

**ONE ARROW FIRST NATION
CUSTOMARY ELECTION ACT, 2024**

WHEREAS:

- A. One Arrow First Nation adhered to Treaty No. 6, 1876 on September 6, 1878;
- B. the Nation has and continues to exercise an inherent Aboriginal and Treaty right to govern its citizens and lands in accordance with the traditions and customs that they have inherited from their ancestors;
- C. the Nation's inherent Aboriginal and Treaty right to govern is recognized and affirmed by, *inter alia*, Articles 4, 20, 24, 34 and 35 of *The United Nations Declaration on the Rights of Indigenous Peoples* and Section 35 of the *Constitution Act 1982 (UK)*, 1982, c 11, and is protected by Treaty No. 6, 1876;
- D. the Nation's leaders are responsible for securing and enhancing the Nation's collective rights and empowering the Nation's citizens in a disciplined, accountable and honest manner;
- E. the Nation's leaders have worked in consultation with the community to develop this Act as a modern reflection of the old ways that served the Nation's ancestors well;
- F. the Nation wishes to adopt this Act without prejudice to, but rather in express affirmation of, its inherent right to self-government, and as a means to clearly and unequivocally articulate the Nation's practices with respect to the election of its leaders; and
- G. on the 9th day of January, 2025, a majority of the Nation's members who were present and voted at a duly convened assembly approved this Act as outlined herein.

1. **CITATION**

- 1.1 The rules, procedures, and regulations outlined herein shall be cited as the *One Arrow First Nation Customary Election Act* (the "Act").

2. **DEFINITIONS**

- 2.1 The following definitions apply in this Act:

- (a) **"Affiliated Entity"** means a Nation Entity, the Assembly of First Nations, Federation of Sovereign Indigenous Nations, the Saskatoon Tribal Council or any of their respective corporate affiliates or associates;
- (b) **"Appeal Arbitrator"** means the Nation Adjudicator or, in the absence of a Nation Adjudicator, a person appointed by the Director of Operations, in each case who shall be responsible for conducting election appeal hearings in accordance with this Act;
- (c) **"Appeal Costs"** means all costs required to conduct an appeal in accordance with this Act, including, but not limited to, fees and disbursements charged by the Appeal Arbitrator;
- (d) **"Appeal Fee"** means an amount equal to \$1,500.00;
- (e) **"Candidate"** means an Elector who has been confirmed by the Electoral Officer as having been properly nominated;
- (f) **"Chief"** means the Candidate elected pursuant to this Act to hold the office established under subsection 4.1(a);
- (g) **"Chief Electoral Officer"** means a person appointed by Resolution who shall be responsible for conducting the nominations and elections;
- (h) **"Class 5 Drivers' License"** means a class 5 driver's license issued by Saskatchewan Government Insurance pursuant to *The Traffic Safety Act* (Saskatchewan), or a substantially similar drivers' license issued by another competent governmental authority;
- (i) **"Community Lands"** means One Arrow First Nation Reserve No. 95 and any other lands that have or may be set aside as reserve land for the benefit of the Nation from time to time;
- (j) **"Corrupt Election Practice"** means:
 - (i) offering money or other valuable consideration to any person:
 - (A) in exchange for an Elector's vote, or
 - (B) for the purpose of falsifying or influencing an election result, or
 - (ii) threatening adverse consequences, coercing or intimidating;

- (A) an Elector for the purpose of influencing their vote, or
- (B) the Chief Electoral Officer, Deputy Electoral Officer or any other person appointed under this Act to conduct an election, for the purposes of influencing an election result; or
- (iii) causing or participating in any election irregularity or fraud, or corrupt or dishonest election practice;
- (k) **"Council"** means those Candidates elected pursuant to this Act who hold the office of Chief or Councillor, and who are empowered to act as the governing body of the Nation;
- (l) **"Councillors"** means, collectively, the Candidates elected pursuant to this Act to hold the offices established under subsection 4.1(b), and "Councillor" means any one of them;
- (m) **"Deputy Electoral Officer"** means a person appointed by the Chief Electoral Officer to assist with the facilitation of nominations and elections;
- (n) **"Director of Operations"** means the Director of Operations of the Nation, or such similar or replacement position as may exist from time to time;
- (o) **"Discipline Administration Fee"** means an amount equal to \$500.00;
- (p) **"Discipline Arbitrator"** means the Nation Adjudicator or, in the absence of a Nation Adjudicator, a person appointed by the Director of Operations who shall be responsible for conducting discipline hearings;
- (q) **"Elders' Group"** means the group of Members of the Nation recognized in the community as Elders;
- (r) **"Elector"** means a person whose name is entered on the Nation's Membership List and is the full age of eighteen (18) years old on or before the date of the applicable election, by-election or assembly of voters and is an Indian registered under the *Indian Act*;
- (s) **"Fit for Duty Test"** means a test commonly administered by the Director of Operations or their nominee to employees of the Nation for purposes of ascertaining whether the test subject is under the influence of drugs or alcohol;
- (t) **"Government-Issued Photo ID"** means photo identification issued by a recognized government, and may include a certificate of Indian status, drivers' license, passport or other such identification as a recognized government may ordinarily issue from time to time;
- (u) **"Identification"** means Government-Issued Photo ID or such other identification as may, in the circumstances, satisfy the Chief Electoral Officer of the subject individual's identity;
- (v) **"Immediate Relative"** means, in respect of a person, the person's mother, father, sibling, spouse or child;
- (w) **"Member"** means a person whose name is entered on the Membership List;

- (x) **"Membership Clerk"** means the person appointed as the membership clerk of the Nation, or such other person appointed to oversee and maintain the list of the Nation's members from time to time;
- (y) **"Membership List"** means the list referred to in section 5.1;
- (z) **"Nation Adjudicator"** means the permanent community adjudicative body established, or to be established, by the Nation to mediate, adjudicate and resolve community-based disputes;
- (aa) **"Nation"** means One Arrow First Nation;
- (bb) **"Nation Entity"** means any corporation, partnership, trust or other entity that is wholly owned or controlled by the Nation;
- (cc) **"Prescribed Offence"** means an offence described in Schedule B of this Act;
- (dd) **"Public Places"** means any location deemed by the Director of Operations, in their sole discretion, to be a public place at the Community Lands from time to time, and shall include the Nation's administrative office, Elder's hall, school, youth center, community stores and gas bars, and the Nation's website and social media pages, if any;
- (ee) **"Quorum"** means a majority of Council;
- (ff) **"Resolution"** means a written resolution that has been approved by a majority of Council at a duly convened meeting of the Council at which a Quorum was present; and
- (gg) **"Sensitive Personal Information"** means information about an identifiable individual that if disclosed may be reasonably expected to adversely impact the public reputation of that individual and includes, without limitation, the criminal and carceral record of that individual.

2.2 In this Act, unless the context requires otherwise:

- (a) words importing the singular number shall include the plural number and vice versa, and words importing any gender shall include all genders and the neuter; and
- (b) any reference to a statute shall include the statute and any regulations made pursuant thereto, all amendments to the statute or any such regulations in force from time to time and any statute or regulation which supplements or supersedes the statute or any such regulations.

