
MÉTIS VOICES. MÉTIS CONSTITUTION.



MÉTIS NATION OF ALBERTA (MNA):

**OTIPEMISIWAK MÉTIS
GOVERNMENT CONSTITUTION
PROVINCE-WIDE RATIFICATION
VOTE GUIDELINES**

SEPTEMBER 13, 2022

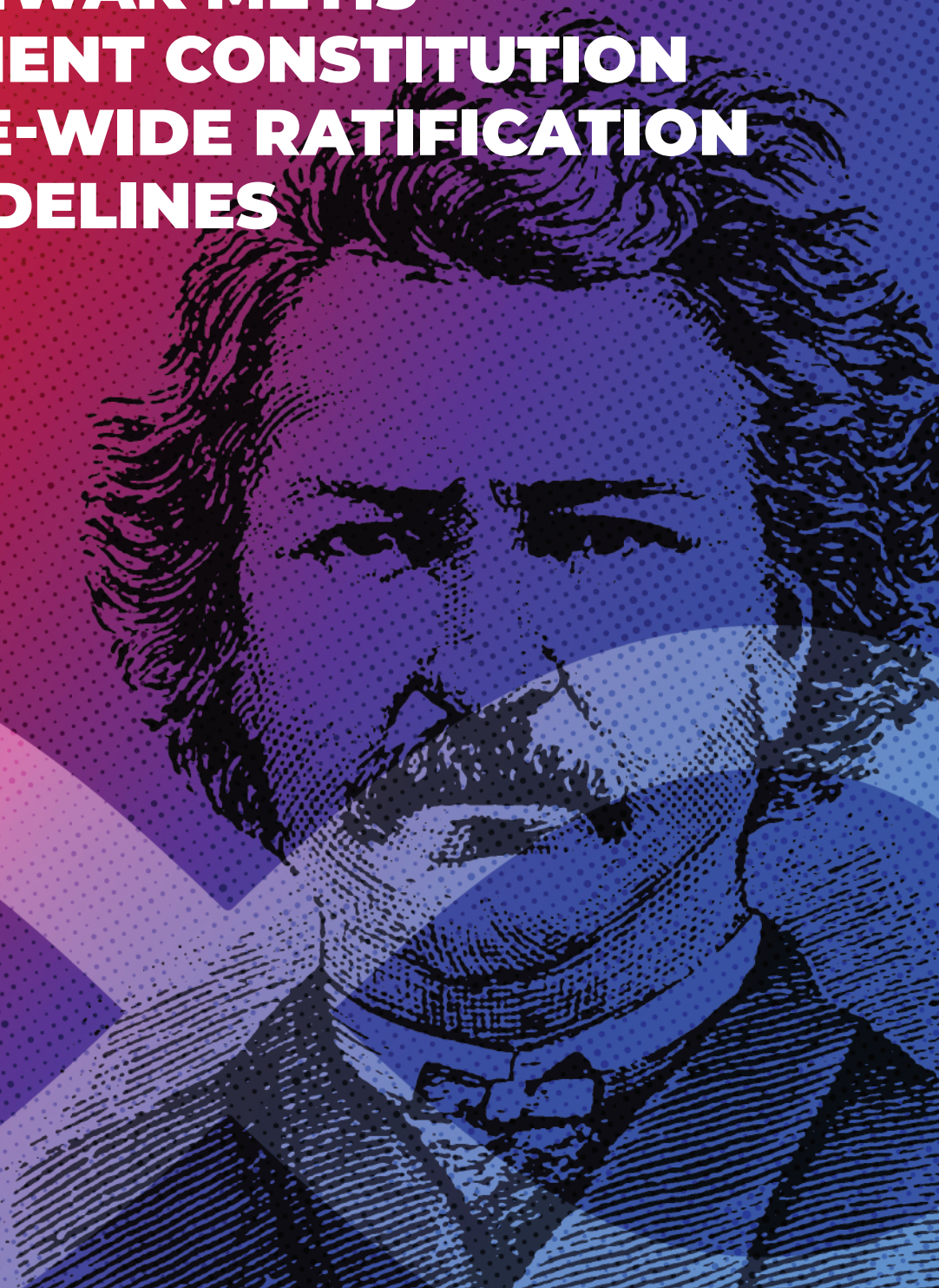


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Title and Purpose

1. Title and Purpose

- 1.1. The title of this document is the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote Guidelines.
- 1.2. The purpose of this document is to set out the procedure by which MNA will decide whether to ratify a Constitution.

Definitions

2. Definitions

“Ballot Question” means the question set out in Form 1, which is included as a schedule to these Guidelines;

“Compliance Team” means the team appointed by the Métis Nation of Alberta’s Provincial Council as set out in Form 2, which is included as a schedule to these Guidelines. The Compliance Team will sign the oath found in Form 4;

“Constitution” means the Otipemisiwak Métis Government Constitution as approved for ratification by the Métis Nation of Alberta’s 94th Annual General Assembly;

“Chief Electoral Officer” means the individual appointed by the Métis Nation of Alberta’s Provincial Council as set out in Form 12, which is included as a schedule to these Guidelines;

“Electoral Officer” means the Chief Electoral Officer or a Deputy Electoral Officer, as the case may be;

“Notice of Vote” means the notice of the Ratification Vote described in Section 7 of these Guidelines;

“Métis Nation of Alberta” or **“MNA”** means the democratic representative body of the Métis Nation within Alberta having the responsibility for providing responsible and accountable self-government through its Provincial Council, Regional Councils, and Local Councils as set out in its bylaws and which has incorporated the Métis Nation of Alberta Association under the *Societies Act*, RSA 2000, c S-14 to act as its legal and administrative arm;

“Provincial Council” means the Provincial Council of the Métis Nation of Alberta as defined its bylaws;

“Ratification Vote” means the province-wide vote on whether to ratify the Otipemisiwak Métis Government Constitution as called for by resolution of the 94th Métis Nation of Alberta Annual Assembly;

“Self-Government Agreement” means the *Métis Government Recognition and Self-Government Agreement between Métis Nation of Alberta and Canada* signed on June 27, 2019, or any supplementary or successor agreement thereto, as the case may be;

“Voter” means an individual who is a registered citizen of the Métis Nation of Alberta who is sixteen (16) years of age or older;

“Voter List” means the list of voters described in Section 3 of these Guidelines;

“Voting Day” means the day designated as the final day of the voting process by Provincial Council resolution or as amended in keeping with these Guidelines.

