

CONSTITUTION  
OF  
SOUTH EASTERN REGION III  
METIS NATION OF SASKATCHEWAN

PREAMBLE

The Metis Nation and People are a distinct SOCIETY within the Aboriginal Peoples of Canada. The Metis are distinct from the Indians and Inuit and are the descendants of the historic Metis who evolved in what is now Western Canada and part of the Northern United States, as a people with a common political will and consciousness.

Having experienced physical and political conflict and dispossession in the late 1800's, we are still engaged in a continuing struggle to rebuild our social case and revive our cultural heritage and pride. As such, we are striving for the political, legal and constitutional recognition and guarantees of the rights of our People, including the right to a land and resource base, self-government and self-government institutions. In order to achieve these objectives we are hereby reestablishing a strong and revitalized organization within the province of Saskatchewan, which must involve all sectors within our Society.

While pursuing these objectives within Saskatchewan, we are also committed to cooperating with the members of the Metis Nation in the rest of the Metis Homeland in order to develop a National Forum to represent our collective interests at the national and international levels.

ARTICLE 1: NAME OF ORGANIZATION

1. The organization shall be known as the Eastern Region III Metis Nation of Saskatchewan.

ARTICLE 2: DEFINITIONS

1. "Act" means The Non-Profit Corporations Act;
2. "Articles" means the Articles of Incorporation of the Corporation as from time to time amended or restated;
3. "the directors", "Board", "Board of Directors" and "Eastern Region III Council" mean the directors of the Corporation for the time being;
4. "in writing" and "written" includes printing, typewriting, lithographing and other modes of representing or reproducing words in visible form;

5. Words importing the singular number only shall include the plural and vice Versa: words importing the masculine gender shall include the feminine And neuter genders; words importing persons shall include bodies corporate, corporations, companies, partnerships, syndicates, trusts and any number or aggregate or persons;
6. The headings used in this constitution are inserted for reference purposes Only and are not to be considered or taken into account in construing the terms or provisions thereof or to be deemed in any way to clarify, modify or explain the effect of any such terms or provisions.

### ARTICLE 3. REGISTERED OFFICE

The Corporation may from time to time;

1. by resolution of the Eastern Region III Council change the location of the registered office of the Corporation within the place in Saskatchewan designated as such by the Directors or by special resolution of the Corporation, and
2. by special resolution change the municipality or geographic township in which its registered office is located to another place within the geographic proximity of the Eastern Region III area.

### ARTICLE 4. SEAL

The seal of the Corporation shall be such as the Eastern Region Council may by resolution from time to time adopt.

### ARTICLE 5. EXECUTION OF CONTRACTS

Contracts, documents or instruments in writing requiring execution by the Corporation may be signed by any two executive officers of the Eastern Region III Council. All said contracts, documents or instruments in writing shall be binding upon the Corporation if approved by motion at a duly call meeting of the Eastern Region III Council

The Eastern Region III Council may from time to time by resolution, appoint any officer or officers or any other person or persons on behalf of the Corporation either to sign contracts, documents or instruments in writing general or to sign specific contracts, documents or instruments in writing.

The seal of the Corporation may, when required, be affixed to contracts, documents or instruments in writing signed as aforesaid or by an officer or officers, person or persons appointed as aforesaid by resolution of the Eastern Region III Council.

ARTICLE 6. CITIZENSHIP

1. "Metis" means an Aboriginal person who self-identifies as Metis, who is distinct from Indian and Inuit, and:
  - a) is a descendant of those Metis who received or were entitled to receive land grants and/or Scrip under the provision of the Manitoba Act, 1870 or
  - b) is a person of Aboriginal descent who is accepted by the Metis Nation and Metis Community.
  
2. Any Metis who is citizen of a duly registered Local in Eastern Region III is a citizen of Metis Nation Saskatchewan.
  
3. Citizens shall be issued a citizenship card.
  - a) This card shall provide life-time citizenship in the Metis Nation of Saskatchewan
  - b) Citizenship cards shall be numbered and a registry maintained by the Senate in The Head Office. Replacement cards shall retain the original number.
  - c) Citizenship cards shall be issued by the Local President of a duly registered Local upon completion of a genealogy form and citizenship application.
  - d) There shall be no charge for citizenship cards.
  
4.
  - a) A citizen shall belong to only one (1) Local.
  - b) A citizen shall reside in the Local for three (3) months before he is eligible To seek elected office or vote in any election.
  
