

CREE NATION OF EASTMAIN LAW

Respecting Elections

February 13, 2023

* Draft is still open to modifications following community consultations.

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WHEREAS, pursuant to the *Cree-Naskapi (of Québec) Act*, S.C. 1983-84, c. 18, the Cree Nation of Eastmain enacted the *By-Law 124 Respecting the Eastmain Band Elections By-Law* (the “By-Law”);

WHEREAS, pursuant to the *Agreement on Cree Nation Governance between the Crees of Eeyou Istchee and the Government of Canada* (the “Agreement”) and the *Constitution of the Cree Nation of Eeyou Istchee* (the “Constitution”), the By-Law was continued as a law of the Cree Nation of Eastmain under the Agreement and the Constitution;

WHEREAS it is desirable and appropriate that the By-Law be replaced in order to reflect the evolution of community standards regarding elections and to facilitate the participation of non-resident voters in Council elections;

NOW THEREFORE, pursuant to section 6.2 (b) of the Agreement and section 5.2 of the Constitution, the members of the Cree Nation of Eastmain, at a meeting held in Eastmain, on the ___st day of month, 20___, hereby enact and approve the present Law Respecting Elections.

1. INTERPRETATION

- 1.1. Unless otherwise indicated by express terms or necessary implication, the words and expressions used in the Law shall have the same meaning as in the Agreement and the Constitution. Any omission in the Law shall be completed by reference to said Agreement and the Constitution.
- 1.2. The singular includes the plural, and the masculine, the feminine.
- 1.3. Notwithstanding a rule to the contrary, the term “Election” refers to the definitions of “General Election” and “Partial Election”.
- 1.4. The following words and expressions shall mean:

“Agreement”	The Agreement on Cree Nation Governance between the Crees of Eeyou Istchee and the Government of Canada;
“Appeals Committee”	Has the meaning prescribed by Section 28;
“Beneficiary List”	The Eastmain community list referred to in section 5.3 of the Agreement;
“By-Law”	The By-Law 124 Respecting the Eastmain Band Elections By-Law;

“CNE”	Legal entity incorporated pursuant to section 5.1 of the Agreement bearing the legal name Cree Nation of Eastmain and any successor thereto;
“Constitution”	The Constitution of the Cree Nation of Eeyou Istchee;
“Council”	The continuing body of persons holding office pursuant to Chapter 5 of the Constitution;
“Council Member” or “Council Members”	Includes the Chief, Deputy Chief and the Councillors of the Council;
“Disaster”	Means an event due to a natural phenomenon, technological failure or accident, whether or not it results from human intervention, that causes serious harms to persons or significant damage to property and requires unusual measures on the part of the affected community, including but not limited to a flood, an earthquake, an explosion, a toxic emission or a pandemic;
“Elector”	Has the meaning ascribed to it in subsection 7.2;
“Electoral List”	List containing the names of Electors enrolled or entitled to be enrolled on the Eastmain Beneficiary List as well as persons deemed to be Electors under section 5.4 of the Agreement;
“General Election”	An election held under this Electoral Law to elect a Chief, Deputy-Chief and Councillors who collectively form the Council of the CNE;
“Immediate Family Member”	Refers to a candidate’s consort within the meaning of the Agreement, his sibling, his mother, father, child, grandchild, or grandparent as well as any other person permanently residing with the candidate;
“Indictable Offence”	An Indictable Offence under the <i>Criminal Code</i> (RSC 1985, c C-47), excluding offences punishable by summary conviction;

“JBNQA”	The <i>James Bay and Northern Quebec Agreement</i> ;
“Law”	The present Cree Nation of Eastmain Law Respecting Elections;
“Mail-in Ballot”	Ballot delivered or mailed in accordance with Section 14;
“Membership and Benefits Clerk”	Person responsible for keeping and maintaining the Eastmain Beneficiary List pursuant to subsection 3.5.4 of the JBNQA;
“Ordinarily Reside”	Place where a person carries on settled or usual routine of living;
“Non-Resident Elector”	Any Elector who does not reside within Eastmain Category 1A lands;
“Partial Election”	An election held under this Law to fill a vacancy or vacancies before the end of a term;
“Public Health Emergency”	Means a serious threat to the health of the population, either actual or imminent, as determined by an Order in Council of the government or by the leadership of Eastmain or the Cree Nation Government;
“Returning Officer”	The Eastmain Returning Officer appointed pursuant to section 5.9 of the Constitution and Section 3 of this Law;
“Special General Assembly”	A meeting that follows the procedures of general assemblies but is initiated by this Law;
“Valid Piece of Identification”	Means a non-expired piece of identification with photo, notably a driver’s license from the Société de l’assurance automobile du Québec, a health insurance card of the Régie de l’assurance maladie du Québec, a Canadian passport or an Indian status card delivered by the federal government; If an Elector cannot present a piece of identification with photo, he can use a piece of identification without photo and attest his identity with a written sworn declaration. Identification without

	<p>photos notably include a birth certificate, a certificate of Canadian citizenship or a copy of the decree of change of name;</p> <p>If an Elector cannot present a piece of identification without photo, he can have another duly identified Elector under this Law or a member of the election personnel who knows him identify him, in which case, said person must attest his identity with a written sworn declaration;</p>
“Voter Declaration Form”	Document providing the name, address and beneficiary number of an Elector and the name and address of a witness to the signature of the Elector.

2. GENERAL

- 2.1. The rules found in the present Law must be interpreted in order to promote the CNE’s self-government with regards to its elections.
- 2.2. The Law applies to all elections of the CNE held pursuant to Chapter 5 of the Constitution.
- 2.3. This Law shall be read in conjunction with, and completed by, the Governance Agreement and the Cree Constitution.
- 2.4. This Law repeals any past written electoral rules and has priority over any written governance rule that is incompatible with the present Law.
- 2.5. Any omission or ambiguity in the present Law can be supplemented or interpreted in coherence with CNE custom by the Returning Officer to ensure that elections be held in accordance with said custom.
- 2.6. The computation of any period under this Law shall be done in this manner:
 - a) The day which marks the start of the period is not counted, but the terminal day is counted;
 - b) When the last day is a holiday or a Saturday, the period is extended to the next following working day;
 - c) A period provided for in this Law expires at 5 PM on the terminal day.
- 2.7. All notices, ballots and other documents contemplated herein respecting such elections may be drawn up in English. Voting ballots for elections shall be drawn up in **iiyiyuu ayimuun** and in English.

- 2.8. The English version of all notices, ballots and other documents contemplated herein respecting such elections will take precedence over any other versions in case of conflict or interpretation issues pertaining thereto.
- 2.9. Any Elector can request a copy of this Law to the Returning Officer during normal business hours for consultation purposes.

3. RETURNING OFFICER

3.1. Nomination and term of mandate

- 3.1.1. The Returning Officer is appointed by the Chief and Council by resolution seven (7) days before the publication of the notice of elections.
- 3.1.2. Once designated, the Returning Officer may not be removed from his position by the Council.
- 3.1.3. The term of the Returning Officer is of four (4) years or until their replacement is named.
- 3.1.4. The Returning Officer appoints a Deputy Returning Officer and may appoint such Assistant Returning Officers as are necessary to assist him in the performance of his duties.
- 3.1.5. The Returning Officer must be a Cree beneficiary pursuant to the JBNQA.
- 3.1.6. A person is not eligible to be appointed a Returning Officer or a Deputy or Assistant Returning Officer if he:
 - a) Is not of the age of majority under the laws of the Province;
 - b) Is undergoing a term of imprisonment as a result of having been convicted of an Indictable Offence; or
 - c) Has, at any time, been convicted of contravening a provision of Part II of Appendix A of the Constitution

3.2. Mandatory Training

- 3.2.1. The Returning Officer, the Deputy Returning Officer and the Assistant Returning Officer must take part in a mandatory training in the seven (7) days following their appointment.

3.3. Roles and Responsibilities of the Returning Officer

- 3.3.1. The Returning Officer is responsible for the interpretation and the application of this Law in order to ensure that the elections are held in accordance with CNE custom.

3.3.2. Notwithstanding a Public Health Emergency or a Disaster making it impossible to hold regular elections, the Returning Officer may make any adjustment necessary to adapt to any difficulties that may arise, as long as the adaptations respect CNE custom.

3.3.3. The Returning Officer takes any necessary measure to ensure that the nomination process and the election process is conducted in a fair and orderly manner.

3.3.4. The Returning Officer can recommend to the Director General the hiring of staff for the polling station.

3.3.5. The Returning Officer, with the assistance of the Membership Benefit Clerk shall prepare and keep the Electoral List current on the basis of the Beneficiary List, taking into account section 5.4 of the Agreement.

3.4. Deputy Returning Officer and Assistant Returning Officer

3.4.1. The Deputy Returning Officer and Assistant Returning Officers shall exercise such functions and perform such duties as may be assigned by the Returning Officer, subject to general supervision and direction.

3.5. Vacancy of Returning Officer

3.5.1. A Returning Officer or Deputy or Assistant Returning Officer ceases to hold office if he:

- a) Is convicted of contravening a provision of Part II of Appendix A of the Constitution;
- b) Commences a term of imprisonment as a result of having been convicted of an Indictable Offence; or
- c) Is declared mentally incompetent under the laws of the province.

3.5.2. Where the Returning Officer is absent, incapacitated or the office of the Returning Officer is vacant, the Deputy Returning Officer has and may exercise all the powers and duties of the Returning Officer.

3.6. Removal from office of Returning Officer

3.6.1. Where a Returning Officer neglects or refuses to take the necessary steps to ensure the conduct of elections in accordance hereof, any fifteen (15) Electors may file a petition with the CNE Secretary requesting that a Special General Assembly be convened for the purpose of deciding whether the Returning Officer should be removed from office.

3.6.2. Within seven (7) days of the filing of a petition pursuant to subsection 3.6.1, the CNE shall call a Special General Assembly;

3.6.3. The quorum at this Special General Assembly shall be forty-five (45) Electors.

3.6.4. The Returning Officer is removed from office if quorum is met and there is a simple majority of votes in favour of the removal from office.

