

LITTLE SHUSWAP LAKE INDIAN BAND  
**ELECTION REGULATIONS**

2017





Little Shuswap Lake Indian Band  
**ELECTION REGULATIONS**

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**Little Shuswap Lake Indian Band**  
**ELECTION REGULATIONS**

**1.0 Definitions and Interpretation**

1.1 In these regulations

“**BAND**” means the Little Shuswap Lake Indian Band.

“**BAND MANAGER**” means the person designated by the Band Council to deal with administrative matters of the Band or Council.

“**BAND MEMBERSHIP CLERK**” means the person designated by the Band Council to be responsible for membership lists of the Little Shuswap Lake Indian Band.

“**CONFLICT OF INTEREST**” means the same as defined in the Band Council Terms of Reference.

“**COUNCIL**” OR “**BAND COUNCIL**” means the Electors elected to the Band Council of the Little Shuswap Lake Indian Band in accordance with these Regulations.

“**DAYS**” means full calendar days not including the day of a deadline or an event as specified in these Regulations.

“**ELECTION**” means a band election held pursuant to these Regulations and in accordance with the customs of the Little Shuswap Lake Indian Band.

“**ELECTIONEERING**” means to take an active part in an election campaign, especially as, or on behalf of, a candidate for political office and/or to attempt to influence the voting in an election through insincere, dishonest or unscrupulous actions.

“**ELECTOR**” means a person who:

- a) Is a member of the Little Shuswap Lake Indian Band;
- b) Is registered on the Band List;
- c) Is the full age of eighteen years of age on the day of the election; and

“**ELECTORAL OFFICER**” means a person appointed by the Band Council for the purpose of holding an election in accordance with the customs of the Band and includes deputies appointed by him.

“**GOOD STANDING**” means that a Band Member is **not** in arrears with or has any overdue debts owing to the Band twelve (12) calendar months prior to an Election; or means a Band Member who has an acceptable payment plan as agreed to by Council twelve (12) calendar months, or less in the case of more recent debts, prior to an Election and has faithfully made all

payments as required. For added clarity, a Band member who does not have a debt owing to the Band on the date of the nomination meeting shall be considered in good standing.

**“INDICTABLE OFFENSE”** means any offenses that are recognized as an indictable offense in the Criminal Code of Canada

**“RESIDENT ELECTOR”** means an Elector who:

- a) Ordinarily resides on a Resident Electoral Section or any other territorial holdings lawfully under the jurisdiction of the Little Shuswap Lake Indian Band; and
- b) Has resided on the Electoral Section or any other territorial holdings lawfully under the jurisdiction of the Little Shuswap Lake Indian Band for at least five (5) consecutive years immediately prior to the date of nomination meeting.

**“RESIDENT ELECTORAL SECTION”** means any of the Electoral Sections being Quaaout Indian Reserve No. 1, Chum Creek Indian Reserve No. 2 and North Bay Indian Reserve No. 5.

**“WILFUL MISCONDUCT”** means knowingly committing an act which

- a) Fundamentally breaches the Band Council Terms of Reference;
- b) Is a universal wrongdoing;
- c) Goes against the respect of Little Shuswap Lake Indian Band Culture and Traditions in accordance with the Band’s Vision and Mission Statements; or
- d) Is defined as Wilful Misconduct pursuant to Appendix “P” of these regulations.

1.2 In these regulations reference to the masculine gender includes the feminine gender.

## **2.0 Eligibility for Nomination**

2.1 No Elector shall stand for election to more than one office.

2.2 To be eligible as a candidate for nomination for the office of Chief or Councillor, an Elector must:

- a) Submit to the Elector Officer a completed Candidate Application in the form prescribed in Appendix B not later than five (5) business days prior to the date of the Nomination Meeting; and
- b) Be a Resident Elector as defined in Subsection 1.1 of these Regulations; and
- c) Be in Good Standing as defined in Subsection 1.1 of these Regulations; and

- d) Not have, directly or indirectly, any contract or interest in any contract with the Band by which he receives financial gain unless fully disclosed and in compliance with the Band Council Terms of Reference; and
- e) Not be a party involved in any current or pending litigation or legal dispute against the Band; and
- f) Not have any current or pending criminal issues which will affect the fulfillment of the required duties as a member of Council; and
- g) Not have been convicted of an indictable offence, unless he has been pardoned; and
- h) Not have been declared mentally incompetent under the *Indian Act* or by Federal or Provincial law; and
- i) Not be an un-discharged bankrupt as defined in the *Bankruptcy Act*.

### **3.0 Composition of Council of Little Shuswap Lake Indian Band**

3.1 There shall be one Chief Councillor and two Band Councillors.

### **4.0 Terms of Office**

4.1 The term of office for Chief Councillor is four (4) years.

4.2 The term of office for First Councillor is four (4) years.

4.3 The term of office for Second Councillor is four (4) years.

4.4 The term of office of every Council position begins at 8:00 a.m. the first business day of July following the taking of the oath of office before a gathering of Band Membership unless an event described in Subsection 16.1 of these Regulations has occurred.

### **5.0 Time of Elections**

5.1 Elections for any Council position becoming vacant because of the expiry of the term of office as provided for by Section 4 shall be held on the Saturday of the fourth week in the month of May.

5.2 Notwithstanding Subsection 5.1, in the event of a vacancy as defined by Subsection 15.1, the election process shall commence within seventy-two (72) hours after the vacancy, and a nomination meeting shall be held not later than the Saturday five (5) weeks prior to the date set for the Election by the Band Council.

## **6.0 Appointment of Electoral Officer**

- 6.1 At least one hundred and twenty (120) days prior to the expiry of the term of office of any council member, or upon the vacancy of any council position as defined in Subsection 15.1, or upon receipt of a petition as described in Subsection 16.1, an Electoral Officer shall be appointed by Band Council Resolution. The appointment shall terminate at the conclusion of the candidate's oath of office or later if Band Council determines an extended timeframe is required.
- 6.2 An Electoral Officer shall take an oath in the form prescribed in Appendix ``A`` and attached to these regulations.
- 6.3 A Deputy Electoral Officer as appointed by the Electoral Officer shall take an oath as prescribed in Subsection 6.2.