5. A citizen shall cease to be citizen if he/she is
  - a) Deceased
  - b) Has submitted a written request to the Local, Region and Metis Nation Saskatchewan asking that his/her name be stricken from the citizenship List.
  - c) Has their MNS citizenship SUSPENDED, TERMINATED, DENIED or REVOKED.
  
6. Where there is dispute as to citizenship, a ruling shall be made by the Regional Council, this decision may be appealed at a General Assembly of Eastern Region III. Their decision shall be final and binding.
  
7. Any citizen who moves his permanent residence from the geographic Proximity of the Eastern Region III shall automatically cease to be a citizen Of Eastern Region III.
  
8. The citizens of ER III may by special resolution REVOKE or SUSPEND any citizen of ER III from being eligible to sit on any Board or elected office within ER III region. The special resolution shall be passed by the majority of Citizens present at a special, General or Annual Assembly.

4

## ARTICLE 7. REGIONAL COUNCIL

1. The Board of Directors of the Corporation shall consist of
  - a) the elected area representative of the South Eastern Region III of the Metis Nation of Saskatchewan; and
  - b) all duly elected Presidents of the community locals situated within the Eastern Region III area

And may be referred to as the Eastern Region III Council.

2. The ER III Council shall manage and supervise the management of the affairs And business of the Corporation and may exercise all such powers and do all such acts and things as may be done by the Corporation and which are not by the Act or Statute, the Articles, the Constitution or any special resolution of the Corporation expressly directed or required to be done in some other manner. The ER III Council shall consist of an elected Executive comprising the following:
  - a) Chairperson;
  - b) Vice-Chairperson
  - c) Treasurer; and
  - d) Secretary

The remaining Councilors being known as Directors-at-large.

3. The Chairperson's position shall at all times be filled by the duly elected area Representative of the South Eastern Region III of the Metis Nation of Saskatchewan.
4. Where there is a vacancy or vacancies on the Council, the remaining Directors may exercise all the powers of the Council so long as a quorum of the Council remains in office. Vacancies in those Directors' positions consisting of the duly elected Presidents of the community locals situated within the Eastern Region III area shall be filled through the appointment or election of a replacement Director from the community local to which the vacant Director represents. In the case of a vacancy in the position of Chairperson, the Vice-Chair shall assume the position of Acting Chair until a required By-election is held for the Regional Chairperson otherwise known as the "Area Director". The Vice-Chair has the option of accepting the Chairperson's position or calling a vote for the open position of Chairperson.
5. The Eastern Region III Council shall meet at such times as may be directed By the Executive. A quorum for any meeting of ER III Council shall be a majority of the directors or their duly appointed designate from the community local from which the director has been elected. A duly appointed person shall only be allowed to participate if the President and Vice- President are unavailable. Such appointment to be confirmed in writing by the absent director(s), prior to the meeting.

6. The ER III Council shall provide written reports to the Annual Meeting.
7. The ER III Council shall have the opportunity to appoint either or the President or the Vice- President to affiliate organizations, programs, commission or committees which are deemed necessary in order to effectively carry out the activities and functions of the Corporation. These appointments are subject to the Bylaws of the affiliate programs, organizations, commissions or committees.
8. ER III Council shall perform these duties without any remuneration, per diem Or any other source of benefit. However, they are entitled to reimbursement of expenses for travel, meals and accommodations as approved by the Executive.
9. The Regional Council shall provide direction to their Representative on the Provincial Metis Council with respect to all matters, including the aims, objectives and aspirations of the Organization, and for their respective region.
10. A Director, Director being an elected;
  - a) Area Director
  - b) Local President
  - c) Local Vice-President
  - d) Local or Area Treasurer
  - e) Local or Area Secretary

Ceases to hold office when:

- 1) he or she dies or resigns;
- 2) their term of office expires;
- 3) he or she becomes disqualified or is removed in accordance with the provisions of The Non-Profit Corporation Act;
- 4) he or she, while in office is charged with a criminal offence, shall immediately tender a letter of resignation effective the date the criminal code offence occurred. At such time that he or she is found to be not guilty of said offence, he or she will be immediately reinstated to office he or she held without reimbursement of any monies. If he or she is found guilty of said offence his or her letter of resignation stands.
- 5) he or she while in office, knowingly does not carry out his or her duties as expected by the citizens of ER III, shall be relieved of his or her duties by the citizenship holding a Special Meeting and passing a Special Resolution demanding his or her resignation. Such motion shall be deemed carried if **SIXTY-SIX PERCENT (66%)** of citizens present at Special Meeting vote in favor of said motion.
- 6) he or she becomes disqualified or is removed in accordance with the provisions of the Metis Nation of Saskatchewan Constitution.