3.6.5. No Special General Assembly pursuant to Section 3.6 shall be held less than seven (7) days before the main Election poll.

3.6.6. Where the Returning Officer is removed from office under subsection 3.6.4, the Deputy Returning Officer has and may exercise all the powers and duties of the Returning Officer.

4. DATE OF ELECTION

4.1. General Elections will be held on the third Monday of July.

5. CALLING OF ELECTIONS

5.1. Subject to subsection 4.1 hereof, the Council shall determine the date, time, and place of the election, within Eastmain Category 1A lands. The date, time and place of any advance poll and the date, time and place of any travelling poll may be fixed by the Returning Officer.

6. NOTICE OF ELECTION

6.1. When an election is to be held, the Returning Officer shall post a notice, which may be in the form attached as Schedule 6, setting out the date of the election poll and the nomination procedure of candidates at least sixty (60) days before General Elections, or forty-five (45) days before Partial Elections, prior to the date of the election poll.

6.2. Such notice shall be posted in one (1) or more prominent public places within the Eastmain Category 1A lands, including the head office of the CNE and on the CNE website. The Returning Officer may decide to post such notice on any social media.

6.3. The Returning Officer shall mail a copy of the notice of election to each Elector having provided an address in accordance with subsection 7.4.

6.4. The notice of election shall specify the date, time, place within the Eastmain Category 1A lands, and purpose of the election poll. It shall also indicate the date, time and places of any advance poll and any travelling poll including means for Non-Resident Electors to participate in the election process.

7. ELECTORAL LIST

- 7.1. The Returning Officer shall make a copy of the Electoral List available at the head office of Eastmain, for inspection by the Electors during normal business hours, at least sixty (60) days for General Elections, or forty-five (45) days for Partial Elections, prior to the date of the election poll.
- 7.2. An Elector is an individual who meets the following criteria:
 - a) Is a member of the CNE pursuant to the Agreement;
 - b) Is 18 years of age or more on the date of the General Election's main poll; and
 - c) Is not placed under tutorship or curatorship.
- 7.3. The Electoral List must contain the following information:
 - a) The name of all Electors in alphabetical order;
 - b) The date of birth of all Electors;
 - c) The last known address of all Electors.
- 7.4. Non-Resident Electors must provide current address to the Returning Officer in order to be able to participate by mail in an election.
- 7.5. At least sixty (60) days before the date on which an election is to be held, or forty-five (45) days in case of Partial Elections, the Membership and Benefits Clerk shall deliver to the Returning Officer the Electoral List together with the last known addresses of all Non-Resident Electors.
- 7.6. Non-Resident Electors shall be deemed to have received all documents to be provided pursuant to the Law if such documents are mailed to the last known address of the Elector.
- 7.7. No less than thirty (30) days prior to the election date, Non-Resident Electors may contact the Returning Officer to verify whether their name appears on the Electoral List.
- 7.8. No less than thirty (30) days prior to the election date, any individual may contact the Returning Officer to have the Electoral List revised on the grounds that the name of an Elector has been incorrectly registered or omitted or that the name of a person not qualified to vote is included therein.
- 7.9. If satisfied that the Electoral List should be corrected, the Returning Officer shall make all necessary corrections. The corrected version of the Electoral List must then be made available at the head office of the CNE.

7.10. If the Returning Officer refuses to modify the Electoral List, the Returning Officer must notify the individual who applied to have the Electoral List revised in writing of his refusal and his potential recourse under Section 10.

7.11. No modification to the Electoral List shall be made less than ten (10) days prior to the election date.

8. COUNCIL

8.1. Number of positions

8.1.1. The Council of the CNE shall consist of seven (7) members, comprising the Chief, the Deputy Chief and five (5) Councillors.

8.2. Term of office

8.2.1. The term of office for the Council Members is four (4) years.

8.2.2. Notwithstanding the expiry of the term of office, Council Members shall continue to hold office until the date of the declaration of election of their successors.

8.2.3. The Council Member elected during a Partial Election remains in office until the next General Election.

8.3. Eligibility for office

8.3.1. Any Elector is eligible to be elected for Council unless such person:

a) Has been convicted of contravening a provision of Part II of Appendix A of the Constitution within the two-year period preceding the date fixed for the holding of the election for that office or, where the most recent election for that office took place before that two-year period, in respect of the most recent election for that office;

b) Has been appointed Returning Officer, Deputy or Assistant Returning Officer in respect of election for said office;

c) Is a judge to which the *Judges Act* (RSC 1985, c J-1) applies or a Crown prosecutor;

d) Is, on the day fixed for the holding of the election for that office, undergoing a term of imprisonment as a result of having been convicted of an Indictable Offence;

e) Has been convicted of any crime found in sections 321 to 346 and 379 to 425.1 of the *Criminal Code* (RSC 1985, c C-47) (the infractions of theft and fraudulent operations);

- f) Has been accused of committing an Indictable Offence under the *Criminal Code* (RSC 1985, c C-47);
- g) Has been convicted of an Indictable Offence under the *Criminal Code* (RSC 1985, c C-47) excluding the Elector who has obtained a pardon or an absolute or conditional discharge.

8.3.2. An Elector who holds the office of CNE Secretary, Treasurer, Director General or Assistant Director General is eligible to be elected as Council Member if, once elected, they take a leave of absence from their position as an employee of the CNE for the duration of their term with the Council.

8.3.3. Any Elector is not eligible to be elected as Council Member if he has an outstanding financial debt to the CNE or its subsidiaries for which the Elector has failed to agree to a repayment plan.

8.3.4. An Elector is eligible to be elected to the office of Chief, unless their status as Elector results only from section 5.4 of the Agreement.

8.3.5. Council Members shall be domiciled in the Category IA Lands of the CNE for the duration of their term of office. If applicable, an elected Council Member must establish domicile in the Category IA Lands of the CNE within two (2) months of the date of their declaration of election under Section 22.

8.4. Vacancy

8.4.1. An office of Council Member becomes vacant immediately on the occurrence of one of the following events, and only the following events:

- a) The election of the officeholder to that office is declared invalid pursuant to Section 24;
- b) The office holder:
 - i. Is deceased or submits his resignation in writing to the Council;
 - ii. Is convicted of contravening a provision of Part II of Appendix A of the Constitution;
 - iii. Is appointed CNE Secretary or CNE Treasurer;
 - iv. Is appointed a judge to which the *Judges Act* (RSC 1985, c J-1) applies or a Crown prosecutor;
 - v. Commences a term of imprisonment as a result of having been convicted of an Indictable Offence under the *Criminal Code* (RSC 1985, c C-47); or
 - vi. Is declared mentally incompetent in accordance with the laws of the province;

- c) The office holder's term of office expires pursuant to the Constitution or this Law;
 - d) The office is declared vacant pursuant to subsections 8.4.2 and 8.4.3.
- 8.4.2. Where the Chief, the Deputy Chief or a Councillor has, without the Council's permission, been absent from three (3) or more consecutive Council meetings or more than five (5) Council meetings during a financial year, for reasons other than illness or incapacity, any fifteen (15) Electors may file a petition with the CNE Secretary requesting that a Special General Assembly be convened by the Council for the purpose of deciding whether the office of said Chief, Deputy Chief or Councillor should be declared vacant.
- 8.4.3. After the filing of a petition pursuant to subsection 8.4.2, the CNE shall call a Special General Assembly, to be held as soon as possible, for the purpose of deciding whether the office of the said Council Member should be declared vacant.
- a) The quorum for this Special General Assembly is 10% of the Electors;
 - b) The office of the Council Member becomes immediately vacant if it is decided by a simple majority of the Electors.
- 8.4.4. Where there are vacancies in the Council, the rules relating to quorum will be prorated based on the Council Members that remain in office. If there are only two (2) remaining Council Members, decisions must be taken unanimously.
- 8.4.5. If a vacancy occurs twelve (12) months or more before the next General Election, Partial Elections must be held to fill the vacant positions.
- 8.4.6. If six (6) or more seats become vacant, the Council is dissolved, and a notice of election is published pursuant to Section 6.
- 8.4.7. In cases of dissolution under subsection 8.4.6, the outgoing Council Member can take the necessary actions and decisions in the name of the Council for the day-to-day administration of the CNE until the new Council is sworn in.
- 8.4.8. In cases of dissolution under subsection 8.4.6, the Director General can take the necessary actions and decisions in the name of the Council for the day-to-day administration of the CNE until the new Council is sworn in.
- 8.4.9. In the event that the office of Chief becomes vacant less than twelve (12) months before the next elections, the Deputy Chief is named *interim* Chief until the next General Election.

8.4.10. In the event that the office of Deputy Chief becomes vacant less than twelve (12) months before the next elections, the Councillors will choose among them the person who will become *interim* Deputy Chief. If there is no consensus, the Councillor who obtained the most votes during the last election becomes *interim* Deputy Chief until the next General Election.

9. NOMINATION PROCEDURE

9.1. General provisions

9.1.1. A nomination may be made in writing, on the nomination form, or orally, at the nomination assembly.

9.1.2. The nomination assembly has to be held in the ten (10) days following the notice of election;

9.1.3. A separate nomination shall be held for the offices of Chief, Deputy Chief and Councillor.

9.1.4. Any Elector may support the nomination of any candidate eligible to run for office as Council Member. A person may not support the nomination of more than one (1) candidate for each office.

9.1.5. To be valid, the nomination of a candidate by an Elector shall be supported by four (4) Electors.

9.1.6. A candidate can be nominated by an Immediate Family Member. However, a candidate's nomination cannot be supported by an Immediate Family Member.

9.1.7. If the candidate fails to reach the required number of supporters, his nomination is invalid.

9.2. Nomination Assembly

9.2.1. The quorum for the nomination assembly is fifty (50) electors.

9.2.2. At the date, time and place specified in the notice of nomination assembly, the Returning Officer shall ascertain if the quorum is met. If quorum is met, the Returning Officer shall declare the meeting open for the purpose of receiving nominations.

