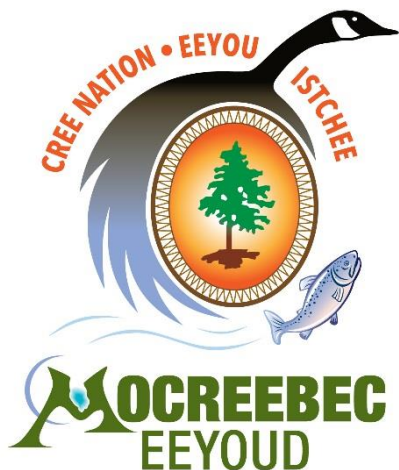


*PROCEDURES FOR THE
ELECTION or SELECTION OF
CHIEF AND OF DEPUTY
CHIEF*



MOCREEBEC COUNCIL OF THE CREE
NATION/MOCREEBEC EEYOUND

Preamble

(i) The MoCreebec Constitution states:

“On June 6th, 1993, 51 people who trace their ancestry to the traditional Cree territory on the east coast of what is now known as James Bay, became the founding members of the newly constituted MoCreebec community. In a first step towards self-governance and recognition by other orders of government, both native and non-native, MoCreebec members publicly committed themselves to the principles, purpose and objectives of the Constitutional Framework.”

“Members have chosen to empower their own governing system, based on the principles of equality, independence and self-reliance, drawing strength from the community’s natural core, the family.”

“Central to this new system is the creation of ‘Clan Councils’, made up of the members of each MoCreebec family name.”

“In adopting this leadership structure, MoCreebec members hoped to take advantage of the natural lines of communication and accountability that exist within families. In this way, it was felt its governing bodies would better reflect Cree values and culture.”

“The MoCreebec Constitutional Framework is about opening up opportunities for the community, not cutting them off.”

(ii) In reference to the process of determining the leadership of the MoCreebec community, Article 14 (1) and (2) of the MoCreebec Constitution state, respectively:

“The MoCreebec Council will select from its members a ‘chief’ and ‘deputy chief’ for the purpose of representing MoCreebec members’ interests in other fora.”

“Once selected the ‘chief’ and ‘deputy chief’ will be confirmed at the next scheduled General Membership Meeting.”

(iii) The Constitution proposes a process of selection for “chief” and “deputy chief”. On the other hand, the Bylaw proposes a process of election. However, the spirit of the Constitution is respected in the Bylaw since it is the Council that determines whether to open the process up to a vote by the membership, as part of its role in overseeing implementation of the Constitutional Framework. The ultimate decision in both cases rests with Council. In this way the Constitution and Bylaw are consistent, as dual components of the Constitutional Framework.

(iv) The Constitution sets out a selection process for “chief” and “deputy chief” based on consensus-making by the Council and subsequent confirmation by the Members. However, for consensus on the Council to be properly reached, there first needs to be adequate representation of families through the Clan Council system. The Council has determined that in order to move to the selection process set out in the Constitution, adequate representation of families through the Clan Council system is first required, and will exist when the following conditions are met:

I. The Clan Council Representatives are able to show, by way of Clan Council resolution that they have support from the Members listed under their Clan Council. Resolutions must be signed by a minimum of ten (10) Members of that Clan Council in order to demonstrate that support.

II. Seventy-five percent (75%) of the Members of the MoCreebec Eeyoud Community are part of Clan Councils that have at least ten (10) Members and that are represented on the MoCreebec Eeyoud Council by a Clan Council Representative.

(v) If the above two conditions are met, then the process of selection for Chief and Deputy Chief can be reassumed by the MoCreebec Eeyoud Council in accordance with Part VI of these Procedures. Since these conditions have not yet been achieved, the following *Procedures for the Election of Chief and Deputy Chief* set out in Parts I–V are to be implemented. By adopting the *Procedures for the Election of Chief and Deputy Chief* set out in Parts I–V, the MoCreebec Eeyoud Council is recognizing the need to assure adequate representation of the Members in the process of determining for Chief and Deputy Chief.

(vi) Moreover, the Guiding Principles of the MoCreebec Constitution state:

“Recognizing the supremacy and will of the Creator, the people who have chosen the name MoCreebec renew the social contract of *Sharing, Kindness, Strength* and *Honesty* which was the basis for the first meeting of aboriginal and European peoples.”