## **7.0 Preparation of List of Electors**

- 7.1 The Band Membership Clerk shall, at the direction of the Band Council, prepare a list of Electors from the Band Membership records held in the Band Administration Office and cause it to be delivered to the Electoral Officer to verify and present to Council.
- 7.2 The list of Electors shall contain the names of all Electors in alphabetical order and the name, address and telephone number of the Electoral Officer.
- 7.3 After presentation to Council the Band Membership Clerk shall immediately produce sufficient copies of the list of Electors and post them in conspicuous places in Squilax and Tappen; and on the bulletin board in the Band Administration Building.
- 7.4 The list of Electors shall be posted not later than twenty-one (21) days before the date for the nomination meeting.

## **8.0 Nomination Meeting**

- 8.1 A nomination meeting shall be held not later than the Saturday five (5) weeks prior to the date set by these Regulations for an Election.
- 8.2 The Electoral Officer shall post a notice in the form prescribed in Appendix ``B`` to these regulations, of a meeting of the Electors for the purpose of nominating candidates.
- 8.3 The notice of the nomination meeting shall include:





- a) The date, time and place of the meeting;
- b) The name, signature, address and telephone number of the Electoral Officer.

8.4 The Electoral Officer shall at least twenty-one (21) days prior to the date of the proposed nomination meeting post the notice in Squilax and Tappen; and on the bulletin board in the Band Administration Building.

8.5 The Electoral Officer shall, concurrently with the posting of the notice of nomination meeting;

- a) Send to every Elector a copy of the notice of nomination meeting by regular mail and/or by email to their last known address;
- b) A Request for Mail-in Ballot in the form prescribed in Appendix “F”;
- c) An information sheet outlining pertinent Election information and revision highlights as per the discretion of the Electoral Officer.

8.6 At the time and place specified in the notice, the Electoral Officer shall chair the meeting and declare it open for the purpose of receiving nominations.

8.7 The nomination meeting shall continue for not less than two (2) consecutive hours after it is declared open.

8.8 Nominations of candidates shall be by a mover and seconder.

8.9 Electors may move or second a nomination.

8.10 Where only one position is vacant, any single Elector shall be entitled to make only one nomination **or** second only one nomination per each vacant position.

8.11 If, upon the expiry of two (2) hours after the meeting has commenced, the total number of persons nominated do not exceed the number of vacant positions, the Electoral Officer shall declare the person(s) so nominated as duly elected.

- a) If, upon expiry of the two (2) hours the total number of persons nominated exceeds the number of vacant positions the Electoral Officer shall declare that an election will be held.

## **9.0 Notice of Poll**

9.1 Whenever a poll is to be held, the Electoral Officer shall, immediately after the nomination meeting, post a notice of poll in the form prescribed in Appendix “C” to these regulations.

- 9.2 The notice of poll shall include:
- a) The date of the election;
  - b) The locations of the polling stations;
  - c) The times of day that each of the polling stations will be open;
  - d) The name, signature, address and telephone number of the Electoral Officer; and
  - e) A statement that a list of Electors is posted in the Band Administration Building.
- 9.3 At a minimum, the notice of poll will indicate in accordance with Subsection 9.2(b) and (c) there will be a polling station at Squilax and a polling station at Tappen. The polling station at Squilax will be kept open from eight o'clock in the morning (8:00 AM) until eight o'clock in the evening (8:00 PM) of the same day. The polling station at Tappen will be kept open from eight o'clock in the morning (8:00 AM) until seven o'clock in the evening (7:00 PM) of the same day.
- 9.4 The notice of poll shall be posted in conspicuous places in Squilax and Tappen and on the bulletin board in the Band Administration Building.

## **10.0 Withdrawal of a Candidate**

- 10.1 Any candidate who has been nominated may withdraw **not** later than forty-eight (48) hours **after** the close of the nomination meeting by filing with the Electoral Officer a written withdrawal of his nomination, which shall be signed by him in the presence of either the Electoral Officer or Band Manager.
- 10.2 Should the withdrawal of a candidate as described in Subsection 10.1 result in only one (1) candidate remaining for the position, the Electoral Officer shall declare the remaining candidate to be deemed elected.
- 10.3 Should the withdrawal of a candidate as described in Subsection 10.1 result in no candidate standing for election, the Electoral Officer shall call a new nomination meeting upon the proper notice being given to the Electors and shall set a new date for an election poll for the vacant position within forty eight (48) hours. Candidates who have withdrawn thereby causing this section to come into effect shall not be eligible to stand for nomination at the resulting nomination meeting.

## **11.0 Ballots**

- 11.1 The Electoral Officer shall prepare ballot papers for the office of Chief or the office of Councillor in the form prescribed in Appendix ``E`` to these regulations.
- 11.2 The ballot paper shall list the candidates in alphabetical order by surname and a commonly used alias may be included at the request of a candidate provided the request is made to the Electoral Officer prior



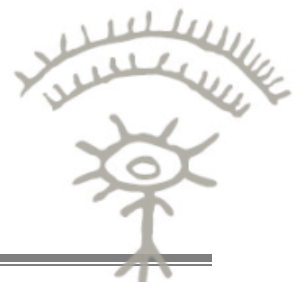
to the close of the nomination meeting.