3. **SCHEDULES**

3.1 The following schedules form part of this Act:

Schedule "A" — Oath of Office

Schedule "B" — Prescribed Offences

Schedule "C" — Form of Membership List

Schedule "D" — Election Timelines Summary

Schedule "E" — Appeal Timelines Summary

4. COMPOSITION, TERM OF OFFICE AND DUTIES OF THE COUNCIL

4.1 The Electors shall elect a Council consisting of:

(a) one (1) individual to hold the office of the Chief; and

(b) eight (8) individuals to hold the offices of Councillor;

provided that in the event of a vacancy, the Council shall consist of the remaining members of Council.

4.2 Subject to articles 15 and 16, section 20.2 and subsection 20.3(g), the term of office for the Chief and each Councillor shall be three (3) years.

4.3 Notwithstanding section 4.2, a person elected to Council in a by-election shall hold that office for the remainder of the term of office of the Chief or Councillor whose vacancy precipitated the by-election.

4.4 A person elected under this Act holds office from the time immediately following the declaration of the election, by-election or run-off election result, as applicable, to immediately before the declaration of the result of the next general election for that office, unless they die, resign, or are removed from that office in accordance with this Act.

4.5 For greater certainty, in the event of any appeal of an election result, the newly elected Chief or Councillor whose election is the subject of the appeal shall be entitled to remain in office until such time as the appeal has been determined and, thereafter, subject to the appeal decision.

4.6 Council shall carry out the duties set forth in the Oath of Office attached as Schedule "A" to this Act and any other applicable law, rule, regulation, standard or policy in force from time to time, including without limitation any law, rule, regulation, standard or policy of the Nation, or prescribed by the common law or any deed, instrument, document or charter governing the conduct of Council members.

4.7 Council shall hold four (4) general membership meetings every calendar year, to be scheduled on a quarterly basis, at the Community Lands referred to as One Arrow First Nation No. 95. Nothing in this Act shall be interpreted as limiting Council's discretion to hold additional general membership meetings as may be necessary or advisable.

5. MEMBERSHIP LIST AND ELECTORAL ELIGIBILITY

5.1 The Membership Clerk shall develop and maintain a current Membership List in accordance with the written instructions, policies and procedures issued or established by Council from time to time and which, at a minimum, shall contain the information set out in section 5.2, and shall be in substantially the form of Schedule "C".

- 5.2 The Membership List shall be in alphabetical order and shall contain at a minimum the following information about the persons who are eligible to be Electors:
- (a) the surname and given name of the person;
 - (b) the person's date of birth;
 - (c) the person's status number;
 - (d) the person's mailing address (if available); and
 - (e) the person's email address (if available).
- 5.3 It is the responsibility of each Elector to inform the Membership Clerk of their name and addresses for the purposes of enabling the Membership Clerk to maintain the Membership List on an ongoing basis.
- 5.4 The Membership Clerk shall provide the Membership List to the Chief Electoral Officer as soon as practicable following the appointment of the Chief Electoral Officer and, thereafter, until the date of the general election or by-election, as applicable, the Chief Electoral Officer, in conjunction with the Membership Clerk, shall update the Membership List as required.
- 5.5 The Chief Electoral Officer, Deputy Electoral Officer(s) and the Membership Clerk shall only use the Membership List for the purpose of conducting a general election, by-election or run-off election, as applicable.
- 5.6 A person is not eligible to vote in a general election, by-election or run-off election if they are not an Elector based on the information in the Membership List.

6. APPOINTMENT OF THE CHIEF ELECTORAL OFFICER AND APPEAL ARBITRATOR

- 6.1 At least one hundred (100) days prior to the day of a general election or by-election, the Director of Operations in consultation with the Elders' Group shall commence a process for selecting:
- (a) a Chief Electoral Officer; and
 - (b) the Appeal Arbitrator, if the Nation has not established the Nation Adjudicator.
- 6.2 At least seventy-five (75) days prior to the day of a general election or by-election, the Director of Operations shall, on the recommendation of the Elders' Group, appoint:
- (a) a Chief Electoral Officer; and
 - (b) an Appeal Arbitrator.
- 6.3 The Chief Electoral Officer and the Appeal Arbitrator, if the Nation has not established the Nation Adjudicator, may not:

- (a) be a Member;
- (b) be an Immediate Relative of a Member;
- (c) be a contractor or full-time employee of the Nation or a Nation Entity, or otherwise engage in a work-for-pay arrangement with the Nation or a Nation Entity (except in their capacity as Chief Electoral Officer or Appeal Arbitrator, as applicable); or
- (d) have any current or past substantial business or financial relationship with the Nation or a Nation Entity.

6.4 If the Nation has not established the Nation Adjudicator, the Appeal Arbitrator shall be a person who is licensed to practice law in the Province of Saskatchewan.

6.5 The Chief Electoral Officer's term will commence on the date he or she is appointed, and he or she will serve as the electoral officer for any run-off elections following a general election.

6.6 The amount and terms of the remuneration to be paid to a Chief Electoral Officer shall be fixed by the Council at the time of appointment and reported in the Nation's annual audit.

6.7 The appointments of Chief Electoral Officer and Appeal Arbitrator shall stand unless either the Chief Electoral Officer or Appeal Arbitrator resigns, in which case the Director of Operations shall, on the recommendation of the Elders' Group, appoint:

- (a) a replacement Chief Electoral Officer; or
- (b) a replacement Appeal Arbitrator.

7. NOMINATIONS

7.1 Thirty (30) days prior to the day of a general election or by-election, as applicable, the Chief Electoral Officer shall post a notice of nomination in Public Places.

7.2 The notice of nomination shall include the following information:

- (a) contact information of the Chief Electoral Officer for the purpose of answering any questions about the election;
- (b) the criteria to be met in order to qualify as a Candidate as per section 7.3;
- (c) the date of the nomination meeting;
- (d) a list containing only the given name and surname of each Elector; and
- (e) a copy of this Act.

7.3 An individual who:

- (a) is an Elector;

- (b) has not been convicted of a Prescribed Offence in the five (5) years prior to the date of the Election, as evidenced by a criminal record check from the Royal Canadian Mounted Police or other similarly reputable authority;
- (c) holds a valid Class 5 Driver's License that is not suspended as of the date of the nomination meeting, as evidenced by a current drivers' abstract;
- (d) does not stand charged with a Prescribed Offence as of the date of the nomination meeting;
- (e) submits to and does not fail a Fit for Duty Test at the nomination meeting; and
- (f) has not been removed from office pursuant to article 16 in the term immediately preceding the forthcoming election or by-election; and
- (g) is not an employee of the Nation, a Nation Entity or an Affiliated Entity, and subject to section 18.2, does not otherwise engage in a work-for-pay arrangement with the Nation, a Nation Entity or an Affiliated Entity, unless they take leave from their employment or other work-for-pay arrangement from the time of nomination and remain on leave until after the election day;

is eligible to be nominated for the office of the Chief or a Councillor.