“We reaffirm the aboriginal rights guaranteed by the Canadian Constitution, asserting that these rights also embody a sense of community, equality, a need for independence and self-reliance.”

(vii) The *Procedures for the Election of Chief and of Deputy Chief* set out in Parts I-V and the *Procedures for the Selection of Chief and of Deputy Chief* set out in Part VI seek to respect the shared history of the MoCreebec people; to

provide a process for determining leadership that will shape a common destiny; and, to open up opportunities for community participation.

PART I

Definitions

“Candidate” means a Member seeking election to the position of Chief or Deputy Chief, as may be applicable;

“Candidate Debate” means a debate set on a date to be determined by the Electoral Officer, on notice provided as set out herein, between Candidates;

“Confirmation Ceremony” means the event where the Electoral Officer officially announces the results of Election Day, and where the successful Candidate is confirmed as Chief or Deputy Chief.

“Election Day” means the date set for a vote by the Electoral Officer for the Chief or for the Deputy Chief;

“Electoral Officer” means the individual hired by the MoCreebec Council of the Cree Nation/MoCreebec Eeyoud to oversee and undertake these *Procedures for the Election of Chief and Deputy Chief* set out in Parts I-V;

“Members of the MoCreebec Eeyoud community” or “Members” means persons that are Members who are listed on the Membership List, as defined in By-Law No. 1 of MoCreebec Eeyoud;

“MoCreebec Council of the Cree Nation/MoCreebec Eeyoud” means the body incorporated under the *Canada Not-for-profit Corporations Act*, S.C. 2009, c. 23 with the official corporate name of MoCreebec Eeyoud.

“MoCreebec Eeyoud Council” means the Clan Council Representatives also known as the Board of Directors of MoCreebec Council of the Cree Nation/MoCreebec Eeyoud;

“Moosonee Assistant to the Electoral Officer” means the person hired by the Electoral Officer

under Point 8 of the *Procedures for the Election of Chief and Deputy Chief* set out in Parts I-V;

“Nomination Meeting” means a meeting of the Members of the MoCreebec Eeyoud community where names will be submitted and/or confirmed for Candidates.

“Physical Spaces” means any space where a public meeting can reasonably take place including, but not limited to, parish halls, churches, church basements and hotel meeting rooms. For greater certainty, “Physical Spaces” do not include voters’ homes.

“Relocate” means the transfer of the Candidate, dependents, and his or her movable effects to either Moose Factory or Moosonee as a usual, permanent place of residence.

“Residing in” means the Candidate has a usual, permanent place of residence where he or she normally eats and sleeps and to which, whenever absent, the Candidate intends to return. For greater certainty, for the purposes of these Procedures, a Candidate can only have one usual and permanent place of residence at one time.

“Zero Days” means the 15 day period immediately following Candidate Debate and immediately prior to Election Day when Candidates are prohibited from campaign activities in Physical Spaces.

The Process

1. The positions of Chief and Deputy Chief will be elected by the Members of the MoCreebec Eeyoud community in two separate elections to be staggered at regular intervals of eighteen (18) months. However, the following will apply to the first election process:

I. The first election process for Deputy Chief will occur simultaneously with that of Chief but the first elected Deputy Chief’s mandate will be for a period of eighteen (18) months; and,

II. Subsequent election processes for the position of Deputy Chief will result in normal, staggered terms of three (3) years.

2. All election processes shall adhere to the terms set out in the *Procedures for the Election of Chief and of Deputy Chief* set out in Parts I-V.

3. Any references to “Chief” in the ensuing steps, terms and requirements will apply equally to the election process for the “Deputy Chief”, unless otherwise specifically stated.

Hiring of Electoral Officer

4. The MoCreebec Eeyoud Council will initiate the process for electing the Chief by hiring an Electoral Officer. The hiring of an Electoral Officer will be done in advance of any other activities pertaining to the process for the election of Chief.

5. If the election process is initiated under normal circumstances (i.e. the three-year term of Chief is coming to a close), then the process for hiring the Electoral Officer should start seven months prior to the end of the current term of the existing Chief.

6. If, however, the election/selection process is initiated under unusual circumstances (i.e. the Chief has been removed from office or is deceased), then the process for hiring an Electoral Officer should begin as soon as practicable following the conclusion of the events that led to the removal or absence of the Chief.

