the List of Electors, the person shall be permitted to vote if the Electoral Office confirms that the membership card is valid and the person produces photo identification.</p> <p>If a person does not have his or her membership card Identification and his or her name does not appear on the List of Electors, Members, the person may not vote.</p> <p>If any of the 3 above cases occur, the Electoral Officer shall note the elector's circumstances in the voter register.</p> <p>If a member has no formal Identification and is not on the List of Members, this member should contact the Executive Director of AWN before nomination day.</p>
No statement, no vote	If a person refuses to make or sign a statement, the person may not vote.
Person objected to	If a Candidate Nominee objects to a person who makes a statement or objects to the Electoral Officer refusing to allow a person to vote, the Electoral Officer shall note in the voting register the reason for the objection and the name of the Candidate Nominee making the objection and shall initial the objection.
Initialing of ballot	When the Electoral Officer gives a ballot to an elector a voter, the ballot shall be folded and initialed by the Electoral Officer so that the initials are visible without opening the ballot.
Explanation of how to vote	The Electoral Officer may, and on request shall, explain to an elector a voter the proper method of voting in accordance with the instructions to electors voters.

cannot be properly used (for example torn it, written something on it or marked the ballot for a candidate nominee the elector voter does not wish to vote for) and the elector voter returns the ballot to the Electoral Officer, the Electoral Officer may issue a replacement ballot to the elector voter.

The Electoral Officer shall immediately write the word "spoiled" on the front of the returned ballot, sign the ballot, and place it in an envelope.

Persons at voting station
electors voters who

Except for the Electoral Officer, DEOs, Scrutineers Candidates and are actually voting, no other person is entitled to be present in the Voting Station during voting hours. However the Electoral Officer may authorize a person temporarily to observe the voting procedures from an area designated by the Electoral Officer. A person permitted to be present in the Voting Station under this section by the Electoral Officer shall leave the Voting Station on the request of a Electoral Officer.

No individual may in anyway interfere or influence electors voters in the open Voting Station.

Prohibited removal of ballots

No person who has received a ballot from the Electoral Officer shall take the ballot out of the Voting Station.

Any person who leaves the Voting Station without first delivering their ballots to the Electoral Officer for deposit in the ballot box forfeits the right to vote at that election, and the Electoral Officer shall record in the voting register that the person left the Voting Station without first delivering the ballot.

Prohibited conduct during voting

No person shall

(a) interfere or attempt to interfere with an elector voter who is attempting to mark a ballot
attempt to obtain or communicate any information at a Voting Station regarding which Candidate-Nominee an elector voter has chosen or should choose

(b) prevent or attempt to prevent electors voters from exercising their right to vote.

incapacitated elector Barrièred voter The Electoral Officer, at the request of an elector barrièred voter who is unable to read or is unable to mark a ballot in the usual manner due to a physical condition or language barrier, shall appoint the designated person to mark that elector's vote on a ballot, and shall immediately deposit the ballot in the ballot box. The Electoral Officer, at the request of an incapacitated elector who is accompanied by a friend, shall allow that friend, on making the

- (e) where the vote for the position does not bear a mark that clearly indicates for whom or what the Elector the voter intended to vote

These ballot or votes are considered void and shall not be counted.

If the Electoral Officer is rejecting the ballot under clause (a), (b) or (c), the Electoral Officer shall

- (a) write "rejected" on the back of the ballot, and
- (b) write "rejection objected to" if an objection is made by the scrutineer to the Electoral Officer's decision

and shall initial the ballot.

If the Electoral Officer is rejecting a vote for a specific position under clause (d) or (e), the Electoral Officer shall

- (a) write "rejected" on the front of the ballot beside the vote he or she is rejecting as void, and
- (b) write "rejection objected to" if an objection is made by the scrutineer to the Electoral Officer's decision and initial the ballot.

Note of objection

The Electoral Officer shall in the prescribed form make note of any objection made by a ~~Candidate~~ scrutineer to a ballot or vote found in the ballot box and shall decide any question arising out of the objection. Every objection shall be numbered and a corresponding number shall be placed on the back of the ballot or beside the race on the front of the ballot in the case of a specific race and initialed by the Electoral Officer.