## ARTICLE 8. REGIONAL COUNCIL MEETINGS

1. Meetings of the ER III Council and of any committee of the Council may be held at any place within Saskatchewan. A meeting of the Council may be convened by the Chairperson or the Vice-Chairperson at any time. A meeting of any committee may be convened by the Chair of the committee or any two (2) members of the committee and the secretary upon the direction of either of the foregoing convene a meeting of the said committee. Except as otherwise provided by the Act and this Constitution, the directors either as a board or as a committee thereof may convene, adjourn and otherwise regulate their meeting as they think fit.
2. Notice of the time and place of each meeting of ER III Council and of any committee shall be given in the manner provided in this Constitution to each director or member as the case may be, in the case of notice given by personal delivery or by telex, telephone, telegram or cable, not less than forty-eight (48) hours before the time when the meeting is to be held. In the case of notice being given by mail, not less than ten (10) days before the time when the meeting is to be held; provided that meetings of the Council or of any committee of the Council may be held at any time without formal notice if a quorum can be reached and the majority of Councilors are present.
3. Any meeting of the ER III Council or of any committee of the Council may be adjourned from time to time by the chair of the meeting, with the consent of the majority present at the meeting, to an announced time and place. Any adjourned meeting shall be duly constituted if held in accordance with the terms of adjournment and a quorum is present.
4. The Councilors who formed a quorum at the original meeting shall form a quorum at the adjourned meeting, the original meeting shall be deemed to have terminated if said quorum can not be reached.
5. Question arising at any meeting of the ER III Council shall be determined by a majority of votes of the Councilors present. In the case of a tie vote the Chairperson shall be entitled to a casting vote.
6. The Area Director, or in his absence the Vice-Chairperson, shall preside as Chair of every meeting of ER III Council. If at any meeting the Chair is not present within thirty (30) minutes after the appointed time, the Councilors present may choose one of their number to be Chair of the meeting.
7. Quorum for ER III Council Meetings shall be a simple majority of duly elected Presidents, when President's are not available, Vice-President. When both Presidents and Vice- Presidents are not available the duly appointed representative from that Local, provided written permission is received prior to meeting. Written permission shall be signed by the President of Local.

## ARTICLE 9. MEETINGS OF CITIZENS

### 1. Annual or Special Meetings

- a) The ER III Council may, by resolution, subject to compliance with this Articles of this Act at any time call an Annual or Special Meeting of the citizens.
- b) A quorum for an Annual or Special Meeting shall be twenty-eight (28) Citizens present, provided that at least fifty-one (51%) of the community locals in ER III are represented.
- c) The citizens shall be provided with notice of the Annual Meeting. Notice Shall be deemed to have been received if notice of such meeting was:
  - 1) given by personal delivery, mail, telex, telegram or cable and telephone to each of the duly elected presidents of the ER III area and
  - 2) was posted in various locations within the Locals comprising the ER III area as approved by ER III Council.
- d) Notice of the annual or other special meeting of the citizens as provided for in paragraph (c) above shall be given to citizens not less than fifteen (15) days or more than fifty (50) days before the scheduled meeting; provide that any meeting of the citizenship may be held at any time without formal notice if quorum can be established and the majority of members present waive notice of the meeting.
- e) The fiscal year end shall be March 31 of each year.
- f) The Directors of the ER III Council shall present at the annual meeting, the financial reports for the Corporation. The financial report shall be reviewed by an outside party or auditor if finances are available. Copies of the document need not be provided to the citizens in advance of the annual meeting, however, the Directors of the Corporation shall publish a notice stating the financial statement and report of the auditor, if any, are available at the registered office of the Corporation to be examined during the usual business hours of the Corporation by any person, and that person may make extracts free of charge. This notice shall be published at least twenty-one (21) days before the date of the annual meeting.
- g) Except as may be otherwise required by any statute, voting at a meeting of citizens shall be by a show of hands except where a ballot is demanded by a citizen entitled to vote at the meeting. In the event of a tie number of votes, the Chairperson shall be entitled to vote.
- h) Citizens shall not be entitled to vote at meetings by proxy.
- i) A citizen shall be entitled to cast one vote per issue at meetings.