7. The Electoral Officer will be hired on a contract basis for a period of six months, which will be extended as required in order to comply with the conditions laid out in these *Procedures for the Election of Chief and of Deputy Chief*.

8. The Electoral Officer will be hired for the duration of the process to elect the Chief, and will remain on contract for at least one-month following the date of the election of the Chief. The Electoral Officer will hire a Moosonee Assistant to the Electoral Officer for the one week prior to and including Election Day to assist the Electoral Officer to oversee the polling station set up in Moosonee for Election Day who will be paid for by MoCreebec Council of the Cree

Nation/MoCreebec Eeyoud at a rate determined by MoCreebec Council. The Electoral Officer shall ensure that the Moosonee Assistant to the Electoral Officer complies with the code of conduct principles.

9. The Electoral Officer will be required to comply with the following code of conduct principles:

I. Independence: the Electoral Officer will be prohibited from engaging in any interactions with Candidates for Chief that could compromise the independence of the Electoral Officer. When in doubt, the Electoral Officer is to seek the advice of the Senior Development Officer or equivalent contact point at the MoCreebec Eeyoud administrative offices.

II. Conflict of Interest: the Electoral Officer must remove themselves from any situation that presents a conflict of interest in the fulfillment of their duties as Electoral Officer during the period of their contract. When in doubt, the Electoral Officer is to seek the advice of the Senior Development Officer or equivalent contact point at the MoCreebec Eeyoud administrative offices. If a conflict of interest arises during the process and cannot be addressed, then the Electoral Officer must be let go and the hiring process restarted.

III. Integrity: the Electoral Officer is to conduct their work with the utmost regard for the integrity of the electoral process.

IV. Transparency: the Electoral Officer is to conduct their work with the utmost regard for transparency when it comes to communicating the electoral process to Members of the MoCreebec Eeyoud community.

V. Accountability: the Electoral Officer is accountable to the Members of the MoCreebec Eeyoud community, and the MoCreebec Council of the Cree Nation/MoCreebec Eeyoud; this requires coordination with staff of MoCreebec Council of the Cree Nation/MoCreebec Eeyoud and the MoCreebec Eeyoud Council.

VI. Respect: the Electoral Officer is to conduct themselves in a manner that shows the utmost respect for any traditional ceremonies and practices that may be incorporated into or accompany the election process.

VII. Collaboration: the Electoral Officer is to work in a collaborative manner with the community volunteers who are selected to assist with activities on the day of the election. The Electoral Officer is responsible for providing leadership to and for setting an example of integrity for the volunteers.

VIII. Oversight: the Electoral Officer is to provide rigorous oversight of the election process in order to ensure the integrity of the results.

10. Although the Electoral Officer is not responsible for interpreting any of the Points in this procedural document, there may arise from time to time issues that require a decision based on sound judgment. If any issues do come up that require judgement, then the Electoral Officer should seek the advice of the Senior Development Officer or equivalent contact point at the MoCreebec Eeyoud administrative offices. The Elections Officer is free to make decisions on their own, however, using good judgement and after evaluating the particular circumstances. Any special decisions are to be documented.

Election Day Volunteers

11. A minimum of six (6) volunteers will be required for the Election Day. The volunteers will be selected by the Electoral Officer and shall be recruited from the Youth Council and from among other youth in the MoCreebec Eeyoud community, including youth under 18 years. If there are not enough volunteers from the Youth Council or from among these other youth, then the Electoral Officer shall seek volunteers among the non-Member general population of Moose Factory and Moosonee. If this too results in insufficient numbers of volunteers, then the Electoral Officer shall select volunteers who are Members of the MoCreebec Eeyoud community and who are able and willing to abide by the first

three code of conduct principles outlined above for the Electoral Officer.

12. The Electoral Office is responsible for training the volunteers on how to carry out the procedures for the Election Day. Two (2) of the volunteers will be selected by the Electoral Officer to assist with any advanced, in-person polling for members who are home bound or hospitalized.

13. The Electoral Officer is ultimately responsible for the integrity of the process and must therefore provide effective leadership and training to volunteers.