7.4 A person who is eligible to be nominated under section 7.3 can only be nominated for one of the following offices during each general election or by-election:

- (a) Chief; or
- (b) Councillor.

7.5 Every nomination meeting shall be carried out in accordance with the following procedures:

- (a) the nomination meeting shall be held at the Community Lands no less than fifteen (15) days prior to the date of election day;
- (b) the Chief Electoral Officer shall preside as chair at every nomination meeting;
- (c) every nomination shall be moved and seconded by persons who are themselves eligible to be nominated;
- (d) an Elector may nominate one nominee for the office of Chief, and one nominee for the office of Councillor;
- (e) all nominations for the office of Chief and/or Councillors shall be made during the nomination meeting and all nominations submitted following the close of the nomination meeting shall be rejected by the Chief Electoral Officer;
- (f) every nominee shall attend at the nomination meeting, and at such meeting:
 - (i) shall acknowledge their acceptance of the nomination in writing in a form prescribed by the Chief Electoral Officer; and

- (ii) shall submit a nomination fee in accordance with section 7.6 herein.
- 7.6 Nominees must submit a nomination fee payable to the Nation as follows:
 - (a) for the office of Chief, five hundred (\$500) dollars per nominee; and
 - (b) for the office of a Councillor, two hundred and fifty (\$250) dollars per nominee.
- 7.7 The nomination fee referred to in section 7.6 is non-refundable and shall be allocated to Nation's general revenue account.
- 7.8 Upon the close of the nomination meeting, the Chief Electoral Officer shall promptly determine whether the nominees are eligible to be Candidates and whether they have met all of the requirements under this Act.
- 7.9 The Chief Electoral Officer shall not retain any Sensitive Personal Information used to determine the eligibility of nominees, nor permit any other person to retain such Sensitive Personal Information.
- 7.10 If the Chief Electoral Officer determines that a nominee is ineligible under this Act, or that a nominee has not satisfied a requirement under this Act, the nominee's nomination shall be rejected and the Chief Electoral Officer shall notify the nominee as soon as practicable.
- 7.11 Any Candidate may withdraw their name from candidacy by giving notice in writing, signed by such Candidate and witnessed by the Chief Electoral Officer no later than forty-eight (48) hours prior to the election day. In witnessing the withdrawal of a Candidate, the Chief Electoral Officer must verify the identity of the individual before them to confirm they are the withdrawing Candidate. For greater certainty, the Chief Electoral Officer may witness the withdrawal of a Candidate by electronic means, provided the Chief Electoral Officer is still able to verify the identity of the individual before them to confirm they are the withdrawing Candidate.
- 8. ELECTION BY ACCLAMATION**
- 8.1 When, at the close of the nomination meeting, the number of Candidates nominated for any office is the same as the number to be elected, the Chief Electoral Officer shall declare such Candidate as the Chief and/or Councillor, as applicable, by acclamation.
- 8.2 Candidates acclaimed under section 8.1 shall assume office on the day after the election or by - election, as applicable.
- 9. ELECTIONS**
- 9.1 Subject to section 20.1, every general election shall be held on the last Friday of March.
- 9.2 No less than fourteen (14) days prior to the scheduled date of the election day, the Chief Electoral Officer shall:
 - (a) post a notice of election in Public Places; and
 - (b) mail or email a notice of election to every Elector on the Membership List.

- 9.3 A notice of election referred to in section 9.2 shall set out the following information:
- (a) the date of the election day;
 - (b) the names of the Candidates and the offices for which the election is being held;
 - (c) the names of the Candidates that were acclaimed, if any;
 - (d) the location of each polling station and the hours during which each polling station will be open;
 - (e) if applicable, a statement concerning electronic balloting that:
 - (i) indicates each Elector may vote by means of electronic ballot;
 - (ii) provides instructions describing how an Elector may vote by means of electronic ballot, or provides instructions describing how such information may be obtained;
 - (iii) advises that, subject to section 9.25 of this Act, an Elector that votes by means of electronic ballot may choose to vote in person at a polling station on the election day;
 - (f) a statement indicating that a list containing only the given name and surname of each Elector and a copy of this Act can be obtained from the Chief Electoral Officer; and
 - (g) the contact information of the Chief Electoral Officer.
- 9.4 The notice of election posted in Public Places need not be in the same form as the notice of election mailed or emailed to Electors, but each notice of election, regardless of its form, shall provide a level of detail sufficient to permit Electors to effectively learn about and participate in the subject election.
- 9.5 The Chief Electoral Officer shall perform all functions necessary for conducting the election in accordance with this Act, and shall ensure that all necessary preparations are undertaken for the proper conduct of the election, including:
- (a) arranging for polling stations;
 - (b) construction of proper election facilities and voting compartments with sufficient security precautions to protect voter privacy;
 - (c) preparation of ballots and arranging for ballot boxes which are capable of being sealed;
 - (d) if applicable, coordinating with the provider electronic balloting service;
 - (e) preparing voting instructions in writing, including instructions to prepare to present Identification to the Chief Electoral Officer prior to casting a vote;
 - (f) coordinating with the Nation's membership clerk to ensure such clerk will be present at a polling station located on the Community Lands to assist the Chief Electoral Officer in evaluating Identification presented by Electors; and

- (g) appointing and ensuring that Deputy Electoral Officers and interpreters are available at the polling station.
- 9.6 The Chief Electoral Officer shall arrange for one polling station to be open from 9:00 am until 7:00 pm on the election day at each of the following locations:
 - (a) on the Community Lands referred to as One Arrow First Nation No. 95;
 - (b) in the City of Prince Albert;
 - (c) in the City of Saskatoon;
 - (d) in the City of Regina; and
 - (e) in the City of North Battleford.
- 9.7 The Chief Electoral Officer shall, immediately before the commencement of the poll, open the ballot box and permit the Candidates to witness that it is empty, and thereafter lock and seal the ballot box such that it may not be opened without breaking the seal.
- 9.8 Every Candidate may appoint one (1) scrutineer to attend at each polling station to scrutinize the voting procedure and counting of ballots cast at that polling station.
- 9.9 If a scrutineer is an employee or contractor for the Nation or a Nation Entity, they must take unpaid leave on the election day.
- 9.10 Subject to sections 9.12 and 9.13, voting in all elections will be by secret ballot.
- 9.11 No Elector shall be required to disclose whether they have voted or for whom they have voted.
- 9.12 The Chief Electoral Officer or a Deputy Electoral Officer, at the request of an Elector who is incapable of completing a ballot on their own, may mark the vote of that Elector on the Elector's ballot in the manner directed by that Elector, and shall immediately deposit the ballot in the ballot box.
- 9.13 If any Elector requires an interpreter, the Chief Electoral Officer may allow or appoint an interpreter to translate any statements, questions, or documents necessary to allow the Elector to vote provided that before acting as an interpreter, the interpreter shall make a declaration that any information obtained while they act as an interpreter shall not be disclosed.
- 9.14 At every general election, an Elector may vote for:
 - (a) one (1) Candidate for the office of Chief; and
 - (b) eight (8) Candidates for the offices of Councillor.
- 9.15 Upon entering the polling station, each Elector shall present Identification to the Chief Electoral Officer and, if the Chief Electoral Officer is satisfied the Elector before them is the subject of the Identification, the Elector will receive a ballot. An Elector who has received a

ballot from the Chief Electoral Officer or Deputy Electoral Officer may not take the ballot out of the polling station and anyone doing so forfeits their right to vote at that election.