## **12.0 Manner of Voting**

- 12.1 Electors may vote by either mail-in ballot or in person.
- 12.2 Upon receipt of a fully completed Request for Mail-In Ballot form from an Elector, the Electoral Officer shall provide the Elector with:
- a) A notice of the poll;
  - b) A mail-in ballot, initialed on the back by the Electoral Officer;
  - c) An outer postage-paid return envelope, pre-addressed to the Electoral Officer;
  - d) A second, inner envelope marked “Ballot” for insertion of the completed ballot;
  - e) A voter declaration form in the form prescribed in Appendix “G”; and
  - f) A letter of instruction regarding voting by mail-in ballot in the form prescribed in Appendix “H”.
- 12.3 The Electoral Officer shall indicate on the voters list that a ballot has been provided to each Elector to whom a mail-in ballot was mailed, delivered or otherwise provided, and keep a record of the date on which, and the addresses to which, each mail-in ballot was mailed or delivered.
- 12.4 An Elector to whom a mail-in ballot was mailed, delivered or provided under Subsection 12.2 is not entitled to vote in person at a polling station other than in accordance with Subsection 12.5.
- 12.5 An Elector to whom a mail-in ballot was mailed, delivered or provided under Subsection 12.2 may obtain a ballot and vote in person at a polling station if
- (a) The Elector returns the mail-in ballot to the Electoral Officer; or
  - (b) Where the Elector has lost the mail-in ballot, the Elector provides the Electoral Officer with a written affirmation that the Elector has lost the mail-in ballot, signed by the Elector in the presence of the Electoral Officer, a Notary Public or a Commissioner for Oaths.
- 12.6 Upon receipt of each returned mail-in ballot package, the Electoral Officer shall record the date it was received and retain the unopened envelopes in his possession until the close of the Squilax poll.
- 12.7 The Electoral Officer shall provide one ballot box to each polling station described in the notice of poll.
- 12.8 The Electoral Officer shall provide as many ballot boxes as there are polling places and a sufficient number of ballot papers.

- 12.9 The Electoral Officer shall, before the election polls open, deliver to the election poll at Squilax the ballot papers, materials for marking the ballot papers and post in conspicuous places directions for voting as may be prescribed.
- 12.10 The Deputy Electoral Officer shall, before the election polls open, deliver to the election poll at Tappen the ballot papers, materials for marking the ballot papers and post in conspicuous places directions for voting as may be prescribed.
- 12.11 A candidate is entitled to not more than two (2) scrutineers in a polling station at any one time who may observe the proceedings on behalf of the candidate.
- 12.12 Each candidate shall provide to the Electoral Officer a letter naming his scrutineers. The letter must be provided no later than 48 hours prior to the opening of the polls.
- 12.13 The Electoral Officer shall open the Squilax polling station at the time indicated in the notice of poll and shall close the polling station at the time indicated in the notice of poll.
- 12.14 The Deputy Electoral Officer shall open the Tappen polling station at the time indicated in the notice of poll and shall close the polling station at the time indicated in the notice of poll.
- 12.15 Voting at all election polls is by secret ballot.
- 12.16 The Electoral Officer or the Deputy Electoral Officer shall, immediately before the commencement of the election poll, open the ballot box and call such persons as may be present to witness that it is empty.
- 12.17 The Electoral Officer or Deputy Electoral Officer shall then lock and properly seal the box with tape or an adhesive label initialed by a witness or the Electoral Officer/Deputy Electoral Officer and place it in view for the reception of the ballots and have two (2) witnesses sign a statement in the form prescribed in Appendix "I".
- 12.18 The seal shall not be broken nor the box unlocked from the prescribed official opening of the poll to the prescribed official close of the poll.
- 12.19 Any Elector, as defined in Subsection 1.1, properly qualified to vote but whose name does not appear on the list of Electors may exercise his right to vote upon swearing or affirming before the Electoral Officer a statement in the form provided in Appendix "J" to these regulations.

- 12.20 No electioneering or influencing of Electors in any form by any individual is allowed in, at, or near any polling station on Election Day.
- 12.21 Upon an Elector presenting himself for voting, the Electoral Officer or the Deputy Electoral Officer shall, if satisfied that the name of that person is entered on the list of Electors at the polling place, provide him with a ballot paper on which to register his vote.
- 12.22 The Electoral Officer or Deputy Electoral Officer shall place his initials on the back of the ballot so that he may verify that the ballot paper was issued by him.
- 12.23 The Electoral Officer or Deputy Electoral Officer shall place on the list of Electors a mark opposite the name of every Elector receiving a ballot paper.
- 12.24 The Electoral Officer and the Deputy Electoral Officer shall maintain ongoing electronic communication as possible to assure Electors do not vote at more than one polling station.
- 12.25 Electors must present themselves at a prescribed polling station and at the prescribed time and date of the poll as set out in the notice of poll in order to be able to vote.
- 12.26 The Electoral Officer or Deputy Electoral Officer may request proof of identification of an Elector. This proof may be demonstrated by a valid status card, a valid driver's license or other identification as may be required by the Electoral Officer or Deputy Electoral Officer.
- 12.27 The Electoral Officer or Deputy Electoral Officer shall, upon reasonable request, explain the method of voting to an Elector.
- 12.28 Each person receiving a ballot paper shall mark his ballot paper by placing a cross x or checkmark √ opposite the name of the candidate or candidates for whom he desires to vote. He shall then fold the ballot paper so as to conceal the names of the candidates and the marks and deliver the same to the Electoral Officer or Deputy Electoral Officer who shall, without unfolding the ballot paper, verify his initials and at once the elector shall deposit it in the ballot box in the presence of the Electoral Officer or Deputy Electoral Officer.
- 12.29 The Electoral Officer or Deputy Electoral Officer may, at the request of any Elector who is unable to read or who is incapacitated by blindness or other physical cause from voting in the normal manner, assist the Elector by marking his ballot paper in the manner directed by the Elector.
- 12.30 The Electoral Officer or Deputy Electoral Officer shall state on the list of Electors, opposite the name of an Elector described Subsection 12.29, the fact that the ballot paper was marked by him at the request of the Elector and the reason.
- 12.31 Immediately upon the closing of the Tappen poll, the Deputy Electoral Officer shall present himself and the ballot box to the Electoral Officer.