PART II

Setting the Date of the Election

14. The Electoral Officer, in consultation with the MoCreebec Eeyoud Council, will set the dates for the Election Days.

15. Election Days must be set at a time that allows for the following periods to pass without overlap of allotted time:

I. The Electoral Officer shall provide 30 days advance notice prior to holding the Nomination Meeting, to allow for Members to identify individuals and submit names for nomination of Candidates at the Nomination Meeting;

II. The Electoral Officer shall review all names submitted at the Nomination Meeting, and confirm and announce the Candidates no more than 15 days after the date of the Nomination Meeting;

III. No less than 30 days following the confirmation and announcement, the Electoral Officer shall hold the Candidate Debate;

IV. Following the Candidate Debate, there will be a period of no less than 15 days, referred to as Zero Days, when Candidates cannot campaign in Physical Spaces.

16. The Election Day must take place on a Saturday, from 9:00AM to 9:00PM (the polling stations will be closed from 12:00PM to 1:00PM

and again from 5:00PM to 6:00PM) in order to permit as many Members to vote in person as possible and to cater to the majority of Members who work during the regular business week. Keeping the polling stations open till 9:00PM on the Saturday evening will allow those who may work that day to vote.

17. It will be up to the discretion of the Electoral Officer whether to extend the polling time beyond 9:00PM or not. But, that discretion to extend the poll should only be exercised if the Electoral Officer acting reasonably determines that there was an error in the process itself, resulting in not providing enough voting stations or taking too long for individuals to register and vote throughout the day.

Notice of Election Day

18. The Electoral Officer is responsible for ensuring that Election Day and the procedures for voting are communicated to the Members of the MoCreebec Eeyoud community in a manner that shows a reasonable effort was taken to notify Members of essential information, including:

19. The Electoral Officer shall, in a timely manner, at a minimum post a notice to the official MoCreebec Eeyoud website; put up posters on prominent community bulletin boards; post a notice on a local community channel; arrange for a special edition newsletter to be sent out about the upcoming election to notify Members who have requested the MoCreebec Eeyoud administrative offices that they wish to receive newsletters; and, create a minimum of two pre-recorded messages to be delivered by phone to those Members who make a request to the MoCreebec Eeyoud administrative offices to receive these messages.

20. The Electoral Officer may, at his/her discretion, request the MoCreebec Eeyoud Council to call for a General Membership Meeting at which time the Electoral Officer can outline the process and answer any questions from the Members. It is also optional for the

Electoral Officer to request an interview on any local radio stations.

21. If a General Membership Meeting is called for the purposes of informing the Members about the voting process, then the 30 day period in advance of the Nomination Meeting must be initiated only after that General Membership Meeting has been held.

Electoral List

22. Only Members of the MoCreebec Eeyoud community who are 18 years or older as of Election Day will be eligible to vote, either in-person or by mail-in as set out in these *Procedures*.

23. Individuals who are not currently registered as Members and who meet the criteria for membership in MoCreebec Council of the Cree Nation/MoCreebec Eeyoud and would like to register as Members of the MoCreebec Eeyoud community and therefore be eligible to vote in the upcoming election on Election Day if they meet the age minimum referred to in Point 22 can do so up until ten (10) days after the Nomination Meeting. For clarity, these individuals shall not be registered as Members by the Electoral Officer, but shall be registered under By-law No. 1 of MoCreebec Eeyoud. The Electoral Officer may assist individuals who wish to register as Members of the MoCreebec Eeyoud community by referring their applications to the MoCreebec Eeyoud Council.

24. Membership registration will be closed at noon (12 p.m.) on the tenth day following the Nomination Meeting, and will only reopen the day after the first Election Day. For greater certainty, in the event of a run-off vote, membership registration (other than for youth not yet of voting age) shall be suspended till after the Chief has been elected.

Mail-In Voting

25. The Electoral Officer will be responsible for assuring that the mail-in list and

voting cards are prepared in advance of the final confirmation of Candidates.

26. The Electoral Officer shall ensure that all Members of the MoCreebec Eeyoud community:

I. who will be eligible to vote on Election Day; and,

II. whose address as set out on the Membership List is not in Moose Factory or Moosonee,

are sent all of the following mail-in voting cards to the address last provided to MoCreebec Council of the Cree Nation/MoCreebec Eeyoud: A) primary vote, B) first run-off, and C) second run-off. If a Member has not verified that they are on the mail-in list by noon on the tenth day following the Nomination Meeting, neither the Electoral Officer nor MoCreebec Eeyoud is responsible if any individual not registered as a Member or a Member fails to receive any mail-in voting cards. It is the responsibility of the Member to ensure that they update their contact information, in particular when a change of address has occurred.