- 9.16 Each ballot for the election of Chief shall list the Candidates for the office of Chief in alphabetical order, by last name, and contain the following instructions:

Each Elector shall vote for only one (1) Candidate for Chief.

Mark your ballot with an "X". DO NOT MAKE ANY OTHER MARKS ON THIS BALLOT. If you accidentally tear, damage or make other marks on this ballot please request a replacement from the Chief Electoral Officer or a Deputy Electoral Officer. TORN, DEFACED, DAMAGED OR IMPROPERLY MARKED BALLOTS WILL NOT BE COUNTED.

- 9.17 Each ballot for the election of Councillors shall list the Candidates for the offices of Councillor in alphabetical order, by last name, and contain the following instructions:

Each Elector shall vote for no more than eight (8) Candidates for the positions of Councillors.

Mark your ballot with an "X". DO NOT MAKE ANY OTHER MARKS ON THIS BALLOT. If you accidentally tear, damage or make other marks on this ballot please request a replacement from the Chief Electoral Officer or a Deputy Electoral Officer. TORN, DEFACED, DAMAGED OR IMPROPERLY MARKED BALLOTS WILL NOT BE COUNTED.

- 9.18 Each Elector receiving a ballot shall have an "X" placed beside their name on the Membership List by the Chief Electoral Officer or Deputy Electoral Officer, as applicable.
- 9.19 After marking the ballot in the voting compartment, the Elector shall immediately fold the ballot so as to conceal the names of the Candidates and the marks on the face of the ballot and shall return the ballot to the Chief Electoral Officer or the Deputy Electoral Officer who shall, without unfolding a ballot or in any way disclosing the marks made by the Elector on the ballot, deposit the ballot at once in the ballot box.
- 9.20 An Elector who inadvertently has spoiled his or her ballot may return the ballot to the Chief Electoral Officer or the Deputy Electoral Officer and receive another ballot and in such case, the Chief Electoral Officer or Deputy Electoral Officer shall write the word "spoiled" on the ballot, initial the ballot, and place the same into the ballot box.
- 9.21 After the Elector's ballot is deposited into the ballot box, the Elector shall forthwith leave the polling station.
- 9.22 The Chief Electoral Officer or the Deputy Electoral Officer shall record the total number of ballots distributed to Electors at each polling station, the number of Electors who voted, and the number of spoiled or unused ballots.

- 9.23 If a person's name is not in the Membership List as of the election day that person is not an eligible Elector.
- 9.24 The Chief Electoral Officer or Deputy Electoral Officer shall maintain order in the polling station and may cause to be removed from the polling station any person who attempts to influence Electors or in any way interferes with or disrupts the orderly conduct of the election.
- 9.25 An Elector that has voted by means of electronic ballot may obtain a physical ballot and vote at a polling station if:
- (a) the provider of electronic balloting services removes or cancels the electronic ballot cast by the Elector; and
 - (b) the Elector provides to the Chief Electoral Officer with a written declaration that it is the Elector's wish to vote at the polling station and not by electronic ballot, such declaration to be signed by the Elector in the presence of the Chief Electoral Officer.

10. ELECTRONIC BALLOTS

- 10.1 Council may direct the Chief Electoral Officer to include electronic balloting as a means of voting in an election in accordance with this section.
- 10.2 Council may, at the time of the Chief Electoral Officer's appointment, identify a provider of electronic balloting services to be used to facilitate Electors' voting in the election by means of computer or other electronic device over the internet.
- 10.3 The provider of electronic balloting services identified by Council must be:
- (a) reasonably:
 - (i) reliable;
 - (ii) secure; and
 - (iii) usable by Electors;
 - (b) capable of removing or cancelling an electronic ballot cast by an Elector as may be required for purposes of section 9.25;
 - (c) capable of identifying the Electors that vote by means of electronic ballot so that the Chief Electoral Officer or Deputy Electoral Officer may place an "X" beside the Elector's name on the Membership List in accordance with section 11.2(a), in advance of the counting of votes; and
 - (d) reasonably likely to maintain the integrity of the election.
- 10.4 If Council directs the Chief Electoral Officer to include electronic balloting as a means of voting in an election in accordance with this article 10, the Chief Electoral Officer shall ensure electronic balloting takes place on the same day as the election day.

- 10.5 Notwithstanding any other provision of this Act, the provisions of this Act concerning the conduct of electronic balloting shall be interpreted with due regard to the inevitability of changing technology and the variable practices of providers of electronic balloting services. For greater certainty, any irregularity relating to the procedure for the conduct of electronic balloting shall not be grounds for an appeal of an election unless the irregularity materially affected the conduct and outcome of the election.

11. COUNTING OF VOTES

- 11.1 If applicable, as soon as practicable after the close of the polling stations, the Chief Electoral Officer shall, in the presence of any Candidates or their scrutineers, audit the list of individuals that voted by means of electronic ballot against the Membership List, and reject:

- (a) all electronic ballots not cast by an Elector whose name is on the Membership List; and
- (b) all electronic ballots cast by an Elector that is recorded as having received a physical ballot in accordance with section 9.18; and

all electronic ballots not rejected in accordance with this section 11.1 are deemed validated for the purposes of this Act.

- 11.2 If applicable, the Chief Electoral Officer shall:

- (a) place an "X" on the Membership List opposite the name of the Electors whose electronic ballots are validated in accordance with section 11.1, such that it is apparent on the Membership List that those Electors voted by means of electronic ballot;
- (b) record the names of all individuals whose electronic ballots are rejected in accordance with section 11.1; and
- (c) take note of any objection made by any Candidate or their scrutineer to the rejection of any electronic ballot, number such objection and decide any question arising out of the objection.

- 11.3 Immediately after electronic ballots are validated in accordance with section 11.1 and such validation is recorded in accordance with section 11.2, or immediately after the closing of the polls, as applicable, the Chief Electoral Officer or Deputy Electoral Officer shall, in the presence of such of the Candidates or their scrutineers as may be present, open the ballot box(es) and:

- (a) subject to section 11.4, examine the ballots and reject any ballot:
 - (i) that has not been supplied by the Chief Electoral Officer;
 - (ii) subject to subsection 11.3(b), by which votes have been given for more Candidates than are to be elected;
 - (iii) upon which anything appears that identifies the Elector; or
 - (iv) is otherwise spoiled.