9.2.3. If quorum is not met, the Returning Officer may adjourn the nomination assembly until quorum is met.

9.2.4. Any Elector can verbally propose himself or another Elector as a candidate for Council Member.

9.2.5. Any nominee who is present at the nomination assembly shall declare his acceptance or refusal of his nomination before the close of the meeting.

- 9.2.6. The candidate has three (3) days to request the production of his criminal background check following his nomination, in order for his candidature to be valid.
- 9.2.7. The Returning Officer shall not close the nomination assembly until such business as he considers may properly be brought before it has been disposed of and not, in any event, before one (1) hour has elapsed since the meeting was called to order.

9.3. Nomination Form

- 9.3.1. The nomination of a candidate for the office of Council Member can be submitted in writing to the Returning Officer, on the nomination form, provided in Schedule 7, attached hereto.
- 9.3.2. The nomination form shall contain the name and the office of the candidate. The candidate accepts his nomination by signing the nomination form.
- 9.3.3. In order for a nomination form to be valid, the candidate must provide his criminal background check to the Returning Officer. If this condition is not met, the candidate is not eligible to be nominated.
- 9.3.4. The names of the Electors supporting the nomination together with their signatures shall be contained on the nomination form.
- 9.3.5. A nomination form must be filed forty-five (45) days prior to the general election or thirty (30) days for Partial Elections.
- 9.3.6. A nomination form may be filed with the Returning Officer either in person, by mail, by facsimile or by email.
- 9.3.7. In cases where the nomination has been filed in person, the Returning Officer or the Deputy Returning Officer will write the date and time of the reception and verify the nomination forms immediately to ensure that the nomination is in conformity with subsections 9.1.3 to 9.1.6 and 9.3.1 to 9.3.5, in front of the nominee to confirm that there are no irregularities and that the nomination is accepted and the nominee is added to the list of candidates for the office.
- 9.3.8. The Returning Officer or the Deputy Returning Officer will give a dated copy to the nomination form to the nominee after verification.
- 9.3.9. If the nominee leaves before the verification is completed, the Returning Officer or Deputy Returning Officer shall take reasonable steps to inform the nominee of the acceptance or refusal of the nomination, by sending communication to the nominee's address as written in the Electoral List or by any means which reasonably allows the Returning Officer to ascertain that the nominee is aware of this acceptance or refusal.

9.3.10. In cases where the nomination has been filed by mail, by facsimile or by email, the Returning Officer or the Deputy Returning Officer will write the date and the hour the nomination has been received at the CNE office and proceed with the verification of the nomination form without delay. The confirmation of acceptance or refusal of the nomination shall be sent to the address, facsimile number or email address from which the nomination was received as soon as the verification is completed, to the attention of the nominee.

9.3.11. In the cases outlined in subsection 9.3.9 the nominee will be deemed aware of the acceptance or refusal of the nomination at the moment that the communication from the Returning Officer was sent to the address, facsimile or email the nomination was received from.

9.3.12. In all cases, verification of nominations must proceed in the order in which the nominations have been received at the office of the CNE, as evidenced by the date and time written by the Returning Officer or Deputy Returning Officer.

9.4. List of candidates

9.4.1. Forthwith upon the closing of the nomination form, the Returning Officer shall prepare a list of all candidates nominated in accordance with the provisions of this Law, indicate upon such list the office for which the respective candidates are nominated, transmit a signed copy of such list to the CNE Secretary and post a copy of such list at one (1) or more prominent public places within Eastmain Category 1A lands, including the head office of the CNE.

9.5. Election by acclamation

9.5.1. If the number of candidates appearing on the list of candidates for Council Member does not exceed the number of offices for which such candidates have been respectively nominated, of where only one (1) candidate has been respectively nominated for the offices of Chief and Deputy Chief, the Returning Officer shall declare, as applicable, candidates so nominated to be elected by acclamation, and no poll shall be held in respect of such offices. The Returning Officer shall then, without undue delay, prepare and sign a written statement to each of the candidates, the CNE Secretary and the Secretary of the Grand Council of the Crees.

9.6. Insufficient number of candidates

9.6.1. If the number of candidates acclaimed pursuant to subsection 9.5.1 is less than the number of positions for Chief, Deputy Chief or Councillor to be filled, the Returning Officer shall post a notice extending the deadline for nominations by not more than ten (10) days, or three (3) days in case of Partial Elections, in respect only of the positions remaining to be filled, and the provisions of this section shall apply thereto with such modifications as the circumstances require.

9.7. Poll required

- 9.7.1. If more than the required number of candidates is nominated for the office of Chief, Deputy Chief or Councillor, as applicable, the Returning Officer shall declare that a poll will be held in respect of such offices on the dates specified in the notice of election.

10. CONTESTATION OF A DECISION FROM THE RETURNING OFFICER

10.1. Contestation with regards to a refusal from the Returning Officer

- 10.1.1. The following individuals can bring forward these matters to the Appeals Committee with regards to the Returning Officer's decisions:

- a) The individual who had applied to modify the Electoral List and received a notice of refusal from the Returning Officer;
- b) The individual whose nomination was refused by the Returning Officer on grounds of eligibility;
- c) Any Elector can contest the eligibility of candidates.

- 10.1.2. For matters relating to paragraphs 10.1.1 a) and b), the following procedure applies:

- a) A notice of contestation must be filed with the Returning Officer within three (3) days following the contested decision.
- b) The notice of contestation shall specify all the reasons and circumstances supporting the contestation and shall be supported by the production of relevant documents.
- c) Following the receipt of the notice of contestation, the Returning Officer shall submit a written justification of his decision within the three (3) following days.
- d) Within three (3) days of the Returning Officer's written justification, the individual may file a notice of review to the Appeals Committee, in which the individual shall present his grounds for contestation, provide all the documents relating to the contestation and may ask to be heard at the hearing of the Appeals Committee.
- e) Upon receipt of the notice of review, the Appeals Committee has ten (10) days to review the contestation, hold a hearing if necessary and transmit its written and substantiated decision to the individual and Returning Officer.

10.1.3. For matters relating to paragraph 10.1.1 c), the following procedure applies:

- a) A notice of contestation of the list of candidates must be filed with the Returning Officer within three (3) days following the publication of the List of Candidates.
- b) The notice of contestation of the list of candidates shall specify all the names of the candidate, reasons and circumstances supporting the contestation and shall be supported by the production of relevant documents.
- c) Without delay, upon receipt of the notice of contestation of the list of candidates, the Returning Officer shall forward said notice with its accompanying documents to the candidate whose eligibility is being contested.
- d) Following the receipt of the notice of contestation of the list of candidates, the candidate whose eligibility is being contested shall submit a written response to the Appeals Committee and can ask to be heard by the Appeals Committee within the three (3) following days.
- e) Upon receipt of the candidate's written response, the Appeals Committee has five (5) days to review the contestation and the written response, hold a hearing if necessary and transmit its written and substantiated decision to the Elector who contested, the candidate who is being contested and the Returning Officer.

10.1.4. The Appeals Committee's decision is final and without appeal.

11. CAMPAIGN FINANCING

11.1. Electors who are eligible to be elected subject to subsection 8.3.2 shall not use employer resources to benefit them during their electoral campaign.

11.2. The costs of the electoral campaign shall be at the expense of each of the candidates.

12. WITHDRAWAL OF CANDIDATES

12.1. A nominated candidate may withdraw his candidacy at any time prior to the date of the election, by submitting to the Returning Officer a written withdrawal of nominations, signed by the candidate in the presence of a witness. In such a case, the Returning Officer shall post a notice of the withdrawal in one or more public places, including the head office of the CNE; and on the CNE website. The Returning Officer may decide to post such notice on any social media.

13. ELECTION METHOD AND PROCEDURE

13.1. Method of electing the Council

- 13.1.1. Council shall be elected by secret ballot or by acclamation, in accordance with the provisions hereof.
- 13.1.2. Each Elector shall be entitled to cast one (1) vote for the office of Chief, one (1) vote for the office of Deputy Chief and from one (1) to **five (5) votes** for the office of Councillor.

13.2. Ballot Papers

- 13.2.1. Each candidate for office shall provide to the Returning Officer a colour portrait photograph for use on the ballot papers.
- 13.2.2. The Returning Officer shall ensure a sufficient number of ballot papers are prepared, in the form attached hereto as Schedule 8, for the poll to be conducted.
- 13.2.3. Separate ballot papers shall be prepared for the election of the offices of the Chief, the Deputy Chief and Councillors. Such ballot papers shall list, in alphabetical order, the names of the candidates for each office and the appropriate photograph of each candidate shall appear below the name.

13.3. Ballot Boxes

- 13.3.1. The Returning Officer shall obtain as many ballot boxes as are necessary for the conduct of the election, keep a count of such boxes and keep them under his supervision until the election is held. Separate ballot boxes shall be kept and identified for advance polls and each travelling poll.
- 13.3.2. Each ballot box shall be constructed of suitable material, sealed and secured in such a manner that ballots deposited therein cannot be withdrawn without opening the seal of the ballot box.
- 13.3.3. The Returning Officer shall provide a private compartment at each polling station where Electors can mark ballot papers free from observation.
- 13.3.4. Before the poll opens, the Returning Officer shall supply each polling station with a sufficient quantity of ballot papers and materials for marking the ballot papers in order for the poll to be conducted.
- 13.3.5. Immediately before the poll opens, the Returning Officer, the Deputy or Assistant Returning Officer, as the case may be, responsible for each polling station shall open each ballot box and shall call upon such persons as may be present to witness that it is empty. Such officer shall then close, seal and secure the ballot box and place it in view for the reception of the ballots. The ballot box shall not be opened during the time appointed for taking the poll.