- 2.1. When calculating time, where anything is to be done within a time after, from, of or before a specified day, or where a time is expressed to begin after or to be from a specified day, the time does not include that day.
- 2.2. Words in the singular include the plural, words in the plural include the singular, words in the masculine include the feminine and words in the feminine include the masculine, as the context may require.

Creation of Voter List

3. The Voter List

- 3.1. Any Citizen of the MNA who is a minimum of sixteen (16) years old on the Voting Day is eligible to be a Voter.
- 3.2. The MNA, in consultation with the Compliance Team, will ensure that a Voter List is prepared containing the full names, Métis ID number, birth date and residential mailing addresses of the Voters is provided to the Chief Electoral Officer. The preliminary Voter List will be provided to the Chief Electoral Officer within 10 days of their appointment or no later than 60 days prior to the Voting Day.
- 3.3. Upon receipt of the Voter List the Chief Electoral Officer will review the Voter List and satisfy themselves as to the accuracy of the Voter List. A Voter who wishes to vote must verify their identity with the Chief Electoral Officer by:
 - 3.3.1. Providing a valid MNA card or piece of provincial picture identification at a polling location; or
 - 3.3.2. When voting by mail, completing a voter declaration and having it witnessed; or
 - 3.3.3. Completing a voter identity authentication and verification process when voting electronically.
- 3.4. Unless otherwise authorized according to these Guidelines, no eligible voter will be permitted to have the Voter List in any form. However, an eligible voter may have access to the Voter List in accordance with any

duties or responsibilities assigned to, or by, the Chief Electoral Officer. The Chief Electoral Officer may also verify upon request an eligible voters' presence on the Voter List.

- 3.5. The Chief Electoral Officer will certify a final Voter List 10 days before close of the vote. In alignment with the overarching principle of empowering voter participation by MNA citizens in good standing and entitled to participate in the voting process, the Chief Electoral Officer may make any necessary adjustments to the Voter List after this time, at their discretion.
- 3.6. The Chief Electoral Officer will retain the final authority on determining eligibility for any person to be included on the Voter List.

Resolution

4. Resolution

- 4.1. The Provincial Council will appoint the Chief Electoral Officer by resolution at least 60 days prior to the Voting Day.
- 4.2. The President of the MNA will share with the Chief Electoral Officer information setting out the following matters to give full force and effect to the resolution passed at the MNA's Annual General Assembly:
 - 4.2.1. The date of commencement of voting;
 - 4.2.2. Date/s and location/s for in-person voting; and
 - 4.2.3. The Voting Day.

Duties of Chief Electoral Officer

5. Duty of the Chief Electoral Officer

- 5.1. The Chief Electoral Officer is responsible for overseeing the conduct of the Ratification Vote and has all the powers necessary to carry out that responsibility.
- 5.2. The Chief Electoral Officer may appoint one or more Deputy Electoral Officers and may delegate any of the duties set out herein to ensure compliance and ensure the successful conclusion of the Ratification Vote.
- 5.3. The Chief Electoral Officer will execute an Oath of Officer as set out in Form 10.
- 5.4. Upon the appointment of a Deputy Electoral Officer, the Deputy Electoral Officer will cause to have executed by each appointment a Deputy Electoral Officer - Oath of Officer as set out in Form 11.
- 5.5. The MNA will provide the Chief Electoral Officer with independent legal counsel to assist them in the performance of their duties.
- 5.6. If the Chief Electoral Officer is unable or fails to perform their duties, the Provincial Council may, when determined in concurrence with the Compliance Team, appoint a new Chief Electoral Officer.

Notice of Vote

6. Notice of Vote

- 6.1. The Chief Electoral Officer will post the Notice of Vote at least 30 days prior to the beginning of the Ratification Vote in the following manner:

- 6.1.1. On the MNA website; and
 - 6.1.2. In at least one local newspaper or other media outlet within each MNA Region (as defined by the MNA's Bylaws).
- 6.2. The Notice of Vote will contain the following information:
 - 6.2.1. the date of the Ratification Vote;
 - 6.2.2. the place and times for all polling locations;
 - 6.2.3. how to request a mail-in ballot voting package;
 - 6.2.4. where to vote electronically;
 - 6.2.5. the ballot question;
 - 6.2.6. instructions on how to obtain more information;
 - 6.2.7. the name of the Chief Electoral Officer; and
 - 6.2.8. how to obtain Voter support and assistance.
- 6.3. Forthwith after posting the Notice of Vote pursuant to this Section, the Chief Electoral Officer will provide a true copy of the Notice of Vote to the Compliance Team.

Community Information

7. Community Information

- 7.1. The Chief Electoral Officer will ensure the MNA sends or causes to be sent the following information to each Voter on the Voters List where sufficient contact information is available:
 - 7.1.1. a voter information card;

- 7.1.2. a copy of the Notice of Vote;
- 7.1.3. a mail-in ballot package;
- 7.1.4. any other information as directed by the MNA;
- 7.1.5. the website link and instructions on how to access these documents:
 - 7.1.5.1. a summary of the Constitution;
 - 7.1.5.2. current Ratification Vote information and updates; and
 - 7.1.5.3. any relevant messaging from the MNA.
- 7.2. In addition to the information provided under this Section, the MNA may conduct or cause to be conducted:
 - 7.2.1. visits at the homes of Voters;
 - 7.2.2. telephone contact with Voters;
 - 7.2.3. SMS/Text messaging contact with Voters;
 - 7.2.4. email contact with Voters;
 - 7.2.5. information meetings or virtual gatherings; and
 - 7.2.6. such other information activities as may be deemed appropriate.
- 7.3. Activities conducted in accordance with subsection 7.2 may be conducted at any time prior to one (1) clear day before Voting Day.
- 7.4. All scheduled activities, documentation, notices or prepared information to be shared with Voters conducted in accordance with subsection 7.2 must also be filed with the Chief Electoral Officer.