- (b) declare a ballot paper containing the names of Candidates, on which votes are given for more Candidates for any office than are to be elected, to be void as regards all the Candidates for such office; but such ballot paper shall be good with regard to the votes for any other office in respect of which the Elector has not voted for more Candidates than are to be elected;
 - (c) subject to review or recount on an election appeal, take note of any objection made by any Candidate or their scrutineer to any ballot paper found in the ballot box and decide any question arising out of the objection;
 - (d) number such objection and place a corresponding number on the back of the ballot paper with the word "ballot rejected" or "ballot not rejected" as the case may be, and initial the ballot paper;
 - (e) count the votes for each Candidate from the ballot papers not rejected and, if applicable, the validated electronic ballots; and
 - (f) prepare a written statement of the number of votes given to each Candidate and the number of ballot papers and electronic ballots rejected and not counted, and sign such statement.
- 11.4 If an Elector's mark on a ballot does not comply with the instructions set out in sections 9.16 or 9.17, as applicable, the Chief Electoral Officer may count the ballot if the Chief Electoral Officer is reasonably satisfied that the mark on the ballot demonstrates the Elector's intent to vote for a Candidate, notwithstanding such non-compliance.
- 11.5 The Chief Electoral Officer or Deputy Electoral Officer shall, within seventy-two (72) hours following the close of the final polling station, complete, sign and submit to the Director of Operations an official election record which shall contain the following information:
- (a) name of the polling stations;
 - (b) if applicable, name of the provider of electronic balloting services retained to provide electronic balloting services for the election;
 - (c) if applicable, detailed summary of the procedures used in the conduct of electronic balloting for the election;
 - (d) date of the election;
 - (e) number of ballots distributed to Electors;
 - (f) number of Electors who voted;
 - (g) number of ballots marked for each Candidate;
 - (h) number of rejected, spoiled, voided, and unused ballots; and
 - (i) number of ballots not accounted for.

- 11.6 Following the counting of the ballots by the Chief Electoral Officer or Deputy Electoral Officer, all paper ballots, a record describing the results of electronic balloting (if applicable), and the official election record shall be placed in a sealed ballot box.
- 11.7 The Chief Electoral Officer shall personally retain custody or arrange custody of the sealed ballot box for a period of sixty (60) days, whereupon they will be destroyed unless a notice of appeal has been delivered to the Chief Electoral Officer in accordance with this Act.

12. DECLARATION OF ELECTION RESULTS

- 12.1 As soon as practicable, and in any event no later than seventy-two (72) hours after the completion of the counting of ballots, the Chief Electoral Officer or Deputy Electoral Officer shall publicly declare by posting a notice in Public Places:

- (a) the Candidate for Chief who has received the greatest number of votes to be elected; and
- (b) the Candidates for Councillors who have received the greatest number of votes to be elected.

13. RUN-OFF ELECTION FOR TIE VOTES

- 13.1 Where the Chief Electoral Officer concludes that two (2) or more Candidates, one or more of whom would otherwise have been elected, have an equal number of votes, the Chief Electoral Officer shall set the date for, and hold, a run-off election not more than thirty (30) days after the expiry of the later of the appeal period and the decision of any Appeal Arbitrator which may change that result.
- 13.2 Not less than fourteen (14) days prior to the date of the run-off election, the Chief Electoral Officer shall post and mail a notice of run-off election in the same manner, form and places as the initial notice of election distributed in respect of the immediately preceding general election.
- 13.3 Subject to the following, the procedures for conducting the vote in a run-off election shall be the same as the procedures applied during the course of the election day for the immediately preceding general election or by-election:
- (a) the Membership List from the general election in which the tie occurred shall be used; and
 - (b) the Electors shall be asked to vote for one or more of the two or more Candidates who had an equal number of votes in the general election, as may be required to settle the election.
- 13.4 In the event of a tie vote in the run-off election, another run-off election shall be held in the manner set out in this article.
- 13.5 A run-off election may be postponed in accordance with section 20.1.

14. ELECTION APPEALS

- 14.1 An Elector who voted in the general election or by-election may appeal the results of an acclamation, a general election, by-election or run-off election by submitting an appeal to arbitration in accordance with this article.

- 14.2 An appeal must be based on one or more of the following grounds:
- (a) an error was made in the interpretation or application of this Act by the Chief Electoral Officer or Deputy Electoral Officer that materially affected the conduct and outcome of the election;
 - (b) a Candidate was ineligible for nomination and such ineligibility materially affected the outcome of the election; or
 - (c) an Elector or Candidate conducted, engaged in or contributed to, directly or indirectly, a Corrupt Election Practice that materially affected the outcome of the election.
- 14.3 Within fourteen (14) days after the election day, or the date on which a Candidate is acclaimed pursuant to article 8, the following items shall be submitted to the Chief Electoral Officer:
- (a) a notice of appeal in writing; and
 - (b) the Appeal Fee.
- For greater certainty, the Appeal Fee may be furnished by the appellant, or by a group of Members that support the appeal, provided the appellant shall remain responsible for submitting the Appeal Fee in accordance with this section 14.3.
- 14.4 The notice of appeal shall specify:
- (a) the name, address and telephone number of the appellant, and their address, email address or fax number to which any notice relating to the appeal may be delivered;
 - (b) the grounds upon which the appeal is being made including references to the relevant section(s) of this Act;
 - (c) the material facts upon which the appellant relies; and
 - (d) a description of the relief requested by the appellant.
- 14.5 The Chief Electoral Officer shall reject and return any notice of appeal that does not comply with any of sections 14.2, 14.3 or 14.4 and provide reasons for doing so.
- 14.6 A notice of appeal that is not rejected shall be forwarded by the Chief Electoral Officer to all Candidates and posted in Public Places.
- 14.7 A notice of appeal that is not rejected by the Chief Electoral Officer shall, within seven (7) days of receiving the notice of appeal, be referred to the Appeal Arbitrator.
- 14.8 Within seven (7) days following the referral of the notice of appeal to the Appeal Arbitrator, the Appeal Arbitrator shall review the notice of appeal and, on the basis that the facts alleged in the notice of appeal are true:
- (a) dismiss the notice of appeal if it is plain and obvious that the facts alleged do not support any of the grounds for appeal set forth in the notice of appeal; or