27. The Electoral Officer will have five (5) days from the tenth day following the Nomination Meeting to consolidate the membership mail-out listing and to make sure envelopes are ready to mail-out to those Members referred to in Point 26 on the same day the final listing of Candidates is confirmed. If such a day falls on a weekend, then it will be postponed to the following Monday.

28. Members of the MoCreebec Eeyoud community referred to in Point 26:

I. will be sent a voting card in the mail to the mailing address last provided to MoCreebec Council of the Cree Nation/MoCreebec Eeyoud which they can use to cast their vote; or

II. if they are physically in Moosonee or Moose Factory on Election Day, they may decide to vote at a polling station instead, in which case they

shall not also be entitled to have the right to vote by sending in a mail-in voting card.

In addition to the Members of the MoCreebec Eeyoud community referred to in Point 26 who are entitled to vote by mail-in voting card, other Members who reside in Moose Factory or Moosonee can decide to vote by mail-in if they request a mail-in voting card from the Electoral Officer or a volunteer on or before noon of the tenth day following the Nomination Meeting.

It is the responsibility of Members who have been mailed or who have received a mail-in voting card to ensure that they do not lose their mail-in voting card or fail to mail-in the voting card in sufficient time for it to be counted for purposes of the Election of Chief.

29. If a Member who has been mailed or who has received a mail-in voting card under Point 26 loses or damages their voting card, they must come in person to the Electoral Officer or to a volunteer to be provided a new card which will be issued with a new voting card code for the Member. Others are not allowed to collect a new mail-in voting card on behalf of another Member.

PART III

Campaign Donations and Spending

30. Candidates are permitted to request donations from Members but are not allowed to request donations from organizations, be they for-profit or not-for-profit entities. Individual donations may not exceed \$200 per person.

31. Candidates are permitted to organize a maximum of three (3) public events, e.g. dinners, speeches, and public gatherings for the purposes of campaigning. These events must take place between (total of 45 days) the Nomination Meeting and the official Candidate Debate, which will be organized by the Electoral Officer.

32. Total expenditures on campaigning must not exceed \$5,000 and must have been spent during the forty-five (45) day period between the Nomination Meeting and the Candidate Debate.

No restrictions are put on campaigning through online channels, e.g. social media, etc.

33. The MoCreebec Council of the Cree Nation/MoCreebec Eeyoud owns a number of media related corporations, e.g. MRBA, and the two Cable TV companies. These entities are strictly prohibited from engaging in any campaigning activities during the election period. The election period starts with the hiring of the Electoral Officer. These channels of communication are for strict use by the Electoral Officer and for the purposes of communicating general information about the election process and dates, etc.

Candidate Eligibility Criteria

34. Candidates for Chief must be Members of the MoCreebec Eeyoud community and be 18 years or older as of the date of the Nomination Meeting.

35. Candidates must, at the time of their nomination, be Residing in either Moose Factory or Moosonee or provide an affidavit sworn or affirmed to the Electoral Officer stating that they are willing to Relocate if elected as Chief. In the event a Candidate who is elected as Chief in accordance with the *Procedures for the Election of Chief and of Deputy Chief* set out in Parts I-V was not Residing in either Moose Factory or Moosonee on Election Day and does not Relocate within three (3) months of Election Day, the vote for that Candidate shall be considered to have been invalidated, a notice of this invalidation shall be supplied to that Candidate by a resolution passed by the MoCreebec Council, and the next runner-up Candidate shall be declared by the MoCreebec Council to have been elected to the position of Chief.

36. Candidates for Chief must not have been convicted of any indictable offences under the *Criminal Code of Canada* in the ten (10) year period before the date of the Nomination Meeting.

37. Candidates for Chief must not be of the status of being bankrupt nor be declared

incapable by a court in Canada or in another country.

Candidate Financial Reporting

38. Candidates have 10 days from the start of the Zero Days to provide the Electoral Officer with their campaign financing report, which must include a record of donations (first and last names of donors and amounts) and expenditures (dated receipts are required).

39. The Electoral Officer will publish the financial reports of all Candidates using a special edition newsletter or by publishing these reports on the MoCreebec Eeyoud website.