## ARTICLE 10 LOCALS

### 1. Status of Locals

- a) The ER III Council shall determine by a majority vote the status of all existing locals within the ER III region as being active or inactive according to the following criteria:
  - 1) the local has nine registered citizens who reside within its local community, and

- 2) the local has held at least one General Meeting of the citizenship within the previous year.
- b) Only active locals shall be able to participate in the ER III Council through the election of a local president.
- c) Locals which remain inactive for a period in excess of one year from the date of its inactive status determination by the ER III Council shall thereafter be brought forward to the next Regional Council meeting for a vote on dissolution of the local.

## 2. Creation and Dissolution of Locals

ER III Council by ordinary resolution at a duly convened ER III Council meeting may admit new locals or dissolve locals subject to the criteria set out in Article 10 of this Constitution.

## 3. Local Meetings

- a) locals shall have a minimum of six (6) meetings annually.
- b) Quorum for local meetings shall be six (6) citizens. For Annual or General assemblies, quorum shall be the lesser of fifty-one percent (51%) of the total citizenship in the local or seven (7) citizens from the local.

## 4. Local Objectives and Duties

- a) The local shall be the basic unit in the community.
- b) The local shall enact a Constitution including the establishment of committees or other bodies required to address the community and any other issues, and such local Constitutions shall be registered with the Regional and Head office.
- c) The local shall be responsible to prepare the community for the assumption of Metis self-government.
- d) The local may incorporate with the appropriate government departments.
- e) The local may seek the necessary finances and resources to carry out their programs, services and objectives, and where so required the Provincial Metis Council of the Metis Nation Legislative Assembly.
- f) The local shall provide yearly up-dates of their citizenship list to the Regional and Head Office separating those citizens who are under sixteen years of age, from those sixteen and over.

## 5. Local Elections

The election of community local Presidents shall be determined in accordance with the rules and procedures as established by each of the community locals comprising of ER III.

## ARTICLE 11      OFFICERS

The officers of the Corporation shall consist of the President(area director), Vice-President, Treasurer and Secretary. The duties of the officers of the Corporation shall be as follows:



## 1. Chairperson (area director)

- a) Preside at all general meetings of the Corporation;
- b) Preside at all Regional Council Meetings;
- c) Be an ex officio member of all committees established by the Corporation at general meeting or by the Council;
- d) Report in writing to each annual meeting of the citizens of the Corporation concerning the operations of the Corporation;
- e) Represent the Corporation at public or official functions; and
- f) Perform such other duties as may from time to time be determined by the Council or at a general meeting.

## 2. Vice-Chairperson

The Vice-Chairperson shall have all the powers and perform all the duties of the Chairperson in the absence or disability of the Chairperson, together with such other duties, if any as may from time to time be assigned to him by the Council.

## 3. Treasurer

The Treasurer and or their appointed designate shall:

- a) Be the custodian of the books of account and accounting records of the Corporation;
- b) Submit a financial statement at each regular meeting of the Council Indicating the financial position of the Corporation at the close of the preceding month;
- c) Have the financial reports reviewed by an outside party or auditor, as may Be required by the Councilors;
- d) Prepare the annual budget and program forecasts;
- e) Perform such other duties as may be established from time to time by resolution of the Council.

## 4. Secretary

The Secretary and or their appointed designate shall:

- a) attend at all ER III Council meetings;
- b) Record minutes of all meetings;
- c) Attend to correspondence;
- d) Be the custodian of all minute books, documents and registers of the Corporation;
- e) Perform such other duties as may be established from time to time by resolution of the Council.

## ARTICLE 12 Protection of Directors, Officers and Others

Every Councilor and Officer of the Corporation exercising his powers and discharging his duties shall act honestly and in good faith with a view to the best interest of the Corporation and exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances. Subject to the foregoing, no Director or Officer shall be liable for the acts, receipts, neglects or default of any other Director or Officer or employee, or for any loss, damage or expense happening to the Corporation through the insufficiency or

deficiency of any security in or upon which any of the monies of the Corporation shall be invested or for any loss or damage arising from the bankruptcy, insolvency or tortuous acts of any person with whom any of the monies, securities or effects of the Corporation shall be deposited or for any loss occasioned by an error of judgement or oversight on his part or for any other loss, damage or misfortune whatever which shall happen in the execution of the duties of his office or in relation thereto; PROVIDED THAT nothing herein shall relieve any Director or Officer from the duty to act in accordance with The Non-Profit Corporations Act and the regulations thereunder or from liability for any breach thereof.