- (b) if the facts alleged in the notice of appeal support the grounds for appeal set forth in the notice of appeal, allow the appeal to proceed to a hearing.
- 14.9 If, pursuant to subsection 14.8(b), the Appeal Arbitrator decides that the appeal shall proceed to a hearing, the Appeal Arbitrator shall:
 - (a) immediately fix a time and place for the hearing of the appeal, which hearing shall commence within seven (7) days following the day on which the Appeal Arbitrator decided to allow the appeal to proceed to a hearing;
 - (b) post a notice of the time and place of the hearing in Public Places; and
 - (c) deliver a notice of the time and place of the hearing to the appellant, to all Candidates whose candidacy or election may be affected by the appeal, and to the remaining members of Council.
- 14.10 The Appeal Arbitrator shall treat the parties equally and fairly and each party shall be given an opportunity to present a case and respond to each other party's case. In doing so, the Appeal Arbitrator may accept an affidavit, sworn before a Notary Public or Commission of Oaths, from a Candidate who may be affected by the appeal.
- 14.11 Subject to the procedures expressly contemplated herein, the Appeal Arbitrator may establish any procedures to be followed in the arbitration, provided such procedures are not inconsistent or in conflict with this Act or any other law of the Nation.
- 14.12 The Appeal Arbitrator is not bound by the rules of evidence and has power to determine the admissibility, relevance and weight of evidence. The Appeal Arbitrator may also determine the manner in which evidence is to be admitted.
- 14.13 The Appeal Arbitrator has the sole authority to dispose of the appeal, and shall so dispose of it in reference to applicable law, rule, regulation, standard or policy and the evidence before them.
- 14.14 The decision of the Appeal Arbitrator shall be rendered in writing as promptly as possible and, if reasonably possible, within fourteen (14) days following the conclusion of the arbitration hearing. The decision of the Appeal Arbitrator shall be final and binding upon the parties to the arbitration.
- 14.15 Unless otherwise agreed by the parties to the arbitration, the Appeal Arbitrator may, at the request of a party, grant any remedy and make any order which they deem appropriate in the circumstances, including, without limitation:
 - (a) ordering a new election in respect of any position affected by the election appeal; or
 - (b) dismissing the appeal.
- 14.16 In the event that the Appeal Arbitrator decides in favour of the appellant, the Appeal Fee shall be returned to the appellant and the Appeal Costs shall be borne by the Nation.
- 14.17 In the event that the Appeal Arbitrator decides in favour of the respondent, or if the Appeal Arbitrator dismisses the notice of appeal under subsection 14.8(a), the Appeal Costs shall be

paid using the Appeal Fee and the balance of the Appeal Costs owing shall be borne by the Nation.

15. RESIGNATION OF A CHIEF OR COUNCILLOR

- 15.1 A Chief or Councillor may resign from office by submitting a written notice of resignation at a duly convened meeting of Council, provided that Council accepts the notice of resignation by way of Resolution.
- 15.2 The notice of resignation shall state the effective date of the resignation, but in any event, the effective date of resignation shall be no more than thirty (30) days from the date on which the notice of resignation is accepted by Council in accordance with section 15.1.

16. REMOVAL FROM OFFICE

- 16.1 An Elector may submit a complaint against the Chief or Councillor in accordance with this article 16.
- 16.2 A complaint against the Chief or a Councillor must be based on one or more of the following grounds that they have:
- (a) engaged in disorderly or irresponsible conduct that is alcohol or drug related at Council meetings, community meetings, or in other public forums or functions which interferes with the conduct of business or governance or which brings the reputation of the Nation or the Council into disrepute;
 - (b) been convicted of a Prescribed Offence;
 - (c) conducted, engaged in or contributed to, directly or indirectly, a Corrupt Election Practice that materially affected outcome of an election, the evidence of which was discovered after the appeal period;
 - (d) been absent from office for longer than ninety (90) days without approval from the remaining Council members;
 - (e) violated or failed to comply with any applicable law, rule, regulation, standard or policy governing the conduct of Council members contrary to section 4.6;
 - (f) missed three (3) consecutive duly convened Council meetings without Council approval or without providing a valid reason for such absence.
- 16.3 A complaint against the Chief or a Councillor may be submitted by:
- (a) a Quorum of Council, by delivering to the Director of Operations:
 - (i) a notice of complaint in writing; and
 - (ii) a valid band council resolution signed by a Quorum of Council that:

- (A) clearly indicates the Quorum of Council intends to refer the complaint to a Discipline Arbitrator; and
 - (B) designates a representative from among the Quorum of Council to serve as the representative complainant for purposes of this article 16; or
- (b) an Elector, by delivering to the Director of Operations:
 - (i) a notice of complaint in writing;
 - (ii) a petition signed by thirty-five (35) individuals whose names are entered on the Nation's Membership List and are the full age of eighteen (18) years old on or before the date of the petition; and
 - (iii) the Discipline Administration Fee;

provided, for greater certainty, that the Discipline Administration Fee may be furnished by the complainant, or by a group of Members that support the complaint, and provided the complainant shall remain responsible for submitting the Discipline Administration Fee in accordance with section 16.3(b).

16.4 The notice of complaint shall specify:

- (a) the name, address and telephone number of the complainant, and their address, email address or fax number to which any notice relating to the complaint may be delivered;
- (b) the grounds upon which the complaint is being made including references to the relevant section of this Act;
- (c) the material facts upon which the complainant relies; and
- (d) a description of the relief requested by the complainant.

16.5 The Director of Operations shall reject and return any notice of complaint received pursuant to section 16.3(b) that does not comply with any of sections 16.2, 16.3 or 16.4 and provide reasons for doing so. For greater certainty, the Director of Operations may not reject a notice of complaint received from a Quorum of Council in accordance with section 16.3(a).

16.6 A notice of complaint that is not rejected pursuant to section 16.5 shall be forwarded by the Director of Operations to all respondents and posted in Public Places.

16.7 Upon receipt of a notice of complaint referred to in section 16.3 that is not rejected pursuant to section 16.5, the Director of Operations shall, within thirty (30) days of receiving the notice of complaint, appoint a Discipline Arbitrator. If the Nation has not established the Nation Adjudicator, the Discipline Arbitrator shall have the following qualifications and characteristics:

- (a) they shall be:

- (i) neutral and not have any current or past substantial business or financial relationship with the Nation or any party to the complaint, as applicable; and
 - (ii) a person who is licensed to practice law in the Province of Saskatchewan; and
 - (b) they shall not be:
 - (i) a Member;
 - (ii) an Immediate Relative of a Member; or
 - (iii) a full-time employee or contractor of the Nation or Nation Entity (except in their capacity as Discipline Arbitrator), or otherwise engage in a work-for-pay arrangement with the Nation or a Nation Entity.
- 16.8 Subject to section 17.1(a), the Chief or Councillor noted in the complaint shall continue to serve in their office until the Discipline Arbitrator renders a decision under section 16.14.
- 16.9 The Discipline Arbitrator shall:
- (a) immediately fix a time and place for the hearing of the complaint, which hearing shall commence within fourteen (14) days following the appointment of the Discipline Arbitrator;
 - (b) post a notice of the time and place of the hearing in Public Places; and
 - (c) deliver a notice of the time and place of the hearing to the complainant, to all members of Council who may be affected by the complaint, and to the remaining members of Council.
- 16.10 The Discipline Arbitrator shall treat the parties equally and fairly and each party shall be given an opportunity to present a case and respond to each other party's case.
- 16.11 Subject to the procedures expressly contemplated herein, the Discipline Arbitrator may establish any procedures to be followed in the arbitration, provided such procedures are not inconsistent or in conflict with this Act or any other law of the Nation.
- 16.12 The Discipline Arbitrator is not bound by the rules of evidence and has power to determine the admissibility, relevance and weight of evidence. The Discipline Arbitrator may also determine the manner in which evidence is to be admitted.
- 16.13 The Discipline Arbitrator has the sole authority to dispose of the complaint, and shall so dispose of it in reference to applicable law, rule, regulation, standard or policy and the evidence before them.
- 16.14 The decision of the Discipline Arbitrator shall be rendered in writing as promptly as possible and, if reasonably possible, within fourteen (14) days following the conclusion of the arbitration hearing. The decision of the Discipline Arbitrator shall be final and binding upon the parties to the arbitration.