Ballot account

The Electoral Officer shall count the ballots marked for each Candidate on the ballots not rejected and shall prepare a ballot account for each race in the prescribed form with the following information

- (a) the name of the Voting Station;
- (b) the name of each ~~Candidate~~ Nominee and the number of valid ballots marked for each;
- (c) the number of ballots supplied;
- (d) the number of valid ballots;
- (e) the number of valid ballots objected to;
- (f) the number of rejected ballots;
- (g) the number of ballots rejected because no vote was cast by an ~~elector;~~ voter
- (h) the number of spoiled ballots;

	other Candidate Nominee
Declaration of vote results	The Electoral Officer may publish unofficial results of the counting of ballots when the counting is complete. The Electoral Officer shall, by 4 p.m. on the day after Election Day, post at the AWN office a statement of the official results of the voting including a declaration that the Presidential Candidate Nominee and each Director Candidate Nominee receiving the highest number of votes are elected.
Deadline for a recount	If a recount is requested that morning , by the Nominee before noon in writing, the Electoral Officer shall post the result after the recount.

Part 14 Recount Procedures

Reasons for a recount	<p>The Electoral Officer may make a recount if</p> <ul style="list-style-type: none">(a) a Candidate Scrutineer shows grounds that the Electoral Officer considers reasonable that the result of the ballot counting is inaccurate, or(b) the Electoral Officer considers that the number of valid ballots, votes objected to, rejected ballots, votes other than those on which no vote has been cast by an elector voter is greater than the number of votes between the Candidate Nominee declared elected and the closest runner-up.
Recount procedure	<p>If the Electoral Officer makes a recount, the Electoral Officer shall notify the Candidates and scrutineers. At the recount, if not immediately after the original ballot counting, the Electoral Officer shall break the seal on the package containing all the ballots, and proceed to count the ballots contained in it in the manner established for counting ballots.</p> <p>After the recount, the Electoral Officer shall</p> <ul style="list-style-type: none">(a) correct the ballot account if necessary,(b) place in the ballot package all the documents contained in it when the Electoral Officer broke the seal, and(c) reseal the package.
Deadline for a recount	A request for a recount must be made before 12 noon on the day after Voting Day.

Officer showing it to be marked for a Candidate.

No Electoral Officer or DEO shall

- (a) take or receive a vote in contravention of this bylaw
- (b) refuse or willfully omit to sign their initials on any ballot
- (c) act willfully in contravention of this bylaw
- (d) commit a willful omission.

Every Electoral Officer and DEO in attendance at a Voting Station shall maintain and aid in maintaining the secrecy of voting.

No person shall:

- a) interfere with or attempt to interfere with ~~an elector~~ a voter when the ~~elector~~ voter is marking his or her ballot.
- b) ~~otherwise~~ attempt to obtain information at the Voting Station as to which ~~Candidates~~ Nominee an ~~elector~~ voter is about to vote or has voted for. ~~No person shall~~
- c) canvass or solicit votes within the Voting Station ~~during the hours when a Voting Station is open~~
- d) ~~communicate with an elector in a Voting Station respecting the election otherwise than through a DEO.~~
- e) ~~No person shall display at the Voting Station or distribute in it a specimen ballot paper marked for a Candidate~~ Nominee or other material that explains to the ~~electors~~ voter how to vote
- f) ~~or~~ leave or post material in a voting compartment other than the material that is required to be posted in accordance with this procedure.
- g) ~~No person shall communicate to a person information obtained at a Voting Station as to which Candidate~~ Nominee an ~~elector~~ voter ~~at that Voting Station~~ is about to vote or has voted for.
- h) No Electoral Officer, DEO or ~~Candidate~~ Scrutineer in attendance at the counting of the votes shall communicate or attempt to communicate any information ~~as to which Candidates~~ any person ~~voted for~~ regarding the votes.