- 7.5. Nothing in this Section precludes any form of contact with any Voter during the voting period for purposes of assisting such Voters to vote.
- 7.6. Notwithstanding anything in this Section, any Voter may, on request, obtain a copy of any and all documentation available to Voters referred to in this Section at no cost.

Preliminary Procedures

8. Preliminary Procedures

- 8.1. The MNA will provide any logistical support necessary to secure polling locations, including but not limited to booking/contracting facilities and providing a damage deposit/payment or any other contract requirements.
- 8.2. The Chief Electoral Officer will:
 - 8.2.1. in consultation with the MNA, designate all polling locations;
 - 8.2.2. prepare sufficient ballots;
 - 8.2.3. obtain sufficient ballot boxes;
 - 8.2.4. prepare sufficient utensils, signage and all other necessary documents and materials necessary for management and execution of the Ratification Vote at each polling location.
- 8.3. Sufficient Deputy Electoral Officers and polling location support will be recruited for each polling location by the Chief Electoral Officer, and at a minimum each polling location will have in attendance:
 - 8.3.1. a Deputy Electoral Officer; and

8.3.2. a Polling Clerk.

Voting Options

9. Voting Options

9.1. Any Voter may vote only once, either in person, electronically or by mail.

In-Person Polling Procedures

10. In-Person Polling Procedures

10.1. Polling locations will be open from 8:00 a.m. until 8:00 p.m.

10.2. All voting at the polling locations will be by secret ballot.

10.3. The Chief Electoral Officer or Deputy Electoral Officer is responsible for verifying whether a person is a Voter.

10.4. At each polling location, the Chief Electoral Officer or Deputy Electoral Officer will:

10.4.1. before the first vote is cast, open the ballot box and request a Voter to witness that the ballot box is empty;

10.4.2. thereupon seal the ballot box, place their signature on the seal in front of the witness and ask the witness to place their signature on the seal;

10.4.3. keep the ballot box in view for reception of ballots;

- 10.4.4. execute declarations by Chief Electoral Officer or Deputy Electoral Officer in Form 5, which is included as a schedule to these Guidelines; and
- 10.4.5. ensure that each witness executes a polling day station witness declaration in Form 7, which is included as a schedule to these Guidelines.
- 10.4.6. When a person at a polling location requests to vote, the Chief Electoral Officer or Deputy Electoral Officer will:
 - 10.4.7. ensure that the person is a Voter;
 - 10.4.8. check the Voter List to ensure that the person has not already voted; and
 - 10.4.9. provide the Voter with a ballot, on the back of which are affixed the Chief Electoral Officer or Deputy Electoral Officer's initials so that the initials can be seen when the Ballot is folded.
- 10.5. The Chief Electoral Officer or Deputy Electoral Officer will place, on the Voter List, a line through the name of every Voter receiving a ballot at a polling location and mark off the Voter on the electronic version of the Voting List.
- 10.6. Upon request, the Chief Electoral Officer or Deputy Electoral Officer will explain the method of voting.
- 10.7. If the Chief Electoral Officer or Deputy Electoral Officer determines that the name of a Voter has been omitted, incorrectly set out or

incorrectly included on the Voter List, they will, in their sole discretion, make the necessary revision and such revision will be final.

- 10.8. A Voter may request special assistance from the Chief Electoral Officer or Deputy Electoral Officer at a polling location.
- 10.9. The Chief Electoral Officer or Deputy Electoral Officer will, on request and in the presence of a witness acceptable to the Voter and the Electoral Officer or Deputy Electoral Officer, provide special assistance to a Voter at a polling location by marking a ballot in secret as directed by the Voter and immediately folding and depositing the ballot into the ballot box.
- 10.10. The Chief Electoral Officer or Deputy Electoral Officer, after providing special assistance to a Voter, will make an entry on the Voter List opposite the name of the Voter indicating that assistance was provided.
- 10.11. Except for a Voter requiring special assistance, every Voter receiving a ballot at a polling location will:
 - 10.11.1. proceed immediately to a designated voting area;
 - 10.11.2. mark the ballot by placing their mark in the box marked "YES" or in the box marked "NO";
 - 10.11.3. fold the ballot so as to conceal the mark and expose the initials of the Chief Electoral Officer or Deputy Electoral Officer; and
 - 10.11.4. immediately give the folded ballot to the Chief Electoral Officer or Deputy Electoral Officer.

10.12. Upon receiving a marked ballot, the Chief Electoral Officer or Deputy Electoral Officer, without unfolding it, will:

10.12.1. verify their initials; and

10.12.2. deposit the ballot into the ballot box.

10.13. A Voter at a polling location who receives a spoiled or improperly printed ballot, or who accidentally spoils a ballot when marking it, is entitled to receive another ballot from the Chief Electoral Officer or Deputy Electoral Officer after returning the original ballot.

10.13.1. Upon receipt of a returned spoiled ballot under this Section, the Chief Electoral Officer or Deputy Electoral Officer will set the ballot aside in a designated envelope.

10.14. A Voter at a polling location who receives a ballot and does not return it to the Chief Electoral Officer or Deputy Electoral Officer will forfeit the right to vote and the Chief Electoral Officer or Deputy Electoral Officer will make an entry on the Voter List stating that the Voter left the polling location without delivering the ballot and will record the ballot as cancelled.

10.15. At the time set for closing the polls, the Chief Electoral Officer or Deputy Electoral Officer will declare the polls closed, and entry will be denied to the polling locations until any Voters remaining in the polling locations at that time have voted.