16.15 Unless otherwise agreed by the parties to the arbitration, the Discipline Arbitrator may, at the request of a party, grant any remedy, impose any disciplinary measures and make any order which they deem appropriate in the circumstances, including, without limitation:

- (a) dismissing a Chief and/or Councillor from their office;
- (b) allowing a Chief and/or Councillor to continue in office with or without conditions attached to that decision; or
- (c) dismissing the complaint;

provided that, in the case of discipline proceedings commenced by a Quorum of Council pursuant to section 16.3(a), the Discipline Arbitrator may not impose disciplinary measures in excess of what the representative complainant of such Quorum of Council may request in the course of the discipline proceedings.

17. SUSPENSION OF CHIEFS AND COUNCILLORS AND LEAVES OF ABSENCE

17.1 A Quorum of Council may suspend a member of Council, with or without pay and for any reasonable period of time, if such member of Council:

- (a) in the reasonable opinion of a Quorum of Council, has engaged or is engaging in conduct that would be grounds for a complaint pursuant to section 16.2; or
- (b) is charged with committing a Prescribed Offence, provided that the suspension shall cease to be effective if the investigation or related legal proceedings connected to the charge are discontinued, or if the member of Council is acquitted or similarly found not responsible for the Prescribed Offence.

For greater certainty, Quorum of Council need not submit a complaint pursuant to section 16.3(a) in connection with a suspension of a member of Council pursuant to section 17.1(a).

17.2 A member of Council may take an unpaid leave of absence for a period not exceeding three (3) months if the member decides to run for political office other than the office of Chief or the office of Councillor.

18. DISCONTINUATION OF AUTHORITY

18.1 Effective as of the date of the nomination meeting, each member of Council shall relinquish their signing authority and decision making authority, and the Chief Financial Officer and Director of Operations shall assume basic administrative responsibilities of Council until the term of the newly elected Council commences. For greater certainty, the Chief Financial Officer and Director of Operations are not permitted to pass Resolutions or make any other decisions that would otherwise be made by Council.

18.2 Notwithstanding section 18.1, each member of Council shall receive their usual remuneration until the term of the newly elected Council commences.

18.3 No member of Council may use, employ or appropriate, or purport to use, employ or appropriate, any financial resources, personnel, property or services of the Nation or Affiliated

Entities for the benefit of any Candidate's campaign, including photocopying and employee resources of the Nation or Affiliated Entities. Notwithstanding the foregoing, Council may by resolution permit Council members to use cellular phones and similar devices of the Nation or Affiliated Entities provided Council members commit to reimburse the Nation or Affiliated Entity for the use of such devices during the campaign period. Nothing in this section 18.3 is intended to restrict Nation employees or Affiliated Entity employees from volunteering in connection with any Candidate's campaign.

- 18.4 A Candidate shall not campaign in a manner that interferes in any way with the ordinary course of business of the Nation or Affiliated Entities including, without limitation, campaigning in Public Places during business hours without the approval of the Director of Operations.

19. BY-ELECTIONS

- 19.1 Subject to section 19.3, in the event that a member of Council dies, resigns from office pursuant to article 15, or is removed from office pursuant to article 16 herein, the vacancy created by the death, resignation or removal may be filled
- (a) at the next general election; or
 - (b) if there is more than one (1) year remaining in the term of the vacated office, by holding a by-election.

- 19.2 In the event that the Chief dies, resigns from office pursuant to article 15 or is removed from office pursuant to article 16, the remaining members of Council shall, by way of Resolution, appoint one individual from among their number to serve as the Chief for the balance of the term.

- 19.3 In the event that five or more members of Council die, resign from office pursuant to article 15, or are removed from office pursuant to article 16 herein, the Council shall, within ten (10) days of the death of the fifth Council member, or within ten (10) days of the effective date of the resignation or removal of the fifth Council member, as applicable, set the date for the by-election to fill the vacant offices.

- 19.4 The procedures for conducting the vote in a by-election shall be the same as the procedures for a general election set out herein.

- 19.5 A by-election may be postponed in accordance with section 20.1.

20. ELECTION POSTPONEMENT AND EXTENSION OF TENURE IN OFFICE

- 20.1 The Elders' Group or a bereaved Elector may submit in good faith a request to the Director of Operations asking that an election be postponed for purposes of accommodating a funeral or similar ceremony following the death of a Member. In such case the Director of Operations shall furnish the Chief Electoral Officer with such request, and the Chief Electoral Officer shall postpone the election for a period of time not exceeding seven (7) days and forthwith cause notice of such postponement and the reasons therefore to be displayed at Public Places. The Chief Electoral Officer may decline a request received in connection with this section 20.1 if the Chief Electoral Officer has reason to believe such request was not made in good faith.

- 20.2 Subject to section 20.3, Council may by Resolution, within ninety (90) days prior to a scheduled election, extend their tenure in office if such extension is necessary to prevent, mitigate or control the spread of disease on the Community Lands known as One Arrow First Nation No. 95.
- 20.3 If Council extends its tenure in office pursuant to section 20.2:
- (a) Council's tenure may not be extended by more than ninety (90) days at one time, and each such extension must be supported by a Resolution;
 - (b) the forthcoming election is postponed, and Council shall cause notice of such postponement and the reasons therefore to be displayed at Public Places;
 - (c) all actions taken pursuant to this Act in connection with the conduct of the postponed election up to the date of postponement are void;
 - (d) all materials in the possession of the Chief Electoral Officer containing personal information of Electors other than the Membership List shall be promptly and securely destroyed;
 - (e) when postponement of the election is no longer necessary within the meaning of section 20.2, Council shall promptly designate as the date for the conduct of the postponed election, the earliest date that will permit the conduct of the election in accordance with the timelines prescribed in Schedule D (Election Timelines Summary), other than the date prescribed by Section 9.1 of this Act;
 - (f) when the date for the conduct of the postponed election is ascertained, the procedures for the conduct of such election set out in this Act shall be followed, with necessary modification, and as if no actions had yet been taken in respect of such election; and
 - (g) the term of office for the Chief and Councillors elected in the postponed election shall be shortened by a period of time equal to the time the preceding Chief's and Councillors' tenure was extended and, for greater certainty, following the conduct of a postponed election, that postponement will cause no further deviations from the schedule for elections prescribed by sections 4.2 and 9.1 of this Act.

21. OFFENCE AND ADMINISTRATIVE PENALTY

- 21.1 It is an offence to conduct, engage in or contribute to, directly or indirectly, a Corrupt Election Practice, whether or not such Corrupt Election Practice materially affected the outcome of an election, and an individual found by a Nation Adjudicator, Appeal Arbitrator or Discipline Arbitrator to have conducted, engaged in or contributed to such Corrupt Election Practice is liable to pay an administrative penalty in the amount of \$5,000.00 to the Nation.