- 12.32 Immediately upon the closing of the Squilax poll, the Electoral Officer shall, in the presence of Band Members, open each envelope containing a mail-in ballot and upon determining all mandatory requirements have been completed, place a mark on the list of Electors opposite on the name of the Elector, and deposit the unfolded ballot in one of the ballot boxes.
- 12.33 Upon completion of the opening of all mail-in ballot envelopes, the Electoral Officer shall place the ballots cast by mail-in and at both the Squilax and Tappen election polls into one ballot box, count the cast ballots, and shall declare elected the candidate receiving the highest number of votes for each vacant position.
- 12.34 Where it appears that two or more candidates have an equal number of votes, the Electoral Officer shall conduct an immediate recount and should a tie be confirmed he shall declare a By-Election to be conducted within thirty-five (35) days. Elector mail-in ballot requests shall remain valid for the purposes of a By-Election as required by this subsection.
- 12.35 Immediately upon determining the winner of the election the Electoral Officer shall prepare in triplicate and sign the statement attached as Appendix "K" to these regulations and within 72 hours prepare a final report form as prescribed in Appendix "L".
- 12.36 The Electoral Officer shall file the statement prepared in accordance with Subsection 12.35 in the following manner:
- a) First copy to the Band Governance Officer of Indigenous and Northern Affairs Canada after the candidate is declared elected and after he has been sworn into office;
  - b) Second copy to the Little Shuswap Lake Band Administration Office;
  - c) Third copy to be posted in conspicuous places in Squilax and Tappen for the information of Band Members.
- 12.37 The Electoral Officer shall, in the presence of scrutineers appointed by the candidates and in the presence of Band Members, place all ballots in an envelope to be sealed and kept by him for a period of eight (8) weeks.
- 12.38 Upon the expiry of eight (8) weeks from the date of close of the poll the ballots sealed in accordance with Subsection 12.37 and the Candidate Application packages, shall be destroyed by the Electoral Officer, who shall in writing attest to such destruction as shown in Appendix "M" to these regulations.

### **13.0 Election Appeals**

- 13.1 Within ten (10) days of a candidate being declared elected an Elector may present a written, signed petition to the Electoral Officer in the form prescribed in Appendix “N” contesting the validity of the election.
- 13.2 The **only** grounds for an appeal shall be that the election was not conducted in accordance with these regulations.
- 13.3 As soon as practicable following the receipt of an election appeal, the Electoral Officer shall convene the Election Regulations Committee to review and determine the validity of the appeal.
- 13.4 The Election Regulations Committee, in deciding an appeal under Subsection 13.1 shall have complete discretion as to the conduct of or necessity for any hearing, including;
- a) Confirming the validity of the election;
  - b) Calling for a new election for the applicable Band Council position(s).
- 13.5 In the event the Election Regulations Committee is unable to come to a unanimous decision in deciding an appeal or circumstances involving real or perceived conflict of interest arise, an Appeals Committee comprised of the Electoral Officer and two other at arm’s length parties shall be convened to decide the appeal. The at arm’s length members of the Appeals Committee shall be Band Council appointed in consultation with the Election Regulations Committee. Subsection 13.4 shall apply to the Appeals Committee in its deliberations.
- 13.6 The decision of the Election Regulations Committee or the Appeals Committee, within their respective Terms of Reference, shall be deemed final.

### **14.0 Oath of Office**

- 14.1 Upon expiration of the appeals period or as soon as practicable following the decision of an appeal, at a gathering of Band Members, a person who has been elected Chief or Councillor shall, before taking office, make a sworn declaration as prescribed in Appendix “O” to these Regulations before the Electoral Officer.
- 14.2 The completed declaration shall be filed with the Band Manager.

### **15.0 Vacancy**

- 15.1 The position of Councillor or Chief Councillor becomes vacant when the person holding the office:
- a) Is convicted of an indictable offence;
  - b) Dies;
  - c) Resigns his position;

- d) Is absent without notice to the Band Manager for three (3) consecutive Band Council meetings.
- e) Is found guilty of wilful misconduct as defined in Appendix “P” to these regulations;
- f) Is diagnosed with a chronic illness or health condition which keeps him from performing his duties as required by the Band Council Terms of Reference;
- g) Fails to maintain on-reserve residency as required by these Regulations;
- h) Accepts other employment.

15.2 A Council Member may resign his position by submitting his resignation in writing to the Band Manager at which time a vacancy on the Band Council shall immediately exist.

15.3 Upon a vacancy on the Band Council, the election process shall commence within seventy-two (72) hours in accordance with Subsection 5.2 and the provisions as to conduct of nomination meetings and elections contained in these regulations shall apply.

15.4 In the event of a vacancy resulting in accordance with Subsection 15.1, excepting Subsection 15.1 (b), the respective Council member shall be deemed ineligible from standing for nomination for any Council position for a period of time not exceeding on full term of office, i.e. four (4) years.

15.5 In the event of a vacancy on the Band Council, if the balance of the term is 3 months or less, the election shall be for the balance of the term plus a full term.

## **16.0 Removal from Office**

16.1 Upon the happening of any event in Subsection 15.1 except (b) and (c), any ten (10) Electors may present in writing a signed petition to the Electoral Officer asking that a hearing be held and a declaration be made that a vacancy on the Band Council exists. If an Electoral Officer is not appointed then the Band Manager shall act for the interim until such time as an Electoral Officer is appointed. Prior to hearing a petition for any such event, the Electoral Officer or Band Manager will advise the Band Council of the petition and will afford sufficient time for the Election Regulations Committee or Appeals Committee to consider the petition and to exercise any discretion provided to the Election Regulations Committee or Appeals Committee by these Regulations.