10.16. After the close of a polling location the Chief Electoral Officer or Deputy Electoral Officer, along with any support staff, will seal the

ballot box at that polling location such that no further ballots may be deposited in that ballot box, initial the seal, and execute a Statement of Sealed Ballot (included as part of Form 5).

- 10.17. The Chief Electoral Officer or Deputy Electoral Officer will immediately take custody of the ballot box(es) and ensure transfer of custody of the ballot box to the final count location.

Electronic Voting Procedures

11. Electronic Voting Procedures

- 11.1. The electronic voting platform will operate across all contemporary digital platforms and across all major operating systems.
- 11.2. The electronic voting platform will comply with all Canadian laws and rules governing electronic communication, documentation and transmission.
- 11.3. The electronic voting platform will comply with all Canadian laws governing protection of privacy.
- 11.4. The electronic voting platform will be secure and encrypted.
- 11.5. The electronic voting platform will have systems to verify and authenticate voter identification using industry standard multi-factor verification protocols.
- 11.6. The electronic voting platform will maintain the secrecy of the Voter ballot.

- 11.7. The electronic voting platform will generate automatic notifications in real-time to the Voter and Chief Electoral Officer of the following activity associated with a Voter using the electronic voting platform, including:
- 11.7.1. failed registration or voting attempts;
 - 11.7.2. completed registration;
 - 11.7.3. completed voting;
 - 11.7.4. system or communication failures, interruptions or lost data;
and,
 - 11.7.5. support requests.
- 11.8. The electronic voting platform will generate and provide to the Chief Electoral Officer daily detailed activity reports.
- 11.9. The Chief Electoral Officer will have administrative access to the electronic voting platform to view and download daily reports and detailed activity reports.
- 11.10. The electronic voting platform will prohibit a Voter who has cast an electronic vote from casting another electronic vote.
- 11.11. At the official close of the electronic poll the Chief Electoral Officer will be able to access the tabulated electronic vote results.
- 11.12. After the Appeal Period has concluded, the Voter List and all confidential voter information will be deleted and wiped from the servers of the electronic voting platform, and certification to this effect will be provided by the Chief Electoral Officer.

- 11.13. The Chief Electoral Officer will ensure the electronic voting platform is populated by the Voter List at least 60 days prior to the Voting Day.
- 11.14. Electronic voting will start on 1 November 2022 and end automatically at 30 November 2022.
- 11.15. To cast an electronic vote, the Voter will:
- 11.15.1. access the electronic voting platform;
 - 11.15.2. complete the required authentication and Voter verification process to confirm their eligibility and to vote electronically;
 - 11.15.3. declare their intent and desire to vote electronically;
 - 11.15.4. mark their electronic ballot; and
 - 11.15.5. confirm their electronic vote.
- 11.16. The electronic voting platform will update its Voter List in real-time following the successful ballot completion of a Voter, marking the Voter as 'voted' and will notify the Chief Electoral Officer that the Voter has cast their ballot.
- 11.17. Where the Voter has voted electronically, the Voter will not be permitted to vote by any other means.
- 11.18. Following the close of the electronic vote period the electronic voting platform will tabulate immediately the results of all electronic ballots cast.
- 11.19. Without contravening any part of this Section, the Provincial Council in consultation and with the consent of the Chief Electoral Officer may make additional regulations governing electronic voting procedures.

Mail-in Ballot Voting Procedures

12. Mail-in ballot Voting Procedures

- 12.1. A Voter may request a mail-in ballot from the Electoral Officer no later than 10 days prior to the Ratification Vote.
- 12.2. Pursuant to subsection 12.1 the Chief Electoral Officer will send via regular mail all documents, envelopes, instructions and ballots necessary to vote by mail-in ballot.
- 12.3. To cast a mail-in ballot, a Voter will:
 - 12.3.1. mark the ballot by placing a cross ("X") in the box marked "YES" or in the box marked "NO";
 - 12.3.2. enclose and seal the ballot in the secrecy envelope;
 - 12.3.3. enclose and seal the secrecy envelope in the identification envelope;
 - 12.3.4. sign the outside of the identification envelope;
 - 12.3.5. enclose and seal the identification envelope in the prepaid mailing envelope; and
 - 12.3.6. cause to have delivered the sealed mailing envelope to the Chief Electoral Officer.
- 12.4. A mail-in ballot may be delivered to the Chief Electoral Officer by mail, courier or hand delivery.
- 12.5. A mail-in ballot must be received by the Chief Electoral Officer no later than the close of the polls on Voting Day.

- 12.6. After the Chief Electoral Officer has received a mail-in ballot, the Chief Electoral Officer will:
- 12.6.1. confirm the sender is a Voter;
 - 12.6.2. confirm the Voter has not voted already;
 - 12.6.3. mark the Voter as having voted by mail;
 - 12.6.4. place the sealed secrecy envelope containing the ballot in a designated mail-in ballot box.
- 12.7. In the event the Voter voting by mail-in ballot has already voted by other means the identification envelope seal will not be broken, and the submission set aside in a designated envelope.
- 12.8. The mail-in ballot box will be counted in the same manner as the polling location boxes at the time of the count.
- 12.9. The Chief Electoral Officer will ensure that the designated post office box for mail-in ballots is checked prior to the close polls of Voting Day, and that all mail-in ballots properly received and recorded are counted.
- 12.10. The Chief Electoral Officer will execute a mail-in ballot Declaration in Form 6

Orderly voting

13. Orderly Voting

- 13.1. The Chief Electoral Officer will ensure that peace and good order are maintained at polling locations.

- 13.2. The Chief Electoral Officer or Deputy Electoral Officer will allow only one Voter at a time into a designated voting area, except for a Voter receiving special assistance.
- 13.3. A Voter who is present and available to vote at a polling location before the closing time will be entitled to vote.
- 13.4. No person will, regardless of whether voting in person, by mail or electronically:
 - 13.4.1. interfere or attempt to interfere with a Voter completing their vote;
 - 13.4.2. obtain or attempt to obtain information as to how the Voter is about to vote or has voted; or
 - 13.4.3. mark a ballot in a way that identifies the Voter.