22. AMENDMENTS

- 22.1 This Act may only be amended in accordance with this article.
- 22.2 Amendments to this Act may only be made at a duly convened assembly of voters.
- 22.3 The process for amendment shall involve the following stages:

- (a) Chief and Council shall prepare the proposed amendments and place the same before Members at a duly convened assembly of voters;
- (b) a quorum at an assembly of voters shall consist of at least twenty percent (20%) of the Members who are Electors on the date of the assembly;
- (c) the proposed amendments will not be effective unless Chief and Council adopts the amendments by way of Resolution; and
- (d) Chief and Council may only adopt the amendments pursuant to subsection 22.3(c) above if a majority of Electors that are present at the assembly of voters vote in favour of ratifying the amendments.

22.4 For the purposes of section 22.3, Chief and Council:


- (a) shall provide, at a minimum, fourteen (14) days' notice of an assembly of voters to the Electors by posting a notice of assembly of voters in Public Places;
- (b) may conduct an assembly of voters in different locations and on different dates, provided that a Nation member may vote only once on the proposed amendment; and
- (c) may adopt rules and procedures for conducting the assembly of voters that it deems appropriate, in its own discretion.

23. EFFECTIVE DATE

23.1 The *One Arrow Band Custom Election Regulations* and all amendments thereto are repealed as of the effective date hereof.

23.2 The effective date of this Act shall be the 9 day of January, 2025.


Chief


Councillor


Councillor


Councillor


Councillor

Councillor

Councillor

Councillor

Councillor

SCHEDULE "A"
OATH OF OFFICE

I, [name of Chief or Councillor], do solemnly swear and affirm that I will support and defend the laws, values and policies of the One Arrow First Nation, that I will bear true faith and allegiance to same, and that:

1. I will faithfully, honestly and consistently perform the duties of my office to the best of my judgment and ability;
2. I will promote and uphold the integrity and dignity of the One Arrow First Nation and its policies, structures, institutions and programs;
3. I will promptly disclose any "conflict of interest" I have in a matter, and I will exclude myself from all discussions and decision-making processes in relation to such matter;
4. I will honor, respect, and support other members of Council, as well as every member, employee, officer and contractor of the One Arrow First Nation;
5. In discharging my duties as a [Chief or Councillor], I am accountable at all times to the Creator and the members of the One Arrow First Nation;
6. I will demonstrate and practice honesty, fairness, respect, justice, and objectivity in my involvement in the governance affairs of the One Arrow First Nation;
7. I am qualified to hold the position of [Chief or Councillor] in accordance with the provisions for candidate eligibility under the *One Arrow First Nation Customary Election Act*.
8. I will keep confidential all information of the One Arrow First Nation and will use information obtained during the course of the execution of my duties for the intended purpose only;
9. I will refrain from pursuing any conduct or course of action which may bring discredit or dishonor to my position or to the One Arrow First Nation, including, but not limited to, alcohol abuse, substance abuse, sexual misconduct or committing a Prescribed Offence; and
10. I understand that by virtue of holding the office of [Chief or Councillor] that I am expected to serve as a role model by performing at a higher standard in my work, family and social life.

I do further affirm that I take this Oath of Office freely, without any mental reservation or purpose of evasion. By the Grace of our Creator I do swear.

SCHEDULE "B"
PRESCRIBED OFFENCES

For purposes of the *One Arrow First Nation Customary Election Act*, a Prescribed Offence is an offence that is an indictable offence under the:

- (a) *Criminal Code*, RSC 1985, C-46, as amended or replaced from time to time;
- (b) *Controlled Drugs and Substances Act*, SC 1996, c 19, as amended or replaced from time to time;
- (c) *Cannabis Act*, SC 2018, C-16, as amended or replaced from time to time;

but in no case includes any offence that relates to the exercise of an Aboriginal or Treaty right which is or becomes a matter of *bona fide* legal dispute.

SCHEDULE "C"
FORM OF MEMBERSHIP LIST

Last Name	First Name	"Other Name"	Treaty or Status Indian Number	DOB	Address	Email Address	Rec'd Ballot	Comments

SCHEDULE "D"
ELECTION TIMELINES SUMMARY

Responsible Party	Action	Date for Taking Action	Section Reference
Council	Begins process for selecting Chief Electoral Officer	At least 100 days prior to the date of the election day	6.1(a)
Director of Operations	Begins process for selecting Appeal Arbitrator (if needed)	At least 100 days prior to the date of the election day	6.1(b)
Council	Appoints Chief Electoral Officer	At least 75 days prior to the date of the election day	6.2(a)
Director of Operations	Appoints Appeal Arbitrator (if needed)	At least 75 days prior to the date of the election day	6.2(b)
Chief Electoral Officer	Posts notice of nomination in Public Places	30 days prior to the date of the election day	7.1
Chief Electoral Officer	Holds nomination meeting	At least 15 days prior to the date of election day	7.5(a)
Candidate	Withdraws name from nomination (if desired)	At least 48 hours prior to opening of polls	7.11
Chief Electoral Officer	Posts and mails notice of election	At least 14 days prior to the date of election day	9.2
Chief Electoral Officer	Ensures electronic balloting occurs (if applicable)	On the election day	10.3(b)
Elders Group/Family member of deceased	May request to postpone election for purposes related to death of a Member	Prior to the election date	20.1
Chief Electoral Officer	Election	Last Friday in March	9.1
Chief Electoral Officer	Declare result of election	As soon as possible, but within 72 hours after the completion of the counting of ballots	12.1
Chief Electoral Officer or Deputy Electoral Officer	Submit report on election to Director of Operations	Within 72 hours following the close of the final polling station	11.5
Chief Electoral Officer	Hold run-off election (if needed)	No more than 30 days after the expiry of the appeal period or an appeal decision, whichever is later	13.1

Chief Electoral Officer	Post notice of the run-off election (if needed)	At least 14 days prior to the date of the run-off election day	13.2
Chief Electoral Officer	Destroys sealed ballot box, provided no notice of appeal has been given	60 days after the date of the election day	11.7

SCHEDULE "E"
APPEAL TIMELINES SUMMARY

Responsible Party	Action	Date for Taking Action	Section Reference
Elector	Gives notice of appeal to Chief Electoral Officer (if any)	Within 14 days after the date of the election day or acclamation	14.3(a)
Elector	Provides Chief Electoral Officer with Appeal Fee	Within 14 days after the date of the election day or acclamation	14.3(b)
Director of Operations	Refers notice of appeal to Appeal Arbitrator (if any)	Within 7 days after receiving notice of appeal	14.7
Appeal Arbitrator	Decides to dismiss notice of appeal or to proceed with hearing the appeal (if required)	Within 7 days after receiving notice of appeal	14.8
Appeal Arbitrator	Fixes date for appeal hearing (if any), which date must be within 7 days	Immediately on deciding to proceed with hearing the appeal	14.9(a)
Appeal Arbitrator	Resolves the appeal (if any)	As soon as possible, and within 14 days following the hearing of the appeal if reasonable	14.14