16.2 The provisions of Subsection 13.4, 13.5 and 13.6 shall apply to any hearing under Subsection 16.1.

16.3 The Election Regulations Committee or Appeals Committee, in hearing an application under Subsection 16.1 may make any declaration, within their respective Terms of Reference, deemed appropriate including;

- a) That a vacancy exists and an election shall be held;
- b) That no vacancy exists.



16.4 Upon a declaration being made by the Election Regulations Committee or Appeals Committee that a vacancy exists, the Council Member against whom the declaration is made shall immediately cease to hold office and an Election shall be held in accordance with Subsection 5.2 and the provisions as to the conduct of nomination meetings and elections contained in these regulations shall apply.

## **17.0 Amendments**

17.1 Proposed amendments to these Regulations shall be defined as Minor Amendments and Fundamental Amendments as determined by the Election Regulations Committee.

17.2 Minor Amendments shall include any changes to textual changes, subsections references, updates, typographical corrections or administrative changes which do not affect the election process. Minor Amendments shall be reviewed and decided by the Election Regulations Committee and approved by Band Council.

17.3 Fundamental Amendments shall include any changes to the election process such as the composition of Council, time of elections, manner of voting, appeals and amendment procedures. Fundamental Amendments shall be reviewed by the Election Regulations Committee and Band Council but must be approved by the majority vote of the Electors in a referendum.

17.4 In all cases of amendments specified in Subsections 17.2 and 17.3, the proposed changes must be publicized and communicated to Band Membership for review and commentary for a period of not less than thirty (30) days before approval of Minor Amendments or a Band Membership vote on Fundamental Amendments.

17.5 Proposed amendments to these regulations may be initiated by one or more Electors by filing a written request or recommendation with the Band Manager for the attention of the Election Regulations Committee. As soon as practicable, the Committee shall convene to review the proposed amendment and determine if it:

- a) Merits consideration as a valid amendment;
- b) Constitutes a Minor or Fundamental amendment; and
- c) Requires any additional information or details in order for the Committee to reach a decision in accordance with the provisions defined in these Regulations.

## **18.0 Referendums**

18.1 Referendums shall be conducted in accordance with the provisions contain in these Regulations unless otherwise specified within this Section.

18.2 At least forty-two (42) days before the day of the Referendum, the Electoral Officer shall

- a) Post a Notice of Referendum and a list of the names of the Electors in at least one conspicuous place; and

- b) Mail or deliver to every Elector of the Band and for whom an address has been provided
  - (i) A Notice of Referendum;
  - (ii) A Request for Mail-In Ballot form; and
  - (iii) An information package regarding the subject of the referendum.

18.3 A Notice of Referendum shall state

- a) The question to be submitted to the Electors;
- b) The date on which the referendum will be held;
- c) The location of each polling station and the hours that it will be open for voting;
- d) That Electors may vote either in person at a polling station or by mail-in ballot;
- e) The name and telephone number of the Electoral Officer; and
- f) The date, time and location of any information meeting, if applicable.

18.4 Upon receipt of a fully completed Request for Mail-In Ballot form from an Elector, the Electoral Officer shall provide the Elector with

- a) A notice of the referendum;
- b) A mail-in ballot, initialed on the back by the Electoral Officer;
- c) An outer postage-paid return envelope, pre-addressed to the Electoral Officer;
- d) A second, inner envelope marked "Ballot" for insertion of the completed ballot;
- e) A voter declaration form;
- f) A letter of instruction regarding voting by mail-in ballot; and
- g) An information package regarding the subject of the referendum.

18.5 The Electoral Officer shall indicate on the voters list that a ballot has been provided to each Elector to whom a mail-in ballot was mailed, delivered or otherwise provided, and keep a record of the date on which, and the addresses to which, each mail-in ballot was mailed or delivered.

18.6 An Elector to whom a mail-in ballot was mailed, delivered or provided under Subsection 18.4 is not entitled to vote in person at a polling station other than in accordance with Subsection 18.8.

18.7 For referendums there shall be one polling station which will be located at Squilax. The polling station shall be kept open from twelve o'clock in the afternoon (12:00 PM) until eight o'clock in the evening (8:00 PM) of the same day.

18.8 An Elector to whom a mail-in ballot was mailed, delivered or provided under Subsection 18.4 may obtain a ballot and vote in person at a polling station if

- a) The Elector returns the mail-in ballot to the Electoral Officer; or
- b) Where the Elector has lost the mail-in ballot, the Elector provides the Electoral Officer with a written affirmation that the Elector has lost the mail-in ballot, signed by the

Elector in the presence of the Electoral Officer, a Notary Public or a Commissioner for Oaths.

Authorized as Band Council Resolution # \_\_\_\_\_ dated the \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_.

Chief \_\_\_\_\_

Councillor \_\_\_\_\_ Councillor \_\_\_\_\_

“Upon authorization of changes by Council, this version of the Little Shuswap Lake Indian Band Election Regulations shall supersede any and all previous versions of the Election Regulations”

# APPENDIX "A"

## LITTLE SHUSWAP LAKE INDIAN BAND

### OATH OF ELECTORAL OFFICER (OR DEPUTY ELECTORAL OFFICER)

I, \_\_\_\_\_ do solemnly swear (or affirm) that I will fulfill the office of Electoral Officer (or Deputy) to the best of my abilities, that I will follow the Election Regulations of the Little Shuswap Lake Indian Band, and that I will not show favour to any candidate or group of persons.

So help me God.

I solemnly affirm

SWORN BEFORE ME in the City of \_\_\_\_\_)

in the Province of British Columbia , this \_\_\_\_\_)

day of \_\_\_\_\_, 20 \_\_\_\_.