13.4. Conduct of Poll

- 13.4.1. The poll shall be kept open during the period specified in the election notice, provided that such period extends for at least ten (10) continuous hours between 8:00 AM and 8:00 PM of the same day.
- 13.4.2. Voting shall be carried out by secret ballot.
- 13.4.3. Every person in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of voting.
- 13.4.4. No person shall interfere or attempt to interfere with an Elector marking the ballot paper or obtain or attempt to obtain information from an Elector regarding a vote or intention thereof, at the polling station. All forms of campaign by a candidate or a representative thereof is prohibited on the day of the elections.
- 13.4.5. Where a person presents himself for the purpose of voting, the Returning Officer, Deputy or Assistant Returning Officer, as the case may be, shall, if satisfied that the name of such person is entered on the Electoral List at the polling station, provide him with ballot papers, initialled by such officer, on which to register his vote, for each of the offices subject to elections.
- 13.4.6. The Returning Officer, Deputy or Assistant Returning Officer, as the case may be, shall cause to be placed in the proper column of the Electoral List, a mark opposite the name of every Elector receiving a ballot paper.
- 13.4.7. The Returning Officer, Deputy or Assistant Returning Officer, as the case may be, may and, when requested to do so, shall explain the voting procedure to an Elector.
- 13.4.8. Each Elector receiving a ballot paper shall forthwith proceed to the private compartment provided for marking ballots and shall mark ballot papers by placing a mark which clearly identifies the Elector's choice but does not identify the Elector, opposite the name of the candidate for whom he desires to vote. The ballot papers shall then each be folded individually, so as to conceal the names of the candidates and the marks on the face of the paper but so as to expose the initials of the Returning Officer, Deputy or Assistant Returning Officer, as the case may be. Upon leaving the compartment, the Elector shall forthwith deliver the ballot paper to said officer, who shall, without unfolding the ballot paper, verify the initials and at once deposit each ballot paper in the appropriate ballot box, in the presence of the Elector and of all other persons entitled to be present at the polling station.
- 13.4.9. While an Elector is in the private compartment for the purpose of marking ballot papers, no other person shall, except as provided in subsection 13.4.10, be allowed in the same compartment or be in any position from which he can see the manner in which such Elector marks his ballot paper.

- 13.4.10. Notwithstanding subsections 13.3.3 and 13.4.4, the Returning Officer, Deputy or Assistant Returning Officer, as the case may be, shall, upon the request of an Elector unable to read or to understand the language of ballot papers, or incapacitated by blindness or other physical cause from voting in the manner prescribed in subsection 13.4.8, assist such Elector by marking the ballot paper in the manner directed by the Elector, and, in the presence of one (1) witness, place such ballot in the ballot box.
- 13.4.11. The Returning Officer, Deputy or Assistant Returning Officer, as the case may be, shall inscribe a written note on the Electoral List in the column for remarks opposite the name of such Elector indicating that the ballot papers were marked by such officer at the request of the Elector and the reasons thereof.
- 13.4.12. An Elector who has inadvertently dealt with ballot papers in such a manner that one (1) or all such ballot papers cannot appropriately be used or does not accurately signify the voting intention shall, upon returning one (1) or all such ballot papers to the Returning Officer, Deputy or Assistant Returning Officer, as the case may be, be entitled to obtain one (1) or other ballot papers, and said officer shall thereupon inscribe the word “cancelled” upon the spoiled ballot paper and conserve it.
- 13.4.13. Any person who has received a ballot paper and leaves the polling station without delivering the ballot paper to the Returning Officer, Deputy or Assistant Returning Officer, as the case may be, in the manner provided, or who, after receiving the ballot paper, refuses to vote, shall forfeit the right to vote at the Election and said officer shall make an entry in the Electoral List in the column for remarks opposite the name of such person to show that such person received the ballot paper and declined to vote. Said officer shall mark upon the face of the ballot paper the word “declined”, and all such ballot papers so marked shall be conserved.
- 13.4.14. Every Elector inside the polling station at the time fixed for closing the poll shall be entitled to vote before the poll is closed.

13.5. Postponement of Poll

13.5.1. In the case of a Disaster, the Returning Officer may:

- a) Postpone the closing of the poll for up to two (2) hours;
- b) Postpone the poll for up to four (4) weeks;
- c) Interrupt the poll and resume the poll within four (4) weeks.

13.5.2. Where a poll is interrupted, the Returning Officer shall take all necessary measures to ensure that ballot boxes remain sealed and secured until such time as the poll can be completed.

13.5.3. In the event that a Returning Officer postpones or interrupts the poll, all necessary measures shall be taken to inform the Electors of the time and place of the following poll or at which elections are resumed, as applicable.

14. MAIL-IN VOTING

14.1. At least (30) days prior to a general election is to be held or twenty-five (25) days prior to a Partial Election, the Returning Officer shall mail to every Non-Resident Elector for whom an address has been provided in accordance with section 7.4, a package consisting of:

- a) A ballot, initialed by the Returning Officer, for the office which is the object of the election;
- b) A Voter Declaration Form in the form set out in Schedule 9;
- c) A letter of instructions regarding voting by Mail-in Ballot;
- d) A statement identifying the location of all polling stations and advising the Elector that vote may be placed in person at a polling station on the date of the election or advanced polls, in lieu of voting by Mail-in Ballot; and
- e) A list of the names of any acclaimed candidates.

14.2. The Returning Officer shall indicate on the Electoral List those Electors to whom a Mail-in Ballot was mailed and keep a record of the date and the address to which each Mail-in Ballot was mailed.

14.3. An Elector may vote by Mail-in Ballot by:

- a) Marking the ballot by placing a mark that clearly indicates the Elector's choice but does not identify the Elector, opposite the name of the candidate for whom he desires to vote;
- b) Folding the ballot in a manner that conceals the name of the candidate and a mark but exposes the Returning Officer's initials on the back;
- c) Placing the ballot in the envelope marked "Ballot" and sealing the envelope;
- d) Completing and signing the Voter Declaration Form in the presence of a witness who is at least eighteen (18) years of age;
- e) Placing copies two (2) Valid Piece of Identification;
- f) Placing the envelope marked "Ballot" and the completed voter declaration form in the pre-addressed envelope;

g) Delivering or mailing the pre-addressed envelope to the Returning Officer before the time at which the polls close on the day of the election.

14.4. Ballots sent by mail that are not received by the Returning Officer before the time at which the polls close on the day of the election are null and void.

15. VOTE BY TECHNOLOGICAL MEANS

15.1. The Returning Officer may, where he deems it possible and appropriate, complete the mail-in voting and travelling polls by any technological means that he considers adequate and sufficiently secure and proven to ensure voting by Non-Resident Electors.

16. SCRUTINEERS

16.1. Any candidate may appoint in writing one (1) scrutineer to act as representative at each polling station during the conduct of the poll, and one (1) scrutineer to act as representative during the counting of the votes.

17. ADVANCE POLLS

17.1. Advance polls cannot be held the same day than the Poll.

17.2. Advance polls may be held either within or outside of Eastmain Category 1A lands on such day and at such place or places as may be fixed by the Returning Officer.

17.3. All such polls shall be held under the supervision of the Returning Officer in accordance with Section 13 and shall take place prior to the date of the Election poll.

18. TRAVELLING POLLS

18.1. Travelling polls may be held either within or outside of Eastmain Category 1A lands on such day and at such place or places as may be fixed by the Returning Officer.

18.2. Procedures described in Section 13 of the Law shall apply with such modifications as the circumstances require to such travelling polls.

19. SPECIAL POLL

19.1. An Elector residing in Eastmain IA Lands who is incapable of going to the poll can vote by Special Poll if this Elector submits to the Returning Officer, at least ten (10) days prior to the date of the Poll:

a) The notice found in Schedule 10, signed by the Elector, or if he is unable to sign, by a member of his family; and

- b) The Elector is considered to be an elder; or
 - c) The Elector has a disability or specific physical limitation making it difficult for him to leave his residence to vote.
- 19.2. The Special Poll normally takes place in the week preceding the day of the main poll. The Returning Officer must inform the Elector who prevails himself of the Special Poll of the date and time at which the Returning Officer and the Deputy Returning Officer will present themselves to his home to collect his vote.
- 19.3. In the event that no one answers the door when the Returning Officer and the Deputy Returning Officer present themselves at the Elector's home, they shall wait for ten (10) minutes before leaving. The Elector then loses his right to vote by Special Poll and the Returning Officer shall note this on the Electoral List.
- 19.4. Electors who avail themselves of the Special Poll must be identified by the Returning Officer or the Deputy Returning Officer before voting, by presenting a piece of Valid Piece of Identification.
- 19.5. At the discretion of the Elector, a witness can be present in the home during the Special Poll.
- 19.6. The Returning Officer and the Deputy Returning Officer ensure that the Elector's vote is confidential and that he exercises his right to vote without any undue influence.

20. COUNTING THE VOTE

- 20.1. The Returning Officer shall keep all Mail-in Ballots under lock and key in a secure place until the close of the election.
- 20.2. As soon as practicable after the close of the election and in the presence of any candidates or scrutineers, the Returning Officer shall open each Mail-in Ballot received before the close of the election and:
- a) Reject the Mail-in Ballot if:
 - i) A Voter Declaration Form is not included, is incomplete or the Voter Declaration Form is not signed or witnessed;
 - ii) The name of the Elector set out in the Voter Declaration Form is not on the Electoral List;
 - iii) The Electoral List shows that the Elector has already voted at a polling station;
 - iv) The initials of the Returning Officer are not on the ballot.
 - b) In all other cases, place a mark on the Electoral List opposite the name of the Elector set out in the Voter Declaration Form and deposit the Mail-in Ballot in a ballot box.

- 20.3. Immediately after the close of the poll, the Returning Officer shall, in the presence of such candidates, scrutineers and Electors as may be present, open the ballot box and count the votes for each candidate from the ballot papers that are not rejected, starting with Councillors, followed by the Deputy Chief and finally the Chief.
- 20.4. The Returning Officer shall reject all ballot papers:
- a) That has not been supplied and initialled by the Returning Officer, Deputy or Assistant Returning Officer, as the case may be;
 - b) For which votes have been given for more than one (1) candidate for the offices of Chief and Deputy Chief or five (5) candidates for the office of Councillor;
 - c) Including marks or other signs that identifies the Elector;
 - d) Left in blank or spoiled by the Elector; or
 - e) Does not clearly identify the intention of the Elector;
 - f) That may have been tampered or altered.
- 20.5. The Returning Officer shall take note of any objection made by any candidate or scrutineer to any ballot paper found in the ballot box and decide any question arising out of the objection. The Returning Officer shall number every such objection and place a corresponding number on the back of the ballot paper with the word “allowed” or “disallowed”, as the case may be, with his initials. “Allowed” ballots shall then be counted while “disallowed” ballots shall be set aside.