COVID Protocols

- 14. COVID-19 protocols may be established in accordance with any changes to provincial or federal guidelines or regulations.
- 15. Any protocols established in response to changes in circumstances due to COVID-19 will be published on the MNA's website, with all reasonable efforts by the Chief Electoral Officer to communicate any changes to MNA citizens.

Security of Ballots

- 16. The security of physical ballots and chain of custody of ballots will be documented. The protocols for the security of physical ballots will be provided to the Chief Electoral Officer by the MNA.

Counting of Ballots

17. Counting of ballots

17.1. The Chief Electoral Officer or appointed individuals will ensure that all voting event materials are secured under the following protocol:

- 17.1.1. after the close of each day of voting at a Polling Location the Chief Electoral Officer or Deputy Electoral Officer, along with any support staff, will seal each ballot box;
- 17.1.2. each ballot box will be registered with a unique identifier;
- 17.1.3. at the earliest reasonable time, the ballot box(es) will be transported to a secure central location, to be held until the day of counting;
- 17.1.4. at the conclusion of the voting period, the ballot boxes will be securely transported from the secure storage location to the location of the count.

17.2. A spoiled ballot will be any ballot that:

- 17.2.1. has no option marked on the ballot;
- 17.2.2. has both options marked on the ballot;
- 17.2.3. has a mark identifying the Voter on ballot;
- 17.2.4. has been defaced or otherwise marked inappropriately;
- 17.2.5. has been marked in such a way that the Voter's choice is not clear or discernible; or

- 17.2.6. has been torn or ripped in such away that the ballot is not in its original form.
- 17.3. At the conclusion of the voting period, all paper ballots will be counted, in accordance with the following protocols:
 - 17.3.1. all materials will be received, assembled, reconciled, and prepared for counting as directed by the Chief Electoral Officer;
 - 17.3.2. the appointed individuals responsible for counting will open the sealed ballot boxes and count the ballots;
 - 17.3.3. the appointed individuals will record the number of votes for the ballot measure (i.e., 'YES' and 'NO') on a Statement of Vote (Form 3); they will also record any spoiled ballots.
 - 17.3.4. The ballots and other election documents will then be re-sealed in the ballot box and securely stored.
- 17.4. When the results of the Ratification Vote have been determined the Chief Electoral Officer will execute a Certification by Chief Electoral Officer in Form 8.
- 17.5. The Chief Electoral Officer will, following the conclusion of the Appeal Period or a concluded Appeal Procedure, destroy all voting event materials pursuant to Section 25.

Observers

- 18. Citizens are entitled to observe counting proceedings in accordance with the following protocols:

- 18.1. observers may be temporarily present at the final count voting location, at the discretion of the Chief Electoral Officer;
- 18.2. observers must not interfere with the counting of the vote (e.g., by placing themselves in physical proximity to the counting teams);
- 18.3. observers must sign an Observer code of conduct prepared by the Chief Electoral Officer, outlining appropriate conduct by observers at the count;
- 18.4. Observers will be issued a badge that identifies their role.

Procedural Amendments

19. Procedural Amendments

- 19.1. In order to give effect to and carry out the objectives and purpose of the Ratification Vote, the Chief Electoral Officer and the MNA or its designate may agree upon a variation of the procedural requirements of this Ratification Process if they:
 - 19.1.1. deem it necessary to do so; and
 - 19.1.2. reasonably believe the variation will not result in any substantive change to those procedural requirements.
- 19.2. The Chief Electoral Officer will state in writing the nature and basis of a variation under subsection 19.1 and make a copy of the statement publicly available.
- 19.3. The Chief Electoral Officer may modify a form appended to these Guidelines to add or update, but not remove, material detail.

Chief Electoral Officer Special Powers

20. Chief Electoral Officer Special Powers

- 20.1. In the event of an extraordinary occurrence the Chief Electoral Officer will have the authority to shift any date, alter any requirement or change any activity within the process set out in these Guidelines as they deem necessary and appropriate in order to ensure the timely and safe delivery and conclusion of the Ratification Vote.

For additional clarity, an extraordinary occurrence is an external event such as a pandemic, *force majeure*, civil disobedience, death in the community, strike (disruption of relied upon service) or natural event which reasonably limits or otherwise restricts the Chief Electoral Officer from conducting the election.

- 20.2. If in the opinion of the Chief Electoral Officer the Ratification Vote will not meet a sufficient threshold for participation they will have the authority to pause the voting event at the normally scheduled Voting Day, and will in consultation with the Provincial Council determine additional polling dates, the extension of the voting event, and/or other actions necessary and appropriate in order to ensure the timely and safe delivery and conclusion of the Ratification Vote.

For additional clarity, the Chief Electoral Officer may only exercise this Section prior to the Voting Day and will ensure that all necessary steps are taken to ensure the security and secrecy of all ballots cast, and will prepare a Notice of Vote Extension within 24 hours.

Objections and Appeal

21. Objections and Appeal

21.1. A Voter may file an objection with the Chief Electoral Officer if the Voter has reasonable grounds for believing that:

21.1.1. there was a material violation of, or material irregularity in, the Ratification Vote; and that

21.1.2. on a balance of probabilities, the final result of the Ratification Vote might have been different but for the violation or irregularity.

21.2. The following are non appealable, and may not be considered as grounds for review or appeal consideration:

21.2.1. administrative error or deficiency, including spelling or grammar errors on Notices, advertising, notifications or the ballot;

21.2.2. voting event procedures amended or altered due to a *force majeure*, terrorism, civil unrest, or any other event which in the opinion of the Chief Electoral Officer required the voting event to be altered, including dates and polling locations, to ensure health and safety of staff, Voters and the general public, and the sanctity of the voting process.