40. Failure of a Candidate to provide a financial report by noon on the tenth day following the start of the Zero Days will result in a default status being posted to the special edition newsletter or the MoCreebec Eeyoud website.

PART IV

Nomination Meeting Procedures

41. The Nomination Meeting must take place during the evening if planned for a work-day, from Monday to Friday, for a (minimum) two-hour period, beginning no earlier than 5:30 p.m. and ending no later than 9:30 p.m. If planned for the weekend, the meeting must occur on the Saturday for a (minimum) two-hour period, at a start time of no earlier than 9:00AM and no later than 7:30PM.

42. Half of the meeting time must be reserved for calling nominations for Candidates. The other half of the meeting time may be used to explain the procedures for the Election Day and further clarify the process for election of Chief.

43. Nominations can be called only by Members of the MoCreebec Eeyoud community. Nominations must also be moved and seconded by Members of the MoCreebec Eeyoud community.

44. The Electoral Officer and volunteers will be responsible for documenting the names of

those who call for nomination, movers, and seconders.

Candidate Debate Procedures

45. The Candidate Debate must take place during the evening if planned for a work-day, from Monday to Friday, for a (minimum) two-hour period, beginning no earlier than 5:30 p.m. and ending no later than 9:30 p.m. If planned for the weekend, the debate must occur on the Saturday for a (minimum) two-hour period, at a start time of no earlier than 9:00AM and no later than 7:30PM.

46. Half of the debate must be reserved for predetermined questions to be posed of all the Candidates. The other half of the debate must be reserved for unfettered questions from the audience, subject to the right of the Electoral Officer to reasonably control the Candidate Debate.

47. The predetermined questions for the Candidates must be provided to the Candidates in advance of the debate, by the Electoral Officer, and should include the following:

I. What would be your two priorities for strategic community economic development?

II. What would be your three main priorities for work to support the Constitutional Framework?

III. What would be your principal goal for the next decade of MoCreebec Council of the Cree Nation/MoCreebec Eeyoud?

48. Depending on the number of Candidates, and the total allotted time for the Candidate Debate (2-3 hours), the Electoral Officer will determine the allotted time available for each Candidate to respond to questions. The Electoral Officer should feel free to set and stick to the allowable times for responses (e.g. maximum 2 minutes).

49. Questions from the audience must be concise and directed at particular Candidates and must take the form of a question, i.e. questions must end in a question mark. The Electoral

Officer has full discretion to interrupt the member of the audience if it is deemed the individual does not intend to pose a short and concise question.

50. Proceedings for the Candidate Debate must be broadcast for those not able to make the meeting in person. Video conferencing must be made available and questions must be taken from both the in-person audience and those online, so long as both identify themselves and agree to the rules outlined above (Point 47) about what makes for an appropriate question.

51. The Electoral Officer will act as the moderator for the Candidate Debate and must be fair in allowing questions from any member of the audience what abides by the rules of procedure. Questions are to be answered by those to whom the questions were addressed.

Election Day Procedures

52. The polling stations will be set up at the MoCreebec Eeyoud administrative offices on 62 Hospital Drive, Moose Factory, ON and at a location in Moosonee determined by the Electoral Officer after consulting with the Moosonee Assistant to the Electoral Officer.

53. At the polling station set up at the MoCreebec Eeyoud administrative offices, three (3) polling booths and three (3) ballot boxes will be available to allow individuals to view their voting card in privacy and make a secret ballot without it being viewed by others. Each polling booth will be accompanied by a registration table. At the polling station in Moosonee, the number of polling booths and ballot boxes will be determined by the Electoral Officer and will meet the criteria in this Point 53.

54. Members who go to vote will be asked to produce one piece of official personal identification. ID does not need to have a photo but a piece of photo ID is preferred. Acceptable pieces of identification do not include credit cards or membership cards. Identification will be used to verify the name on the lists of eligible voters. Only those Members who qualify to vote under Points 22 or 23 will appear on the listings.

55. Limited seating will be provided for people who are awaiting the opportunity to vote; however, once an individual has voted they will not be permitted to stay near the polling station (upstairs area). Individuals who have already voted and who may need to wait for a family member will be asked to wait in the basement of the MoCreebec Eeyoud office building or at an appropriate location in Moosonee.

56. Once a voter has been verified as being on the listing of eligible voters, they will be provided with a voting card and given instructions on how to vote using the card, as well as how to fold and place the voting card in the ballot box.