)

)

) \_\_\_\_\_  
PRINT Name – Electoral Officer (or Deputy)

)

)

) \_\_\_\_\_  
Signature – Electoral Officer (or Deputy)

)

\_\_\_\_\_  
Band Manager

)

)

)

) \_\_\_\_\_  
Date

# APPENDIX "B"

## LITTLE SHUSWAP LAKE INDIAN BAND

### CANDIDATE APPLICATION

All Candidates must complete this application and submit **all** required documentation to the Electoral Officer for review and approval not later than five (5) business days prior to the date of the nomination meeting.

Candidates will be notified of verification of their applications and an eligibility list of potential candidates will be available at the nomination meeting.

Council position being applied for: \_\_\_\_\_

PERSONAL INFORMATION			
NAME			
ADDRESS:			
CITY:		POSTAL CODE:	
TELEPHONE:		CELL:	
EMAIL ADDRESS:			
STATUS #:			
DATE OF BIRTH:			

Consecutive years of residence on reserve **immediately** prior to the date of the nomination meeting

\_\_\_\_\_

#### Please provide a copy

- IDENTIFICATION (driver's license, status card)
- RESUME and/or BIO
- DRIVERS ABSTRACT
- EDUCATION AND CERTIFICATES
- CRIMINAL RECORD CHECK



FINANCIAL RECORD CHECK FROM LSLIB DEPARTMENT

VERIFIED BY: \_\_\_\_\_

BAND MANAGER or FINANCE MANAGER (Print name and sign)

By submitting this application, you are confirming that all information provided is true and complete
---

Candidate Signature:
----------------------

Verified by: \_\_\_\_\_

ELECTORAL OFFICER

# APPENDIX "C"

## LITTLE SHUSWAP LAKE INDIAN BAND

### NOTICE OF NOMINATION OF CANDIDATES

Notice is hereby given that a meeting of the Electors of the Little Shuswap Lake Indian Band will be held at \_\_\_\_\_ on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ from \_\_\_\_\_ o'clock until \_\_\_\_\_ o'clock of the same day for the purpose of nominating candidates for election to the Little Shuswap Lake Indian Band Council.

A copy of the list of Electors is posted in the Band Administration Building located at \_\_\_\_\_, B.C.

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Electoral Officer

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone

# APPENDIX "D"

## LITTLE SHUSWAP LAKE INDIAN BAND

### NOTICE OF POLL

Notice is hereby given to the Electors of the Little Shuswap Lake Indian Band that a poll will be held for the election of \_\_\_\_\_. The poll will be open on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ from the hour of 8 o'clock in the morning until \_\_\_\_\_ o'clock in the evening at \_\_\_\_\_.

A copy of the List of Electors is posted in the Band Administration Building located at \_\_\_\_\_, B.C.

And that I will at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, immediately after the close of the poll count the votes and declare the result of the election.

Given under my hand at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Electoral Officer

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone



# APPENDIX "E"

## LITTLE SHUSWAP LAKE INDIAN BAND

### BALLOT

CHOICE(S) TO BE MARKED "X" OR BY CHECK "✓"

Election of Councillors of the Little Shuswap Lake Indian Band, \_\_\_\_\_, 20\_\_.

FOR COUNCILLORS _____ (number) to be elected	
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

## LITTLE SHUSWAP LAKE INDIAN BAND

### BALLOT

CHOICE(S) TO BE MARKED "X" OR BY CHECK "✓"

Election of Councillors of the Little Shuswap Lake Indian Band, \_\_\_\_\_, 20\_\_.

FOR CHIEF One to be elected	
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

# APPENDIX "F"

## LITTLE SHUSWAP LAKE INDIAN BAND

### Request for Mail-in Ballot

#### INFORMATION FOR THE ELECTOR:

The Little Shuswap Lake Indian Band poll for \_\_\_\_\_ will take place on <Date>.

If you wish to vote by mail-in ballot, you **must fully** complete this form and return it to the Electoral Officer by mail or email.

You **must also include a copy of proof of identification** such as a copy of your Status Card, Drivers Licence, Provincial ID or other document that proves your identity. Do not provide the original identification.

If this request is received by the Electoral Officer on or before <Day>, < Date>, a mail-in ballot package will be sent to you at the address provided. **Note: Earlier is better to allow time for mail delivery.**

If you have any questions, please contact the Electoral Officer.

It is important to note that once you complete this request and return it to the Electoral Officer, you will not be able to vote in person at the polling station unless you bring your mail-in ballot to the polling station so that it may be voided. If you have lost your mail-in ballot and wish to vote in person, you must bring to the polling station a sworn affidavit stating that you have lost your mail-in ballot.

\_\_\_\_\_, Electoral Officer Telephone: XXX -XXX-XXXX

Box XXXX Station \_\_\_\_\_ Email: \_\_\_\_\_

<City/Town>, BC <Postal Code>

\_\_\_\_\_  
I, \_\_\_\_\_, \_\_\_\_\_, am a qualified elector of the  
(Print Name) (Status Number)

Little Shuswap Lake Indian Band and do hereby request that a mail-in ballot package be sent to me at

\_\_\_\_\_  
Address Municipality Province Postal Code

Telephone: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Email: \_\_\_\_\_

For Electoral Officer use only

Request received on: \_\_\_\_\_

Mail-in ballot package sent on: \_\_\_\_\_

Type of Identification provided: \_\_\_\_\_

# APPENDIX "G"

## LITTLE SHUSWAP LAKE INDIAN BAND

### Voter Declaration Accompanying the Mail-in Ballot

This declaration must be signed by you and a witness, who is at least 18 years old, and returned to the Electoral Officer with your completed ballot, or your vote will not be counted.

In the matter of the \_\_\_\_\_ of the Little Shuswap Lake Indian Band, held in accordance with the Little Shuswap Lake Indian Band Election Regulations, I, \_\_\_\_\_

\_\_\_\_\_ solemnly declare that:

*(Please print your name)*

1. I am a member of the \_\_\_\_\_ Band.
2. My band/treaty/registry/status number is \_\_\_\_\_ and/or my date of birth is \_\_\_\_\_
3. My current mailing address is: \_\_\_\_\_  
*Street number and name (P.O. Box Number)*

\_\_\_\_\_  
*(First Nation/Municipality)*

\_\_\_\_\_  
*(Province/Territory)*

\_\_\_\_\_  
*(Postal Code)*

4. I am at least 18 years of age.
5. I do not know of any reason why I would be disqualified from voting at this election.