#### ARTICLE 13 Indemnification

Subject to the limitations contained in The Non-Profit Corporations Act, the Corporation shall indemnify a Director or Officer, against any cost and expenses incurred to defend any action or to satisfy a judgment reasonably incurred by him in respect of any civil action or proceeding to which he is made party by reason of being a Director or Officer of the Corporation if he acted honestly and in good faith with a view of the best interest of the Corporation.

#### ARTICLE 14 ELECTIONS

1. Any citizen who is sixteen (16) years of age or older may vote or seek elected office within Eastern Region III.
2. Elections for Executive may be held every three(3) or four(4) years.
3. Elections may be held by ballot box or conducted at a General Assembly of the Regions citizenship.
4. Any person seeking an elected office in Eastern Region III. This includes Area Directors, Local Presidents, Local Vice-Presidents, Local Treasurers or Local Secretary, including all Executive on any Board or Boards of affiliates of ER III, shall not have had a criminal code conviction in the previous three (3) years of the date he or she is seeking office.
5. In the event of a criminal code offence against any citizen of Eastern Region III and the citizen is found to be guilty of said offence and the resulting conclusion of the citizen in court ends in a FINE ONLY, no other court stipulations such as probation, restitution, community service or a jail term. The citizen shall have the opportunity to appear before the Eastern Region III Council with a final right of appeal to the citizens of Eastern Region III at a Special or General Assembly. The citizen may state his reasons why he should be allowed to seek an elected office in Eastern Region III. In the case of an appeal to Eastern Region III's citizenship at an Annual or Special Assembly, their decision shall be final and binding.

ARTICLE 15 RESOLUTIONS IN WRITING

A resolution in writing signed by all the Councilors entitled to vote on that resolution is as valid as if it had been passed at a meeting of the Eastern Region III Council.

ARTICLE 16 REGIONAL AND HEAD OFFICES

Regional office shall be in Fort Qu'Appelle and the Head office shall be in Saskatoon.

ARTICLE 17 GENERAL ASSEMBLY

1. A General Assembly, composed of citizens from the Locals of ER III, shall be convened by the ER III Council every year.
2. The General Assembly shall provide a forum whereby the citizens of ER III will receive information, review developments and provide guidance to the Regional Council, and discuss, clarify, amend, vote on and ratify amendments to the Constitution of ER III.

ARTICLE 18 SENATE, WOMEN AND YOUTH

1. Eastern Region III shall make these items a priority, and shall involve the Senators, Women and Youth in the determination of their role and responsibilities within the Organization.
2. Appointments to vacancies in the Metis Senate be made at General a General Assembly of ER III. Senate appointments be for lifetime or until such time as the Senator is unable to fulfil his/her duties.
3. The Senate be given the power to resolve disputes occurring in ER III and ER III locals. Further that decisions of the Senate shall be final and binding.

ARTICLE 19 METIS INDEPENDENCE

1. Whereas the Metis are seeking self-government as a third order of government within Canada, the organization shall be non-secretariat and non-partisan.
2. The loyalty of the citizens of ER III must be to the Metis People and Nation and shall swear an Oath of Allegiance prior to taking office.

3. The leadership shall be responsible and accountable to the local communities, as reflected by the Metis Nation Legislative Assembly, which is the Supreme Body for the Metis within Saskatchewan.
4. Citizens of ER III are not precluded from joining political parties of the other two orders of government, being the federal or provincial levels of government.
5. Any ER III Councilor who chooses to seek the nomination of any Provincial or Federal Political Party in Saskatchewan or Canada shall submit a letter of resignation for the office he/she held in ER III.

#### ARTICLE 20    IMPLEMENTATION

The Constitution shall take effect upon its adoption by the General Assembly subject to amendments validly passed by sixty-six percent (66%) of the Assembly present, and the conclusion of the General Assembly. Upon the happening of these two (2) conditions all previous by-laws of ER III are repealed and this Constitution shall constitute the sole Constitution of Eastern Region III, until otherwise determined by Eastern Region III Metis Nation of Saskatchewan.

ADOPTED  
BY THE  
METIS CITIZENS  
OF  
EASTERN REGION III

DATE: FEBRUARY 28, 1999

LEBRET, SASKATCHEWAN