57. The doors of the MoCreebec Eeyoud office and of the polling station in Moosonee will be opened and closed at the following times in order to facilitate a smooth operating of the voting process and to assure no questions arise about access to the polling stations:

- I. 9:00AM (doors opened);
- II. 12:00PM (doors closed);
- III. 1:00PM (doors opened);
- IV. 5:00PM (doors closed);
- V. 6:00PM (doors opened); and,
- VI. 9:00PM (doors closed).

58. Members who wish to vote are responsible for arriving at the polling stations during the periods when the doors are open.

59. Members who, upon closing the doors of the polling stations, are already in the building awaiting their turn to vote will be allowed to vote even though the doors have closed for voting purposes.

Advance Polling for Home Bound and Hospitalized Members

60. Members who would like to vote but are home bound (in Moose Factory or Moosonee) or in a hospital in Moose Factory or Moosonee

due to health-related issues may request an appointment for advance polling purposes. The Electoral Officer and two volunteers will bring the ballot box to the home or hospital room of the Member wishing to vote.

61. The final deadline for receiving requests for advanced, in-person polling is set at noon on the third day of the Zero Days period.

62. The requests for advanced, in-person polling must be made in writing to the Electoral Officer and must include two contact names and phone numbers; the address where the advanced, in-person polling will take place (or the room number if it will take place at the hospital); the preferred time for the appointment; and, the full name of the individual who will be voting.

63. Advanced polling will take place on the three days lead up to the official Election Day.

64. At least one (1) of the volunteers accompanying the Electoral Officer for the advanced, in-person polling must be Cree-speaking in order to interpret if need be, unless the Member wishing to vote clearly does not require a Cree-speaking interpreter.

65. If the individual concerned is unable to mark their own election card, then they should voice their desired choice to the Electoral Officer, who will mark the voting card for them. The volunteers will be witnesses to this and should sign their names on the voting card, in addition to the signature of the Electoral Officer. The voting Member's identity can be verified with the family or the hospital staff.

Vote Counting

66. The Electoral Officer is responsible for counting the votes received at the polling station at the MoCreebec Eeyoud office in the presence of volunteers as soon as possible after the last voters have voted at the polling stations. The Moosonee Assistant to the Electoral Officer shall cooperate with the Electoral Officer to communicate the results of voting cards cast at the polling station in Moosonee, and may, if

deemed appropriate by the Electoral Officer, count the voting cards cast in Moosonee in the presence of at least two volunteers and communicate the results of the counting of those voting cards to the Electoral Officer electronically and/or by telephone. Counting must be done out loud so that the volunteers can assure mistakes are not made and errors do not undermine the integrity of the election process. All volunteers are to take note of the count but only the Electoral Officer's official count will be documented.

67. The Electoral Officer shall *ONLY* count voting cards that:

- I. Are clearly marked;
- II. Do not show selection of multiple Candidates;
- III. Are not left blank; and,
- IV. Do not show the identity of the person voting.

Vote Recounts

68. If the vote results in two or more Candidates receiving within ten (10) votes of each other, then the voting cards will be recounted until the same figures are arrived at three (3) times, consecutively.

Minimum Support

69. The Electoral Officer will be tasked with determining the total number of valid voting cards cast, the total number of spoiled voting cards, and the number of votes per Candidate. The Electoral Officer is to use the total valid voting cards counted by the Electoral Officer under Point 67, *NOT* the total Members of voting age, and *NOT* the total number of valid and spoiled voting cards cast, as the denominator for calculating percentages.

70. In order for a vote to be final, one of the Candidates must:

- ✓ Receive a minimum of 50% +1 of the votes

If, after the first vote, no one Candidate meets the above conditions, then a process, as outlined below for tied votes will be followed with the two (or in the case of a tie, three) Candidates with the greatest overall number of votes.

Tied Votes

71. If two or more Candidates have tied for first place, then a subsequent Election Day will be called by the Electoral Officer on a date that is as soon as possible after the prior Election Day, in consultation with the MoCreebec Eeyoud Council, to allow Members to vote for one or another of the tied Candidates. This process will continue until a final Candidate has been selected by vote of the Members.

72. Setting the dates for subsequent Election Days must take into account a reasonable number of days (not less than ten (10)) for voting cards to be mailed in by those Members entitled to vote by mail-in. Those Members sending in either a “first run-off” or a “second run-off” ballot will have received these in the initial mail out voting package.