I make this solemn declaration conscientiously believing it to be true and knowing that it has the same force and effect as if made under oath. I understand that it is an offence to make a false statement in this declaration.

\_\_\_\_\_  
**Signature of Elector**

\_\_\_\_\_  
**Date**

**WITNESS DECLARATION (to be filled out by any person who is at least 18 years old)**

Declared before me \_\_\_\_\_ at \_\_\_\_\_  
*(Witness name)* *(First Nation/Municipality)*

this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_.  
*(Date)* *(Month)* *(Year)*

**Signature of Witness**

\_\_\_\_\_  
Address *(Street number and name (P.O. Box Number))*

\_\_\_\_\_ (\_\_\_\_) - \_\_\_\_\_  
*(First Nation/Municipality)* *(Province/Territory)* *(Postal Code)* *(Telephone Number)*

**Voter Declaration Form #:** \_\_\_\_\_

# APPENDIX “H”

## LITTLE SHUSWAP LAKE INDIAN BAND

### Instructions For Mail-In Voting

Dear Elector:

As per the attached Notice of \_\_\_\_\_, a vote on/for \_\_\_\_\_ for the Little Shuswap Lake Indian Band (LSLIB) is set to take place.

As a member of LSLIB, you are entitled to vote, provided you will be at least 18 years of age on the date of the referendum. To assist you in casting a vote, please find enclosed a mail-in voting package consisting of:

- a ballot for the fundamental Election Regulations changes with the Electoral Officer’s initials on the back
- an outer, postage-paid pre-addressed return envelope
- a second inner envelope marked with the word “Ballot”
- a *Voter Declaration Accompanying the Mail-in Ballot*

**Carefully follow the steps below to ensure that your ballot is valid and will not be rejected.**

1. **ON THE BALLOT FORM:**

Mark an “X” or a “√” in a box only immediately below the voting topic. You may mark only one (1) for each proposed change.

2. Fold the ballot in the same way as you received them so that the Electoral Officer’s initials are visible.
3. Place the ballot into the envelope marked “Ballot,” and seal the envelope.
4. Complete the *Voter Declaration Accompanying the Mail-in Ballot* form. **Both** you and a witness, who is at least 18 years of age, **must** sign it.

**Do not** place the *Voter Declaration Accompanying the Mail-in Ballot* form inside the envelope marked “Ballot.”

*See next page...*

5. In the larger postage paid pre-addressed outer envelope, place the completed and signed *Voter Declaration Accompanying the Mail-in Ballot* and the sealed envelope marked "Ballot".
6. Seal and drop the return envelope in the mail as soon as possible. It must be received by the Electoral Officer no later than <Time> on <Date>. Note that ballots received by mail after this time will not be counted. You may also hand-deliver it to the Electoral Officer prior to the close of the poll on <Date>.

**For your ballots to be counted, they must be accompanied by a completed voter declaration form, signed by you and a witness.**

Although you have received this mail-in ballot package, you may still choose to vote in person at the polling station. The location is indicated on the Notice of \_\_\_\_\_. If you choose to vote in person, please bring your mail-in ballot to the polling station so that it may be voided. If you have lost your mail-in ballot, you will only be permitted to vote in person if you provide the Electoral Officer with a sworn affidavit stating that you have lost your mail-in ballot.

If you have any questions, please do not hesitate to contact me at ~~(XXX) XXX-XXXX~~ or by email at \_\_\_\_\_.

Yours truly,

\_\_\_\_\_

Electoral Officer

# APPENDIX "I"

## LITTLE SHUSWAP LAKE INDIAN BAND

### CERTIFICATION OF BALLOT BOX

I, \_\_\_\_\_, do solemnly declare that, prior to the sealing of the ballot box(s) at \_\_\_\_\_ for the 20\_\_\_\_ election of Chief and/or Councillor(s), I inspected the ballot box(s) and am satisfied that it/they were completely empty.

\_\_\_\_\_  
Electoral Officer

\_\_\_\_\_  
Signature

Witness: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name

Witness: \_\_\_\_\_  
Signature

\_\_\_\_\_  
Name



# APPENDIX "J"

## LITTLE SHUSWAP LAKE INDIAN BAND

### OATH OF ENTITLEMENT TO VOTE

To be administered by the Electoral Officer or Deputy Electoral Officer.

You swear (or solemnly affirm):

- a) That you are legally entitled to vote at this election;
- b) That you have not voted before in this election;
- c) That you are of the full age of eighteen years;
- d) That you are a member of the Little Shuswap Lake Indian Band of Indians.

So help you God.

I solemnly affirm

\_\_\_\_\_  
Print Name – Elector

\_\_\_\_\_  
Print Name – Electoral Officer (or Deputy)

\_\_\_\_\_  
Signature – Elector

\_\_\_\_\_  
Signature – Electoral Officer (or Deputy)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Status Card Number

# APPENDIX "K"

## LITTLE SHUSWAP LAKE INDIAN BAND

### ELECTORAL OFFICER STATEMENT

1. Election for \_\_\_\_\_ (position)

2. Total votes cast. # \_\_\_\_\_

3. Total votes cast for:

( # \_\_\_\_\_ ) \_\_\_\_\_ (candidate)

( # \_\_\_\_\_ ) \_\_\_\_\_ (candidate)

( # \_\_\_\_\_ ) \_\_\_\_\_ (candidate)

4. Total ballots rejected and/or cancelled.

# \_\_\_\_\_

5. Name(s) of candidates elected:

\_\_\_\_\_ (name)