21.3. An objection must be received by the Chief Electoral Officer within ten business days of the Voting Day.

21.4. An objection must be in writing and must:

- 21.4.1. identify the name, address and telephone number of the Voter making the objection;
 - 21.4.2. be accompanied by a statutory declaration setting out the grounds for the objection that clearly satisfy requirements set out in subsections 21.1 and 21.2.
- 21.5. The Chief Electoral Officer may, if the material provided under subsection 21.4 is insufficient to decide the validity of the objection, conduct such further investigations as they deem necessary.
- 21.6. If an objection is filed under this Section, the Chief Electoral Officer will, within 15 days of Voting Day, determine whether the objection is valid.
- 21.7. If the Chief Electoral Officer determines the objection is valid, they may allow the objection and set the result of the Ratification Vote aside.
- 21.8. In the event the result of the Ratification Vote is set aside pursuant to this Section, the MNA will determine as it deems appropriate any next steps, including whether or not to hold another Ratification Vote.
- 21.9. If the Chief Electoral Officer determines that:
- 21.9.1. there was neither a violation of these Guidelines nor an irregularity in the Ratification Vote; or
 - 21.9.2. there was a violation of these Guidelines or an irregularity in the Ratification Vote but the final result of the Ratification Vote was not affected thereby,
- the Chief Electoral Officer will dismiss the objection.

Reporting

22. Reporting

22.1. Within 5 days of the Voting Day, the Chief Electoral Officer will send a written report on the conduct of the Ratification Vote to the MNA detailing:

- 22.1.1. total number of eligible Voters from the Voters List;
- 22.1.2. details on the Notice of Vote, such as when posted and where and number mailed to Voters;
- 22.1.3. information on poll dates and locations (advanced poll and regular poll);
- 22.1.4. detailed information on mail-in ballots (total number sent, returned as undeliverable, returned to polling locations, not deposited in ballot box, not returned);
- 22.1.5. ballot reconciliation including:
 - 22.1.5.1. number of valid ballots cast;
 - 22.1.5.2. number of rejected ballots cast;
 - 22.1.5.3. number of ballots spoiled;
 - 22.1.5.4. number of unused ballots;
 - 22.1.5.5. totals of mail-in ballot info (above);
 - 22.1.5.6. voting results.

Information to Compliance Team

23. Information to Compliance Team

- 23.1. As soon as reasonably practical and no later than 30 days before the Voting Day, the MNA will cause to be sent to the Compliance Team all documents giving force to and calling for the vote.
- 23.2. As soon as reasonably practical following the Voting Day, the Electoral Officer will provide to the Compliance Team with the Voter List along with any other documentation and certifications required by these Guidelines.
- 23.3. Upon receipt of the documents under subsections 23.1 and 23.2, the Compliance Team will review the submissions and determine whether they are consistent with these Guidelines
- 23.4. In accordance with this Section, the Compliance Team will, within 30 days of receiving the documents prescribed herein, issue a declaration in Form 9 confirming whether the Ratification Vote was conducted pursuant to and in accordance with these Guidelines.

Certification of Results

24. Certification of Results

- 24.1. The Constitution will be approved if over 50 per cent of all Voters who participated have voted to ratify the Constitution.
- 24.2. The MNA will publicly post and make available to its Citizens the results of the Ratification Vote in a manner they deem appropriate.

Destruction of Materials

25. Destruction of Materials

25.1. The Chief Electoral Officer will ensure the destruction of all voting related information including ballots, Voter List, electronic voting information and any materials of a confidential nature no later than 90 days following the conclusion of the Appeal Period or a concluded Appeal Procedure.

Forms

1. Ballot Question
2. Resolution Regarding Ratification Vote
3. Statement of Vote
4. Oath for Compliance Team
5. Ballot Box Declarations
6. Declarations by Chief Electoral Officer – Mail-in ballots
7. Polling Day Station Witness Declaration
8. Certification by Chief Electoral Officer
9. Compliance Team Certification
10. Chief Electoral Officer – Oath of Office
11. Deputy Electoral Officer – Oath of Office
12. Resolution Regarding Ratification Vote – Chief Electoral Officer

2022 OTIPEMISIWAK MÉTIS GOVERNMENT CONSTITUTION PROVINCE-WIDE RATIFICATION VOTE

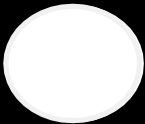
“Are you in favour of ratifying the Otipemisiwak Métis Government Constitution?”

OFFICIAL BALLOT

MARK YOUR BALLOT WITH AN ‘X’ IN THE CIRCLE TO THE RIGHT OF YOUR VOTE - SELECT ONLY ONE (1)

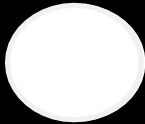
YES

A “YES” VOTE MEANS YOU APPROVE RATIFICATION OF THE
CONSTITUTION



NO

A “NO” VOTE MEANS YOU DO NOT APPROVE RATIFICATION OF
THE CONSTITUTION



DRAFT



FORM 2: RESOLUTION REGARDING RATIFICATION VOTE

Provincial Council Resolution

Date: September 13, 2022

Re: Ratification Voting Guidelines

WHEREAS:

A. The 94th Métis Nation of Alberta Annual Assembly resolved that:

1. the final draft of the Otipemisiwak Métis Government Constitution is approved and be placed in the hands of all MNA citizens through a province-wide ratification vote in the fall of 2022 that allows all MNA citizens 16 years of age or over to vote (by ballot, including online or by mail) on the potential passage of the Otipemisiwak Métis Government Constitution;

The MNA Provincial Council has met to discuss how to ensure the direction of the Assembly is implemented as well as ensure that as many MNA citizens as possible are able to vote in the province-wide ratification vote.