73. All other Election Day procedures will remain the same, including those for advanced, in-person polling.

Announcement of Election Results

74. The Electoral Officer will post the results of the election of Chief within 48hrs of the voting coming to a close (i.e. 9 p.m. on Election Day). The notice of results will be posted on the official MoCreebec Eeyoud website and communicated, by phone, to the MoCreebec Eeyoud Council.

Confirmation Ceremony Procedures

75. The Electoral Officer will officially announce the elected Chief at the Confirmation Ceremony, which will be held no more than 15 days following Election Day. Following a prayer, the Electoral Officer will ask the newly elected Chief to take an Oath of Office in the presence of those participating in the ceremony.

76. All other aspects of the Confirmation Ceremony are to be planned in advance with the Electoral Officer incorporating any appropriate activities and/or traditional practices, following consultation with the MoCreebec Eeyoud Council

77. The Electoral Officer must also assure that Elders are sufficiently accommodated and involved in the Confirmation Ceremony.

PART V

Record Keeping

78. The Electoral Officer is responsible for keeping accurate notes of all activities, decisions, and results. The voting cards must be kept in a secure location by the Electoral Officer for at least twenty (20) days following the Election Day and then delivered to the Secretary of MoCreebec Council of the Cree Nation/MoCreebec Eeyoud for safekeeping. The Secretary is responsible for destroying all voting cards two (2) years following the Election Day..

Electoral Officer Final Report

79. The Electoral Officer is responsible for making public a Final Report on the election, including recommendations for improvements.

80. For further clarification, the Final Report must include, at minimum, the following sections:

I. Executive Summary

II. Description of the election and the selection process and the activities undertaken, including notes on any variances from planned activities and adjustments that took place during the election procedures.

III. Results for election of Chief, including the advanced, in-person polling; figures/statistics for voter turnout and participation via mail-in voting;

IV. Financial reporting from the reports provided by Candidates and also the financial report for the Electoral Officer’s own budget and expenditures.

V. Recommendations for changes and solutions to issues that arose during the election process.

VI. Annex: list of volunteers

81. The Electoral Officer should sign off on the Final Report before closure of the contract.

82. The Electoral Officer should feel free to seek the advice of the Senior Development Officer, or equivalent position at the MoCreebec Eeyoud administrative office, if any issues arise or if any clarifications are required.

PART VI

Resumption of Selection of Chief and of Deputy Chief by MoCreebec Eeyoud Council

83. Notwithstanding the *Procedures for the Election of Chief and of Deputy Chief* set out in Parts I-V, in the event that the following two conditions set out in this Point 83 are met, the *Procedures for the Election of Chief and of Deputy Chief* set out in Parts I-V may be replaced by the system of selection of Chief and of Deputy Chief by the Clan Council Representatives set out in this Part VI:

Condition I: The Clan Council Representatives are able to show, by way of Clan Council resolution, within nine (9) months of and no later than six (6) months prior to the end of the current Chief and Deputy Chief's terms in office, that they have support from the Members listed under their Clan Council. Resolutions must be signed by a minimum of ten (10) Members of that Clan Council in order to demonstrate that support.

Condition II: Seventy-five percent (75%) of the Members of the MoCreebec Eeyoud Community are part of Clan Councils that have at least ten (10) Members and that are represented on the MoCreebec Eeyoud Council by a Clan Council Representative. Review of this condition is to take place within nine (9) months of and no later than six (6) months prior to the end of the current Chief and Deputy Chief's terms in office.

84. If the two conditions in Point 83 are met, then, following the completion of the terms of the

Chief and Deputy Chief who had been elected under the *Procedures for the Election of Chief and of Deputy Chief* set out in Parts I-V, the MoCreebec Eeyoud Council may at that time determine to:

(a) select the Chief and Deputy Chief from among the Clan Council Representatives on the MoCreebec Eeyoud Council, which selection shall be confirmed by the Members at the next annual or other general meeting of the Members called for that purpose; or

(b) recommend other suitable Members who meet the criteria for Candidates set out in Part III above, who shall be confirmed at the next annual or other general meeting of the Members called for that purpose.

Appendix

Timeline for *Procedures for the Election of Chief and of Deputy Chief*