21. DISPOSAL OF BALLOT PAPERS

- 21.1. The Returning Officer shall conserve in his possession all ballot papers relating to the election for a period of seven (7) days from the date of the election. If the election is not contested, he shall then destroy the ballot papers in the presence of two (2) witnesses who shall sign a statement certifying that they witnessed the destruction of these papers. If the election is contested, he shall conserve the ballot papers until otherwise directed by the judge inquiring into the election.

22. DECLARATION OF ELECTION

- 22.1. The candidate for the office of Chief that receives a clear majority of fifty percent (50%) plus one (1) of all valid votes cast in respect shall be declared elected Chief.
- 22.2. The candidate for the office of Deputy Chief that receives a clear majority of fifty percent (50%) plus one (1) of all valid votes cast in respect shall be declared elected Deputy Chief.

- 22.3. In the event none of the candidates obtain a majority of fifty percent (50%) plus one (1) of all valid votes cast, run-off elections shall be held not less than seven (7) days following the first (1st) election date. Candidates on the second (2nd) ballot shall be the two (2) candidates receiving respectively the highest and second-highest number of valid votes cast on the first (1st) ballot for the office of Chief or Deputy Chief, as applicable. Sections 5, 6, 13 and 22 of the Law shall apply to the second ballot with such modifications as the circumstances require.
- 22.4. The **five (5) candidates** receiving the highest number of valid votes for the office of Councillor shall be declared elected Councillors until all vacant positions for the office of Councillors are filled.
- 22.5. In the event that a number of candidates receive an identical number of valid votes cast for the office of Councillor, which exceeds the number of positions remaining available for said office; a second (2nd) ballot for run-off elections shall take place not less than seven (7) days following the first (1st) ballot. Candidates on the second (2nd) ballot shall be all the candidates receiving the identical number of valid votes cast on the first (1st) ballot for the office of Councillor. Sections 5, 6, 13 and 22 of the Law shall apply to the second (2nd) ballot with such modifications as the circumstances require.

23. RECORDING AND CERTIFICATION OF ELECTION RESULTS

- 23.1. Upon completing counting of the votes, the Returning Officer shall publicly declare elected all candidates that have obtained the greatest number of votes according to subsections 22.1 to 22.5.
- 23.2. The Returning Officer shall, without undue delay after the counting the votes, prepare a written statement, in forms attached hereto as Schedules 11 and 12, of the results of the election indicating the total number of ballots, the total number of votes cast for each candidate, the number of unused, rejected, cancelled and declined ballots and the names of candidates duly declared elected to the respective offices. The Returning Officer, and such candidates and scrutineers as may be present and so desire, shall sign the statement.
- 23.3. The Returning Officer shall, without delay, transmit a copy of the completed election statement to each of the candidates, the CNE Secretary and **the Secretary of the Grand Council of the Crees** and shall post a copy of such statement at one (1) or more prominent places as established by the Returning Officer, including the head office of the CNE, within Eastmain Category 1A lands; and on the CNE website. The Returning Officer may decide to post such statement on any social media.

24. CONTESTATION OF ELECTION RESULTS

- 24.1. Any candidate for election as Council Member or any fifteen (15) Electors may, within five (5) days of the day of any election, contest the election of any Council Member or Council Members by submitting to the Returning Officer a written notice to that effect.

- 24.2. The election of a Council Member may be contested on the grounds that:
- a) a provision of Part II of Appendix A of the Constitution was contravened in respect of the election of that Council Member, whether or not anyone has been prosecuted or convicted for such contravention;
 - b) there was non-compliance with the Constitution, a law respecting the election and term of office of Council Members made pursuant to the Agreement and this Law in respect of the election of that Council Member; or
 - c) the person elected Council Member was ineligible to be elected to that office.
- 24.3. On receipt of a notice under subsection 24.1, the Returning Officer shall, within two (2) weeks, prepare and submit to a judge of the Provincial Court or Superior Court of Québec (hereinafter in this section referred to as “the judge”) a petition in prescribed form setting out the name of the person or persons whose election is being contested, the name of the person or persons contesting the election and the grounds on which the election is being contested.
- 24.4. A petition described in subsection 24.3 must be accompanied by a deposit of two hundred dollars (\$200), which, except as provided in subsection 24.5, shall be refunded to the person or persons contesting the election forthwith after the judge has made a decision on the petition, whether or not the judge declares the election invalid.
- 24.5. Where the judge is of the opinion that the petition was not made in good faith, he may order the deposit forfeited and, where he so orders, the moneys forfeited shall be applied toward the cost of the court proceedings.
- 24.6. The judge shall inquire into the correctness of the allegations contained in the petition, and for such purposes may exercise all the powers of a commissioner under Part I of the *Inquiries Act* (RSC 1985, c I-11).
- 24.7. Where, after hearing the petition, the judge is satisfied, in respect of the election of one (1) or more Council Members whose election has been contested, that a ground for contestation contained in the petition has been established and that, in the case of the grounds described in subsections 24.2. a) or 24.2. b), the offence or non-compliance materially affected the result of the election, he shall declare invalid the election of the Council Member or Council Members in respect of whose election he is so satisfied.
- 24.8. The election of any particular Council Member cannot be contested a second time on the same ground in respect of the same election.
- 24.9. A Council Member whose election is contested under this section is entitled to remain in office until such time as the judge has declared his election invalid under subsection 24.7.

25. SWEARING IN AND DISCLOSURE OF INTEREST

- 25.1. Within ten (10) days of the declaration of election, the elected Council Members shall take an oath of office, in the form attached hereto as Schedule 13, to be sworn in.
- 25.2. On the date of the signature of the Oath of office, the elected Council member shall complete a **Disclosure of Pecuniary Interests Form**, attached hereto as Schedule 14, declaring any and all pecuniary interests in immovables located within CNE lands, as well as legal persons, partnerships, enterprises and any other entity likely to enter into transactions with the CNE.
- 25.3. The Disclosure of Pecuniary Interests Form shall be updated on a yearly basis, on the date of the anniversary of the declaration of election.

26. CRIMINAL CHARGE AGAINST AN ELECTED OFFICIAL

- 26.1. The Appeals Committee may, by application, if it deems it justified by the public interest, suspend from office, with or without remuneration, a Council Member who is formally accused of an Indictable Offence under the *Criminal Code* (RSC 1985, c C-47) in the course of his term.
- 26.2. The Appeals Committee shall take into account the connection between the alleged offence and the performance of the Council Member's duties; the extent to which it is likely to bring the administration of the CNE into disrepute; and the effect on public trust.
- 26.3. Any CNE member may apply to the Appeals Committee for the suspension of a Council Member.
- 26.4. To be valid, the suspension application must be accompanied with proof of the criminal charge.

26.5. Hearing

- 26.5.1. Upon receipt of a valid suspension application, the Appeals Committee transmits a notice of convocation to a hearing as well as all documents relative to the suspension application to the following individuals:
 - a) The Council Member targeted by the suspension application;
 - b) The Council Members; and
 - c) The person who submitted the suspension application.
- 26.5.2. The notice of convocation must contain the date, time and place of the hearing.
- 26.5.3. The hearing must take place at the earliest ten (10) days and no later than thirty (30) days after the notice of convocation was notified.

26.5.4. Council Members and the person who submitted the suspension application can be present at the hearing but must observe the rules of decorum and must refrain from disrupting the hearing.

26.5.5. The Appeals Committee records the hearing.

26.5.6. The recording of the hearing and any document submitted to the Appeals Committee before or during the hearing must be kept in a secure location.

26.5.7. During the hearing, the person who submitted the suspension application presents the reasons justifying the suspension of the Council Member accused of an Indictable Offence. He can call witnesses to support his claim. Afterwards, the member targeted by the suspension application can provide his observations.

26.5.8. The Appeals Committee has all the necessary powers to ensure that the hearing is fair, equitable and proportional. Members of the Appeals Committee can notably ask questions to the hearing participants, retain the services of a translator, assign witness, grant or limit speaking time, adjourn or postpone the hearing and exclude someone from the hearing.

26.5.9. Any person participating in the hearing can be accompanied by any person or be represented by a lawyer.

26.6. Decision relating to the suspension

26.6.1. The Appeals Committee has thirty (30) days following the end of the hearing to render its decision relative to the suspension application.

26.6.2. The decision relating to the suspension must be written and justified.

26.6.3. The Appeals Committee transmits its decision to the Council Member targeted by the suspension application, the Council Members, the Director General of CNE, the Returning Officer and the person who submitted the suspension application.

26.6.4. To be effective, the decision of the Appeals Committee which concludes to the suspension of a Council Member under this Section must be ratified in the following fifteen (15) days in a Special Assembly of Electors. Without such ratification, the suspension procedure is stayed.

26.7. Effects of suspension

26.7.1. Subject to subsection 8.4.1, the suspension of a Council Member does not cause the vacancy of his seat.

26.7.2. Upon the date of the ratification of the decision of suspension under subsection 26.6.4, the suspended Council Member cannot exercise his duties as Council Member, including the participation in Council meetings.

26.7.3. In the event of a suspension, rules relating to the quorum are prorated based on the number of remaining Council Members. Subsections 8.4.6 to 8.4.8 apply with the necessary adaptations to cases of suspensions.

26.8. Lifting of suspension

26.8.1. The suspension is lifted on the earliest of the following:

- a) The date that the prosecutor withdraws all criminal charges which served as the basis of the suspension application;
- b) The date of a judgment of acquittal or stay of proceedings with regards to all criminal charges;
- c) The date on which the term of the Council Member ends.