THEREFORE, THE MNA PROVINCIAL COUNCIL RESOLVES TO:

1. Approve the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote Guidelines ("Ratification Vote Guidelines");
2. Hold a province-wide ratification vote ("Ratification Vote") for the Otipemisiwak Métis Government Constitution as approved for ratification by the 94th Métis Nation of Alberta Annual Assembly in accordance with the Ratification Vote Guidelines.
3. Authorize the use of the following voting methods: in-person (polling station), mail-in ballot, and electronic voting.



4. Confirm that Deloitte LLP will provide the Compliance Team to fulfil the roles and responsibilities set out in the Ratification Vote Guidelines.
5. Confirm OneFeather as the electronic voting solution provider for the Ratification Vote in accordance with the Ratification Vote Guidelines.
6. Set the Ratification Vote to begin November 1 and end on November 30, 2022, with the potential of voting being extended if necessary or as determined by the Chief Electoral Officer in keeping with the Ratification Vote Guidelines.

FORM 3: STATEMENT OF VOTE

Official Count Declaration

Date: **XX, November, 2022**

This document declares and confirms the Official Ballot Count for this ballot box is properly recorded in the matter of the Otipemisiwak Métis Government Constitution Ratification Vote following the closure of all polling locations.

	TOTAL
TOTAL BALLOTS CAST	
	TOTAL
SPOILED BALLOTS	
INDIVIDUAL BALLOT COUNTS	
YES	
NO	

SIGNED AND DECLARED,

Print Full Legal Name

Signature of Chief Electoral Officer

FORM 4: OATH FOR COMPLIANCE TEAM

CANADA
Province of Alberta

We, _____
hereby accept our appointment to the position of Compliance Team under the 2022 Otipemisiwak Métis Government Province-Wide Ratification Vote Guidelines (the “Ratification Vote Guidelines”) and agree to maintain confidentiality during our term. We will do our utmost to serve the Citizens of the Métis Nation of Alberta (MNA) with impartiality, integrity, and honesty. In the performance of our duties, we will adhere to the provisions of 2022 Ratification Vote Guidelines.

We solemnly swear/affirm that we will diligently perform our duties as required by the Ratification Vote Guidelines.

Signature of Compliance Team Member

Date

Signature of Compliance Team Member

Date

Signature of Compliance Team Member

Date

Signature of Compliance Team Member

Date

*** Would be executed at each location for all ballot boxes.**

Date: **XX, November, 2022**

The ballot box(es) were inspected and found to be empty at the opening of the scheduled polling location, and I was witness that the ballot box(es) were immediately properly closed and sealed and made available for use in our presence by the designated Electoral Officer. I am confident that the ballot box(es) cannot be opened without the seals being broken.

2. _____ Print Full Legal Name
Signature of Witness

Signature of Electoral Officer

*** Would be executed at each location for every ballot box.**

BALLOT BOX DECLARATION –END OF POLL
Métis Nation of Alberta (MNA) Ratification

Date: XX, November, 2022

This document declares and confirms that the parties below examined the ballot box(es) used at the advance poll location, located at _____, in the matter of the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote.

The ballot box(es) were inspected and found to be properly sealed by the designated Electoral Officer immediately following the close of the scheduled polling location, and no one was permitted to vote after the close of the polling location.

Witnesses:

1. _____ Print Full Legal Name
Signature of Witness

2. _____ Print Full Legal Name
Signature of Witness

Also signed and declared by the Designated Electoral Officer:

Print Full Legal Name

Signature of Electoral Officer

*** Would be executed at each location for every ballot box.**

BALLOT BOX DECLARATION – START OF COUNT
Métis Nation of Alberta (MNA) Ratification

Date: **XX, November, 2022**

This document declares and confirms that the parties below examined the ballot box(es) used at the advance polling location, located at _____, in the matter of the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote.

I further declare that the ballot box(es) were then opened in our presence and ALL the ballots were removed by the Electoral Officer, and that I was allowed to inspect and confirm that ALL ballots were removed from the ballot box(es). The Electoral Officer then prepared for counting ALL the ballots, and at no time were the ballots left unattended by the Electoral Officer.

Witnesses:

- | | |
|------|----------------------------------------------------|
| 1. _ | ____ Print Full Legal Name
Signature of Witness |
| 2. _ | ____ Print Full Legal Name
Signature of Witness |

Also signed and declared by the Electoral Officer:

Print Full Legal Name

Signature of Electoral Officer

FORM 6: DECLARATIONS BY CHIEF ELECTORAL OFFICER – MAIL-IN BALLOTS

CANADA

Province of Alberta

I, _____ Chief Electoral Officer for the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote (“Ratification Vote”), in the Province of Alberta, DO SOLEMNLY DECLARE THAT:

1. I was personally responsible for receiving all mail-in ballots for the Ratification Vote.
2. In preparation for depositing mail-in ballots, I opened ballot box number ____ #MIB.
3. I saw that the ballot box was empty and asked two witnesses who were present to witness that the ballot box was empty.
4. I then properly sealed the ballot box, in front of at least two witnesses who were present, and prepared it for the reception of ballot papers.

Witness Name

Phone

Witness Name

Phone

5. I personally deposited all of the mail-in ballots received by me into ballot box ____ #MIB without opening the secrecy envelope and kept the ballot box sealed when not in my custody until the ballots were counted.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the _____)
Of _____ in the province of)
Alberta, this ____ day of _____)
2022.)

_____) _____
_____) NAME, Chief Electoral Officer
A Commissioner for Oaths in and for the)
Province of Alberta)

FORM 7: POLLING DAY STATION WITNESS DECLARATION

* Would be executed at each location for all ballot boxes.

Otipemisiwak Métis Government Constitution

Province-Wide Ratification Vote

Start of Poll – Witness Declaration

I, _____, an eligible voter of the Métis Nation of Alberta was personally present and did personally witness at the polling place located at _____ on the ____ day of _____, 2022 when the Electoral Officer:

1. Opened the Poll at the scheduled date and time;
2. Sealed the empty Ballot Box(es) in the presence of witnesses; and then
3. Permitted Voters to begin Voting.