\_\_\_\_\_  
Electoral Officer

\_\_\_\_\_  
Date

# APPENDIX "L"

## LITTLE SHUSWAP LAKE INDIAN BAND

### ELECTORAL OFFICER FINAL REPORT

1. Name of Band/Community: Little Shuswap Lake Indian Band
2. Date:
3. Band Number: 689
4. Type of Election: General Election/By-Election
5. Electoral System: Custom Election Regulations
6. Total number of members of the Community (number of names appearing and entitled to appear on the Band List) :
7. Total number of electors :
8. The Little Shuswap Lake Indian Band Council is composed of one Chief Councillor and two Councillors pursuant to Subsection 3.1 of the Little Shuswap Lake Indian Band Election Regulations
9. The notice of nomination meeting was posted on the \_\_ day of \_\_\_\_\_, 20\_\_ at the following locations:
10. The voters list was posted on the \_\_ day of \_\_\_\_\_, 20\_\_ at the following locations:
11. The nomination meeting was held on the \_\_ day of \_\_\_\_\_, 20\_\_ at the \_\_\_\_\_
12. The notice of poll was posted on the \_\_ day of \_\_\_\_\_, 20\_\_, at the following locations:
13. The poll was held on the \_\_ day of \_\_\_\_\_, 20\_\_, at the \_\_\_\_\_
14. Total number of ballots printed for Chief Councillor/Councillor was \_\_\_\_\_
  
15. Number of ballots cast and counted : Chief Councillor/Councillor \_\_\_\_\_  
Number of ballots cast and rejected : Chief Councillor/Councillor \_\_\_\_\_  
Number of ballots spoiled/cancelled : Chief Councillor/Councillor \_\_\_\_\_  
Number of ballots unused : Chief Councillor/Councillor \_\_\_\_\_  
Total (should equal total per item 14) \_\_\_\_\_

16. Total number of votes cast for each candidate for Chief Councillor/Councillor :

Candidate A \_\_\_\_\_

Candidate B \_\_\_\_\_

17. Number of rejected ballots for Chief Councillor/Councillor : \_\_\_\_\_

18. The following candidate(s) have been publicly declared elected:

**To The Office of Chief Councillor/Councillor :**

19. The Term of Office commences on \_\_\_\_\_ as per Subsection 4.4.

20. Additional Comments:

All ballots used and unused will be retained in my possession until \_\_\_\_\_ in accordance with Subsection 12.31 of the Little Shuswap Lake Indian Band Election Regulations.

<Example>: The Band's Election Regulations require review as a number of issues, questions and inconsistencies arose during the election process. A list of comments and recommendations will follow.

21. I, \_\_\_\_\_, appointed to the position of Electoral Officer on the \_\_\_ day of \_\_\_, 20\_\_\_, for the Little Shuswap Lake Indian Band, declare that the polling place was kept open between the hours of \_\_\_\_\_ A.M. and \_\_\_\_\_ P.M. local time on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_, that I have correctly counted the votes cast for each candidate to the best of my ability, and have performed all other duties required of me by the Little Shuswap Lake Indian Band Election Regulations, and that a copy of this report will be delivered to the Band Administration Office with my request that it be posted at each place where the notice of election was posted.

\_\_\_\_\_  
Electoral Officer

# APPENDIX "M"

## LITTLE SHUSWAP LAKE INDIAN BAND

### DECLARATION OF DESTRUCTION OF BALLOTS

1. Date of election: \_\_\_\_\_

2. Position(s) to be filled: \_\_\_\_\_

3. Names of elected person(s):

\_\_\_\_\_

\_\_\_\_\_

I, \_\_\_\_\_, Electoral Officer, destroyed all ballots cast in the above noted election, and that this event took place at least 8 weeks from the date of the close of the polls.

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature



Phone/Cell: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Process:**

The appeal will be reviewed by the Election Regulations Committee within 15 days from receipt. The Committee will be allowed the necessary time to deliberate the appeal including sufficient time to substantiate any evidence submitted.

In accordance with Subsection 13.5, should the Election Regulations Committee be unable to reach a unanimous decision, the Appeals Committee shall be convened to review the appeal within 15 days from the date of the indecision.

Within 48 hours from the time either Committee reaches a determination, the appellant shall be notified of the decision in writing. Concurrently, a copy of the written decision shall be forwarded to Band Council.

In accordance with Subsection 13.6, the decision will be deemed final.

# APPENDIX "O"

## LITTLE SHUSWAP LAKE INDIAN BAND

### OATH OF OFFICE

Elected \_\_\_\_\_ (position) by the people of the Little Shuswap Lake Indian Band, I \_\_\_\_\_ (person elected) swear:

1. To work as a team with the existing Chief and Council.
2. To faithfully perform the duties of my office with dignity and respect for others and strive to earn the respect of others.
3. To always consider the best interests of the community when making decisions and will not allow my business or personal affairs to influence my decision making.
4. To promote unity amongst the Secwepemc Nation and other First Nations.
5. To encourage and continue the traditions, culture and language of our people.
6. Not to miss three (3) or more consecutive Band Council meetings without cause.
7. Not to abuse the consumption of alcohol or drugs while a member of the Little Shuswap Lake Indian Band Council.

I acknowledge that a violation of this oath will result in my removal from office.

SWORN at Squilax, BC on

\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Electoral Officer

\_\_\_\_\_  
(person elected)



## **APPENDIX “P”**

### **LITTLE SHUSWAP LAKE INDIAN BAND**

#### **WILFUL MISCONDUCT**

The following are considered acts of Wilful Misconduct:

1. Illegal Drug Use
2. Misuse of Alcohol
3. Physical Abuse
4. Verbal Abuse
5. Fraud
6. Sexual Harassment
7. Embezzlement
8. Conflict of Interest
9. Knowingly breaching Little Shuswap Lake Indian Band policies.
10. Breach of Confidentiality