26.8.2. Upon request of the suspended Council Member, the Appeals Committee can end the suspension if it deems it justified with regards to the fact that the indictment that is the basis of the suspension request was substantially modified.

27. REMOVAL FROM OFFICE

27.1. A Council Member may only be removed from office in accordance with the procedures prescribed in this part.

27.2. Grounds of removal

27.2.1. A Council Member may be removed from office if the member:

- a) Is found guilty of an Indictable Offence under the *Criminal Code* (RSC 1985, c C-47);
- b) Is convicted for a term of imprisonment of six (6) months or more after having exhausted all appeal mechanisms;
- c) Has been found guilty of any criminal offence under sections 321 to 346 and 379 to 425.1 of the *Criminal Code* (RSC 1985, c C-47) against the rights of property or in relation to fraudulent transactions relating to contracts and trade;
- d) Has abused or attempted to abuse their office;
- e) Has committed a serious breach of this Law, one of the customs and traditions of the CNE or repeatedly refused or omitted to comply to a Policy or Law of the Council; or
- f) Moves away from CNE Category IA lands during his term of office.

27.3. Request or Resolution for removal

27.3.1. The removal proceedings shall be initiated by either of the following:

- a) A request with a petition signed by at least twenty (20) Electors on the Electoral List at the time of the application;
- b) A resolution of the Council.

27.3.2. To be valid, the request or resolution for removal must:

- a) request the removal of one (1) Council Member;
- b) allege one (1) or more of the grounds set forth in subsection 27.2.1;
- c) contain allegations of fact sufficient to conclude that the request is not frivolous, vexatious or improper;
- d) If the alleged ground of removal is found in paragraphs 27.2.1 a) to c), contain the decision of the court or the excerpt from the criminal record;
- e) The request for removal must:
 - i. be accompanied by a petition signed by at least twenty (20) Electors on the Electoral List at the time of the application;
 - ii. designate a representative of the signatories of the petition; and
 - iii. be supported by a sworn declaration signed by the representative that to the best of the representative's knowledge all facts alleged in the request are true.
- f) The resolution for removal pursuant to paragraph 27.3.1 b) must
 - i. be passed unanimously at a meeting of the Council, excluding the concerned member, and
 - ii. Appoint a member of the Council to act for and on behalf of the Council at the Appeals Committee hearing

27.4. Any request or resolution for removal of a Council Member shall be filed with the Appeals Committee.

27.5. In the event of multiple requests or resolution for removal of Council Members, these will be handled separately by the Appeals Committee, even if the allegations are the same or similar.

27.6. Admissibility of the request

- 27.6.1. In the five (5) days following the receipt of the request or resolution for removal, the Appeals Committee will meet *in camera* and take notice of the request or resolution, as well as its accompanying documents.
- 27.6.2. During this meeting, the request or resolution for removal is declared admissible by the Appeals Committee if it meets the criteria of subsection 27.3.2. Otherwise, it is declared inadmissible.
- 27.6.3. If the request or resolution for removal is inadmissible, the Appeals Committee transmits its decision to the member targeted by the request or resolution, the Council, and the representative of the Electors, if required.
- 27.6.4. If the request or resolution for removal is admissible and the ground of removal is that of paragraphs 27.2.1 a), b) or c), the Appeals Committee orders the immediate removal of the Council Member.
- 27.6.5. The removal of a Council Member is effective from the date of the decision of the Appeals Committee under subsection 27.6.4.
- 27.6.6. If the request or resolution for removal is deemed admissible and the ground of removal is that other than paragraphs 27.2.1 a), b) or c), the Appeals Committee will notify in writing the member targeted by the request or resolution of his immediate suspension, until the Appeals Committee's final decision is rendered.
- 27.6.7. When the Appeals Committee orders immediate removal under subsection 27.6.4 or leave of absence under section 27.6.6, all rules of governance, including quorum, shall be adjusted pro rata.
- 27.6.8. If the request or resolution for removal is admissible and the ground of removal is that other than paragraphs 27.2.1 a), b) or c), the Appeals Committee transmits a Notice to Appear, which contains the date, time and place of the hearing, and all the relevant documents to the following individuals:
- a) The Member concerned with the removal request;
 - b) The Council Members;
 - c) The representative of Electors, if required;
 - d) Any other person whose participation is deemed necessary by the Committee to make its decisions.

27.7. Hearings

- 27.7.1. The hearing may be held not earlier than ten (10) days nor later than thirty (30) days after the notice to appear is served.

27.7.2. The Council Members, the representative of the petitioners, and a number of members authorized by the Appeals Committee, shall be entitled to attend the hearing, but shall respect decorum and refrain from disrupting the hearing.

27.7.3. The Appeals Committee records the entire hearing.

27.7.4. The recording of the hearing and any documents filed with the Appeals Committee, prior to or during the hearing, shall be kept in a secure location.

27.7.5. At the hearing, the representative of the signatories of the request for removal or, in the case of a resolution, a Council Member, shall present the allegations in support of the request or resolution for removal and any evidence in support thereof. This person may also call witnesses.

27.7.6. Once the presentations provided for in subsection 27.7.5 have been completed, the member against whom the request or resolution for removal is made shall make representations.

27.7.7. The Appeals Committee members have all the powers necessary to ensure that the hearing is fair, equitable and proportionate. This includes the power to ask questions to the participants in the hearing, to retain an interpreter, to grant or limit time to speak, to adjourn and postpone the hearing, and to exclude any person from the hearing.

27.7.8. Any person participating in the hearing may be represented by a lawyer.

27.8. Decision

27.8.1. The Appeals Committee shall render its decision in relation to the request or resolution of removal in the thirty (30) days following the end of the hearing.

27.8.2. Any decision from the Appeals Committee must be accompanied by written reasons.

27.8.3. Decisions of the Appeals Committee are transmitted to the Council Member targeted by the request or resolution of removal, to the other Council Members, to the Director General, to the Returning Officer, and to the representative of Electors, if required.

27.8.4. To be effective, the decision of the Appeals Committee under section 27.8.1 must be ratified in the fifteen (15) days following the date of the decision in a Special General Assembly of the CNE convened for this purpose. Once the decision is effective, a notice of removal is posted in one (1) or more prominent public place within the Eastmain Category 1A lands, including the head office of the CNE and on the CNE website. The notice of removal can be shared on any social media.

27.8.5. The decision of the Appeals Committee is final and without appeal.

27.9. Effects of removal

27.9.1. The removal of a Council Member has the following consequences:

- a) The removed Council Member loses his office and any other roles he held as Council Member;
- b) The removed Council Member loses his remuneration, without any other warning, and without any other financial compensation or payment of an indemnity, other than the sums due by the Council at the date of removal.
- c) The removed Council Member must give back to the Director General all goods, equipment or documents that are CNE property that he has in his possession.

27.9.2. The Director General takes any necessary measure to implement the removal as decided by the Appeals Committee and to ensure that subsection 27.9.1 is followed.

27.9.3. If no application for judicial review has been filed with the Superior Court of Québec in the thirty (30) days following the reception of the decision by the removed member, Partial Elections shall be held.

27.9.4. However, no Partial Election is called if the term of the removed Council Member was to end in less than twelve (12) months following the date of his removal.

27.9.5. Until the next elections, the quorum rules are prorated in relation to the number of remaining Council Members. If there are only two (2) remaining Council Members, decisions must be taken unanimously.

28. APPEALS COMMITTEE

28.1. Composition

28.1.1. The Appeals Committee is composed of three (3) individuals: two (2) Cree members of CNE and one (1) lawyer appointed at a Special General Assembly of the CNE called by the Director General to that effect.

28.1.2. The members of the Appeals Committee are appointed for a term of four (4) years through a Council Resolution seven (7) days prior to the notice of elections.

28.1.3. In order to be appointed on the Appeals Committee, an individual must meet the following criteria:

- a) Be eighteen (18) years of age or more;

- b) Must not be a Council Member, an employee of the Council or a person who has business ties that could place them in a conflict of interest with the Council;
 - c) Must not be the Returning Officer or the Deputy Returning Officer`
 - d) Must not be a candidate in the elections;
 - e) Must not have been found guilty of an infraction listed in the sections 321-346 and 379-425.1 of the *Criminal Code* (RSC 1985, c C-47), which corresponds to the infractions against property rights of property and fraudulent transactions relating to contracts and trade;
 - f) Must never have committed a fraudulent electoral manoeuvre in relation to any election law, including Part II of Schedule A of the Constitution.
- 28.1.4. To be eligible to serve on the Appeals Committee, in addition to the criteria enumerated in subsection 28.1.3, the member must be impartial and independent.
- 28.1.5. The Appeals Committee is independent and exercises the powers and responsibilities attributed to it by this Law.
- 28.1.6. Upon their nomination, the members of the Appeals Committee must sign the sworn declaration found in Schedule 15.
- 28.2. Vacancy**
- 28.2.1. The seat of an Appeals Committee member becomes vacant when this member:
- a) Ceases to meet an eligibility criterion;
 - b) Resigns; or
 - c) Is incapable of exercising his roles and responsibilities.
- 28.2.2. Other than during the election period, a member of the Appeals Committee can be removed by the CNE during a Special General Assembly called for by the Director General to this effect.
- 28.2.3. Any vacancy in the Appeals Committee is filled by a new nomination by the CNE during a Special General Assembly called for by the Director General to this effect. He shall remain in office until the end of the remaining term.
- 28.3. Internal rules of the Appeals Committee**
- 28.3.1. The Appeals Committee can decide of its own internal regulations and models of decisions to ensure the efficient exercise of their powers.

28.3.2. The Appeals Committee shall appoint a president, a vice-president and a secretary.

28.3.3. If an Appeals Committee member is in a conflict of interest, he cannot exercise his powers within the Appeals Committee.

28.3.4. Notwithstanding any internal regulation, in the event that it is impossible to bring together all three (3) members of the Appeals Committee in a timely manner, the president of the Appeals Committee can exercise the responsibilities of the Appeals Committee alone.