Print Full Legal Name

Signature of Witness

Witnessed by the Designated Electoral Officer:

Print Full Legal Name

Signature of Electoral Officer

FORM 8: CERTIFICATION BY CHIEF ELECTORAL OFFICER

CANADA
PROVINCE OF ALBERTA

I, _____, Chief Electoral Officer for the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote, in the Province of Alberta, DO SOLEMNLY DECLARE THAT:

1. I was responsible for and oversaw all polling locations and procedures necessary to effect the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote ("Ratification Vote") in accordance with the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote Guidelines (the "Voting Guidelines").
2. A true copy of the Notice of Vote is attached as Exhibit "1" to this Declaration.
3. In accordance with the Voting Guidelines, the Notice of Vote was posted at least 30 days prior to the beginning of the Ratification Vote.
4. The voting procedure was conducted in accordance with the provisions of the Voting Guidelines.
5. The results of the Ratification Vote are as follows:
 - a) the names of _____ Voters appeared on the Voter List prepared pursuant to Voting Guidelines, and the number of Voters who were entitled to cast a vote was _____
 - b) _____ ballots were cast in the Ratification Vote in accordance with the provisions of the Voting Guidelines;
 - c) _____ ballots were marked "YES";
 - d) _____ ballots were marked "NO";
 - e) _____ ballots were rejected in accordance with the Voting Guidelines; and
 - f) _____ ballots were spoiled and were not counted in b. above in accordance with the Voting Guidelines.
6. The proposed Otipemisiwak Métis Government Constitution was *[approved/not*

approved] by the Voters.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the _____)

of _____ in the province of Alberta)

, this ____ day of _____)

2022. _____)

_____) _____

_____) NAME, Chief Electoral Officer

A Commissioner for Oaths in and for the)

Province of Alberta)

FORM 9: COMPLIANCE TEAM CERTIFICATION

CANADA

Province of Alberta

THAT _____ have been retained to confirm whether the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote (“Ratification Vote”) was conducted in accordance with the Otipemisiwak Métis Government Constitution Province-Wide Ratification Vote Guidelines (“the Ratification Vote Guidelines”), and DO SOLEMNLY DECLARE THAT:

1. We have been appointed by resolution of the Métis Nation of Alberta Provincial Council in our professional capacity to provide independent reporting of the Ratification Vote with respect to oversight and / or witnessing the Chief Electoral Officer’s execution of the Ratification Vote pursuant to and in accordance with the Ratification Vote Guidelines.
2. We utilized a risk-based approach to facilitate the development of specified audit procedures to provide oversight and / or witness, without encumbrance, the compliance of the Ratification Vote Guidelines by the Chief Electoral Officer.
3. We have independently performed the specified audit procedures that were approved by the Métis Nation of Alberta.
4. We provided agreed upon reporting to the Métis Nation of Alberta with respect to the completion of specified audit procedures.

FORM 10: OATH OF OFFICE – CHIEF ELECTORAL OFFICER

I, _____, having been appointed Chief Electoral Officer for the Otipemisiwak Métis Government Constitution Ratification Vote (“Ratification Vote”) scheduled to occur from 1 November 2022 to 30 November 2022 hereby swear and solemnly affirm:

- a) That I will act faithfully in this capacity without partiality, fear, favour or affection;
- b) That I will abide by and effect the Ratification Vote as prescribed in the 2022 Otipemisiwak Métis Government Province-Wide Ratification Vote Guidelines;
- c) that I will declare conflicts of interest if and as they arise; and finally,
- d) That I will not do or say anything that will compromise my integrity or the integrity of Ratification Vote.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the _____)

Of _____ in the province of Alberta)

, this ____ day of _____)

2022.)

)

_____)

NAME, Chief Electoral Officer

A Commissioner for Oaths in and for the)

Province of Alberta)

FORM 11: OATH OF OFFICE – DEPUTY ELECTORAL OFFICER

I, _____ have been appointed as a Deputy Electoral Officer for the Otipemisiwak Métis Government Constitution Ratification Vote (“Ratification Vote”) scheduled to occur from 1 November 2022 to 30 November 2022 hereby swear and solemnly affirm:

- a) That I will act faithfully in this capacity without partiality, fear, favour or affection;
- b) That I will abide by and effect the Ratification Vote as prescribed in the 2022 Otipemisiwak Métis Government Province-Wide Ratification Vote Guidelines;
- c) that I will declare conflicts of interest if and as they arise; and finally,
- d) That I will not do or say anything that will compromise my integrity or the integrity of Ratification Vote.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the _____)

Of _____ in the province of)

Alberta, this ____ day of _____)

2022.)

)

_____)

NAME, Deputy Electoral Officer

A Commissioner for Oaths in and for the)

Province of Alberta)



Form 12

RESOLUTION REGARDING RATIFICATION VOTE – CHIEF ELECTORAL OFFICER

Provincial Council Resolution

Date: September XX, 2022

Re: Ratification Vote Chief Electoral Officer Appointment

WHEREAS:

A. The 94th Métis Nation of Alberta Annual Assembly resolved that:

1. the final draft of the Otipemisiwak Métis Government Constitution is approved and be placed in the hands of all MNA citizens through a province-wide ratification vote in the fall of 2022 that allows all MNA citizens 16 years of age or over to vote (by ballot, including online or by mail) on the potential passage of the Otipemisiwak Métis Government Constitution;

The MNA Provincial Council met on September 13, 2022 and resolved to appoint Phil Werth as Chief Electoral Officer for the province-wide ratification vote, and where Mr. Werth declined his appointment in writing to the MNA on September 14, 2022.

THEREFORE, THE MNA PROVINCIAL COUNCIL RESOLVES TO:

1. Accept the September 24, 2022 written response of Phil Werth declining his appointment as Chief Electoral Officer.
2. Appoint Del Graf as the Chief Electoral Officer to fulfil the roles and responsibilities set out in the Ratification Vote Guidelines.