28.4. Remuneration

28.4.1. The Council sets by resolution the remuneration of the members of the Appeals Committee in the form of a *per diem* for each day of work necessary for the exercise of the powers under this Law and must reimburse any reasonable expense incurred by a member of the Appeals Committee in the exercise of his functions upon presentation of receipts.

28.4.2. In the month following the nomination of the members of the Appeals Committee, they must follow a legal training on their roles and responsibilities under this Law.

29. AMENDMENT TO THIS LAW

29.1. Any amendment to this law does not come into force until it has been approved by the Electors at a Referendum at which at least twenty per cent of the Electors voted on the matter and applies only in respect of elections called after its coming into force.

30. COMING INTO FORCE

30.1. This Law replaces the previous By-Law, including amendments thereof.

30.2. This Law shall be effective on the date of enactment and shall come into force on the date of approval by Special Meeting or Referendum at which at least twenty per cent of the Electors voted on the matter, in accordance with section 5.4 of the Constitution.

IN WITNESS WHEREOF, the Law is signed in Eastmain this ___ day of the month _____ of year, 20____.

Chairperson

Corporate Secretary

SCHEDULE 1

CNE RESOLUTION

Concerning the adoption of the Election Law

(insert)

DRAFT

SCHEDULE 2

ACTS DETRIMENTAL TO FREE AND FAIR ELECTIONS

Constitution of the Cree Nation of Eeyou Istchee, Part II of Appendix A

With respect to Part II of Appendix A, prohibited acts that are detrimental to the conduct of free and fair elections, as determined by regulations, hereby include, for consultation purposes only, the following acts:

55. No person shall, at a poll for a Cree First Nation election, vote or attempt to vote

- (a) more than once;
- (b) knowing that he is not entitled to vote; or
- (c) under any name other than his own name.

56. No person shall induce another person to vote at a poll for a Cree First Nation election knowing that the other person is not entitled to vote.

57. No person shall use bribery, treating, undue influence or any other corrupt practice in a Cree First Nation election.

58. No person shall cause or attempt to cause any disturbance at a nomination meeting or at a polling station.

59. No person shall campaign or advertise in connection with a Cree First Nation election in a polling station or within 30 meters of a polling station.

60. No person shall be present in a polling station except those authorized by a law made under section 5.2 of the Constitution or the election rules set out in this Appendix A and those present for the purposes of voting.

61. Unless authorized by a law made under section 5.2 of the Constitution or by subsection 30(2), no person shall

- (a) be in a voting compartment with an Elector;
- (b) be in a position from which the person can see for whom an Elector marks his ballot; or
- (c) at a polling station, attempt to know how an Elector intends to vote.

62. No person who assists an Elector to vote pursuant to a law made under section 5.2 or to subsection 30(2), shall

- (a) influence or attempt to influence the Elector in the selection of the candidate for whom the Elector votes; or

(b) mark the Elector's ballot contrary to the Elector's intention.

63. (1) No person shall interfere with or attempt to interfere with an Elector who is in a voting compartment.

(2) No person shall interfere with or attempt to interfere with the counting of votes.

64. (1) No person shall

(a) counterfeit or fraudulently alter or deface a ballot or the initials of a Returning Officer, Deputy Returning Officer or Assistant Returning Officer on a ballot;

(b) fraudulently destroy a ballot;

(c) without authority, supply a ballot to a person;

(d) fraudulently deposit in a ballot box any paper other than the ballot that the person is authorized by a law made under section 5.2 of the Constitution or by the election rules set out in this Appendix A to deposit in the ballot box;

(e) without authority take a ballot;

(f) fraudulently take a ballot out of a polling station;

(g) without authority, destroy, damage, take, open or otherwise interfere with a ballot box;
or

(h) fraudulently print a ballot.

(2) No person shall attempt to commit any of the acts referred to in subsection (1).

65. No Returning Officer, Deputy Returning Officer or Assistant Returning Officer shall divulge any information obtained by that officer in respect of the conduct of an election

(a) except as authorized by a law made under section 5.2 or by the election rules set out in this Appendix A; or

(b) unless that officer is required to give evidence in the course of a legal proceeding respecting the election.

66. No Returning Officer, Deputy Returning Officer or Assistant Returning Officer shall fraudulently initial or attempt to initial a ballot or any paper purported to be a ballot.

Maximum Punishment

67. (1) Subject to subsection (3), a person who contravenes paragraph 55(a) or any of sections 58 to 61, 63 or 65, commits an offence and is liable on summary conviction to a fine not exceeding two hundred fifty dollars or to imprisonment for a term not exceeding three months or to both.

(2) Subject to subsection (3), a person who contravenes paragraph 55(b) or section 56, 62 or 64 commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding six months or to both.

(3) A Returning Officer, a Deputy Returning Officer or an Assistant Returning Officer who contravenes paragraph 55(b), section 56, 61, 62 or any of sections 64 to 66 commits an offence and is liable on summary conviction to a fine not exceeding one thousand dollars or to imprisonment for a term not exceeding six months or to both.

(4) A person who contravenes paragraph 55(c) or section 57 commits an offence and is liable on summary conviction to a fine not exceeding one thousand two hundred fifty dollars or to imprisonment for a term not exceeding six months or to both.

DRAFT

SCHEDULE 3

Sworn declaration of the Returning Officer, Deputy and Assistant Returning Officer

I, *(insert name and position), commit myself to the CNE:

- To follow and apply all the rules and procedures from the Electoral Law;
- To remain neutral, impartial and independent throughout the election;
- To fulfill my mandate with honesty, integrity, dignity and honor;
- To diligently carry out all the responsibilities of my position;
- To keep confidential all information considered as such and obtained within the framework of my function;
- To refrain from taking a position towards a candidate or offering preferential treatment to one of the candidate;
- To refrain from making financial contributions to a candidate's campaign;
- To abstain from voting in the election that I preside;
- To refrain from taking bribes in the course of my function.

In this sworn declaration, I commit myself to place the best interests of the community above all other considerations, including my own interests and gains.

Signature

SWORN BEFORE ME

In *(insert place), Quebec, on this *(insert day) day of the month of *(insert month), 20*(insert year).

Commissioner of Oaths

SCHEDULE 4

ELECTION TIMELINE

Timeline for General Elections	
The General Election will be held on the 3rd Monday of July (The term of office for the Council Member is 4 years)	
7 days before the publication of the notice of election	<ul style="list-style-type: none">• The Returning Officer is appointed by the Chief and Council by resolution (section 3.1.1) **The Returning Officer, the Deputy Returning Officer and the Assistant Returning Officers must take part in a mandatory training (section 3.2.1).
60 days before the election date (main poll)	<ul style="list-style-type: none">• The Returning Officer shall post the notice of election (section 6.1).• The Membership and Benefits Clerk shall deliver to the Returning Officer the Electoral List (section 7.5).• The Returning Officer shall make a copy of the Electoral List available at the head office of Eastmain for inspection by the Electors (section 7.1).
In the 10 days following the notice of election	<ul style="list-style-type: none">• The nomination assembly has to be held (section 9.1.2).
45 days before the election date (main poll)	<ul style="list-style-type: none">• Deadline to file a nomination form to the Returning Officer (section 9.3.5).
30 days before the election date (main poll)	<ul style="list-style-type: none">• The Returning Officer shall mail to every Non-Resident Elector for whom an address has been provided in accordance with section 7.4, the Mail-in package (section 14.1).
At least 10 days before election date (main poll)	<ul style="list-style-type: none">• An Elector residing in Eastmain IA Lands who is incapable of going to the poll can vote by Special Poll (section 19.1). **The Special Poll normally takes place in the week preceding the day of the main poll (section 19.2).
On a date fixed by the Returning Officer	<ul style="list-style-type: none">• Advance poll (section 17).
The 3 rd Monday of July	<ul style="list-style-type: none">• Election date (main poll) (sections 4, 13).
Not less than 7 days following the election date (main poll)	<ul style="list-style-type: none">• Run-off election shall be held (if needed) (section 22.3 & 22.5).
Within 5 days following the election date	<ul style="list-style-type: none">• Any candidate for election as Council Member or any fifteen (15) Electors may contest the election of any Council Member (section 24.1).
Within 10 days following the election date	<ul style="list-style-type: none">• Swearing in and disclosure of interest (section 25).

SCHEDULE 5

PARTIAL ELECTION TIMELINE

Timeline for Partial Elections	
45 days before the election date (main poll)	<ul style="list-style-type: none">• The Returning Officer shall post the notice of election (section 6.1).• The Membership and Benefits Clerk shall deliver to the Returning Officer the Electoral List (section 7.5).• The Returning Officer shall make a copy of the Electoral List available at the head office of Eastmain for inspection by the Electors (section 7.1).
In the 10 days following the notice of election	<ul style="list-style-type: none">• The nomination assembly has to be held (section 9.1.2).
30 days before the election date (main poll)	<ul style="list-style-type: none">• Limit to file a nomination form to the Returning Officer (section 9.3.5).
25 days before the election date (main poll)	<ul style="list-style-type: none">• The Returning Officer shall mail to every Non-Resident Elector for whom an address has been provided in accordance with section 7.4, the Mail-in package (section 14.1).
At least 10 days before election date (main poll)	<ul style="list-style-type: none">• An Elector residing in Eastmain IA Lands who is incapable of going to the poll can vote by Special Poll (section 19.1). **The Special Poll normally takes place in the week preceding the day of the main poll (section 19.2).
On a date fixed by the Returning Officer	<ul style="list-style-type: none">• Advance poll (section 17).
On the election date fixed by the Returning Officer	<ul style="list-style-type: none">• Election date (for the main poll of the Partial Election) (section 13).
Not less than 7 days following the election date (main poll)	<ul style="list-style-type: none">• Run-off election shall be held (if needed) (section 22.3 & 22.5).
Within 5 days following the election date	<ul style="list-style-type: none">• Any candidate for election as Council Member or any fifteen (15) Electors may contest the election of any Council Member (section 24.1).
Within 10 days following the election date	<ul style="list-style-type: none">• Swearing in and disclosure of interest (section 25).

SCHEDULE 6

NOTICE OF ELECTION

NOTICE is hereby given to the electors of the Cree Nation of Eastmain that an election has been called for the following offices:

Chief	One (1) position
Deputy Chief	One (1) position
Council member	Five (5) positions

Nominations for the office of Chief, Deputy Chief or Council member may be made at the nomination assembly held on **(insert date)* or by submitting a written nomination form with the Returning Office before 5:00 p.m. on **(insert date)*. Nomination forms may be obtained from the Returning Officer.

A nomination by an elector must be supported by at least five (5) electors for the office of Chief and Deputy Chief or three (3) electors for the office of Councillor and accepted in by the candidate in order to be valid.

Nomination forms may be filed in person, by mail or by fax. An elector may nominate one (1) candidate for each of the office of Chief, Deputy Chief and Council member.

Where a vote is required, the election poll for the office Chief, Deputy Chief or Councillor will be held on **(insert date)* between the hours of 8:00 a.m. and 8:00 p.m. at **(insert place)*.

An advance poll will be held on **(insert date)* between the hours of 8:00 a.m. and 8:00 p.m. at **(insert place)*.

A travelling poll for electors that do not reside within the Category 1A lands of the Cree Nation of Eastmain will be held at the following locations and on the following dates between the hours of 8:00 a.m. and 8:00 p.m. at **(insert place)*.

An elector that does not reside within the Category 1A lands of the Cree Nation of Eastmain may vote by mail if they submit their current address to the Returning Officer.

Elders or electors with a disability can request to take part in the Special Poll by submitting a notice to the Returning Officer at least ten (10) days prior to the day of the poll.

For more information, contact the Returning Officer of the Cree Nation of Eastmain at 819-977-0211 or by fax at 819-977-0281.

GIVEN UNDER MY HAND at Eastmain, Quebec, on **(insert date)*

Signature

SCHEDULE 7

WRITTEN NOMINATION FORM FOR COUNCIL MEMBERS

I, the undersigned, all eligible electors of the Cree Nation of Eastmain, hereby nominate the following person for the office of * (*insert Chief, Deputy Chief or Councillor*)

Name of candidate:

Address:

Nomination proposed by:

Signature of elector

Name:

Date:

Nomination supported by:

1. Signature of elector

Name:

Date:

2. Signature of elector

Name:

Date:

3. Signature of elector

Name:

Date:

4. _____
Signature of elector

Name:

Date:

I hereby declare that I have read and understood the Election Laws and I hereby accept the nomination for the aforementioned office.

Signature of candidate:

Date:

Signature of Returning Officer:

Date:

DRAFT

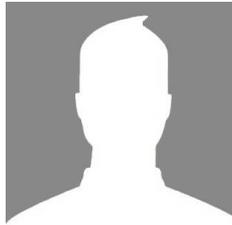
SCHEDULE 8
BALLOT PAPER

CANDIDATES FOR THE OFFICE OF * (*insert office or Chief, Deputy Chief or Councillors*)

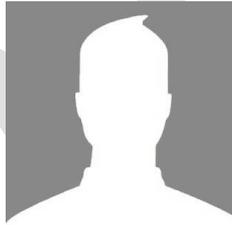
(*In alphabetical order*)

PLACE A MARK BESIDE THE CANDIDATE OF YOUR CHOICE

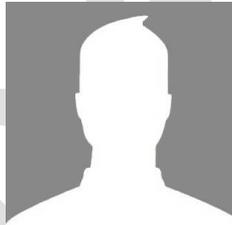
1. *Alice Apple*



2. *Betty Berry*



3. *Caroline Crow*



(*Returning Officer's initials*)

SCHEDULE 9

VOTER DECLARATION FORM

I, * (*insert name*), certify being an eligible elector of the Cree Nation of Eastmain and make the present declaration in the presence of * (*insert name of witness*)

Name of voter:

Address:

Telephone:

Beneficiary Number:

If no beneficiary number, Indian Act status number:

Date of Birth:

Signed in * (*insert place*), Quebec, on this * (*insert day*) day of the month of * (*insert month*), 20* (*insert year*).

Witness:

Name:

Address:

Date of Birth:

A photocopy of a *Valid Piece of Identification* showing the voter's name and signature must accompany this form.

SCHEDULE 10

NOTICE OF AN ELECTOR'S INTENTION TO VOTE BY SPECIAL POLL

To: Returning Officer
 Cree Nation of Eastmain

I, **(insert name)*, hereby notify the Returning Officer that I wish to take advantage of the Special Poll provided for in Section 19 of the Electoral Law, considering that I am an elder or considering that I have a disability or a specific physical limitation. I cannot or should not leave my residence to vote on polling day which is to be held on **(insert the date)*.

My residence is located on Category IA land in the community of Eastmain **(insert the address or any other information to locate the residence)*.

I understand that the Special Poll will be held on **(insert the date)* and that the Returning Officer and the Deputy Returning Officer will present themselves to my residence at any moment of this day between 8:00AM and 8:00PM. I also understand that I will lose my right to vote if I am absent from my residence at the time of the Special Poll or if ten (10) minutes after ringing the doorbell at my residence, the Returning Officer and the Deputy Returning Officer fail to obtain my vote

I understand that a witness can be present in the home during the Special Poll, at my discretion.

Signature of the Elector *(or if he is unable to sign, the signature of relative who signs for the Elector. If a relative signs, indicate the name of that person)*

SCHEDULE 12

STATEMENT OF ELECTION RESULTS

I, the undersigned, Returning Officer for the Cree Nation of Eastmain, hereby certify the following results in respect of the election for the office of **(insert office of Chief, Deputy Chief or Councillors)* of the Cree Nation of Eastmain held on **(insert election date)*.

Office: _____	Votes
Number of ballots issued	_____
Number of unused ballots	_____
Number of rejected ballots	_____
Number of cancelled ballots	_____
Number of declined ballots	_____
TOTAL NUMBER OF BALLOTS:	_____

IN CONSEQUENCE, I hereby declare **(insert name)* duly elected to the office of **(insert office of Chief, Deputy Chief or Councillors)* of the Cree Nation of Eastmain. Signed in **(insert place)*, Quebec, on this **(insert day)* day of the month of **(insert month)*, 20**(insert year)*.

Returning Officer

Witness

SCHEDULE 13

OATH

I, **(insert name)*, **(insert office)*, shall use all my abilities to serve the community, to respect the decisions and concerns of the general assembly, to act in a respectful manner even when I disagree with fellow members of Council, to uphold and promote the traditions and customs of the Cree Nation of Eastmain, to defend the interest of the community and to honour the community by adopting proper behaviour for persons holding public office in a position of role model for the community as a whole.

In this solemn declaration to put the best interests of the community ahead of all other considerations, including my own self-interest and self-gain.

So help me God.

I make this solemn declaration conscientiously believing it to be true and knowing that it has same weight and effect as if made under oath.

Signature

SWORN BEFORE ME

In **(insert place)*, Quebec, on this **(insert day)* day of the month of **(insert month)*, 20**(insert year)*.

Commissioner of Oaths

SCHEDULE 14

DISCLOSURE OF PECUNIARY INTERESTS FORM

I, **(insert name)*, **(insert office)*, hereby declare holding solely the following pecuniary interests in immovables located within Cree Nation of Eastmain lands, legal persons, partnerships, enterprises as well as any other entity likely to enter into transactions with the Cree Nation of Eastmain during the course of my mandate as an elected member of the Council.

List of immovables located within Cree Nation of Eastmain lands:

Type of Immovable <i>(House, commercial building)</i>	Address

List of participation in legal persons, partnerships, enterprises or other entity:

Name of Entity	Address	Position Held

Signed in **(insert place)*, Quebec, on this **(insert day)* day of the month of **(insert month)*, 20**(insert year)*.

Signature

DRAFT

SCHEDULE 15

SWORN DECLARATION OF APPEALS COMMITTEE MEMBERS

I, **(insert name)*, member of the Appeals Committee, commit myself to the CNE:

- To comply with the present electoral law and all laws and regulations in force in the CNE;
- To diligently carry out all the responsibilities of my position as a Appeals Committee member;
- To keep confidential all information considered as such and obtained within the framework of my function;
- To fulfill my mandate with honesty, independence, impartiality and objectivity;
- To fulfill my mandate with integrity, dignity and honor.

Signature

SWORN BEFORE ME

In **(insert place)*, Quebec, on this **(insert day)* day of the month of **(insert month)*, 20**(insert year)*.

Commissioner of Oaths

SCHEDULE 16

DUTIES OF THE APPEALS COMMITTEE MEMBERS

Role of the Appeals Committee President: In addition to the duties of the President under this Law and the internal rules of the Appeals Committee, the President is notably responsible of the following:

- To lead the Appeals Committee and to ensure that it carries out its duties;
- To ensure the administration and the general direction of the Appeals Committee;
- To foster the participation of the members in the elaboration of policies of the Appeals Committee with a view of maintaining a high level of quality and coherency of decisions;
- To coordinate and dispatch the work of the members of the Appeals Committee. The members of the Appeals Committee must follow the directives of the President on these matters;
- To ensure the respect of ethics and confidentiality in the treatment of the files submitted to the Appeals Committee ;
- To write and sign all the decisions taken by the Appeals Committee.

The President can delegate any and all of these duties to the Vice-President.

Role of the Appeals Committee Vice-President: In addition to the duties of the Vice-President under this Law and the internal rules of the Appeals Committee, the Vice-President is notably responsible of the following:

- To take over for the President when necessary;
- To assist and advise the President in the exercise of his duties and exercise all of the administrative functions under the authority of the President.

Role of the Appeals Committee Secretary: In addition to the duties of the Secretary under this Law and the internal rules of the Appeals Committee, the Secretary is notably responsible of the following:

- to keep the files of the Appeals Committee in a safe location;
- To write the minutes of the hearings before the Appeals Committee.

If the Vice-President is absent, the Secretary can replace him.