



**MOOSE CREE FIRST NATION**

*P.O. Box 190*

*Moose Factory, ON*

*P0L 1W0*

---

*Tel: (705) 658-4619*

*Fax: (705) 658-4734*

January 20, 2012

**NOTICE TO:           MEMBERSHIP  
                              MOOSE CREE FIRST NATION**

**RE:                       PROPOSED AMENDMENTS - MCFN ELECTION REGULATIONS**

The Moose Cree First Nation Leadership Committee has a mandate from Chief and Council through the Committee's Terms of Reference to review, monitor and prepare recommendations on various matters including the Band Custom Elections.

In 2011, the Committee reviewed and identified sections in the MCFN Election Regulations that required amendments. Over the course of several working sessions, the Committee conducted a thorough review and completed the amendments on January 16, 2012. Attached for your review is a copy of the Proposed Amendments.

On Tuesday, February 21, 2012 a Special Membership Meeting will be held to present and discuss the amendments to the membership and vote to accept or reject them. Location and time of the meeting will be posted at a later date.

A full version of the MCFN Election Regulations is available for all Moose Cree First Nation members. To request a copy, please contact Patricia Wapachee at (705)658-4619 ext. 243, or by email at [patricia.wapachee@moosecree.com](mailto:patricia.wapachee@moosecree.com), or Caroline J. Sutherland at (705)658-4619 ext. 241 or by email at [caroline.sutherland@moosecree.com](mailto:caroline.sutherland@moosecree.com).

Meeg-wetch,

A handwritten signature in blue ink, appearing to read "Caroline Chum".

Caroline Chum, Chairperson  
MCFN Leadership Committee

# MOOSE CREE FIRST NATION ELECTION REGULATIONS

## Proposed Amendments – Posted January 20, 2012

Amendments are noted in red; they are added, deleted or revised.

### INTERPRETATION

“**Extreme Circumstances**” means an extraordinary and unexpected event, such as a flood, hurricane, tornado, earthquake, **power outage** or the sudden death of a Member;

“**Recall Election Regulations**” means the process governed by the Moose Cree First Nation Recall Election Regulations by which a member of Council may be removed;

### Appointment of Electoral Officers

**2.2** In the event that the position of Electoral Officer is vacant, the Council shall appoint a Chief Electoral Officer. **and two Deputy Electoral Officers:** The Chief Electoral Officer shall appoint Deputy Electoral Officers.

### Duties

**2.6** The duties of the Electoral Officers include but are not limited to:

- (c) The Electoral Officers shall **prepare post** a Voters List **in alphabetical order and post it** in a Public Place.

### Right to Vote

**2.8** Electoral Officers **who are also Members** may exercise their right to vote **providing** he/she is a member.

### ~~Disabled Voters~~

#### ~~5.5~~

~~5.5 (1) Upon the request of any disabled Voter, an Electoral Officer shall assist by marking the Ballot and placing the Ballot in the Ballot box as directed by the disabled Voter.~~

~~5.5 (2) The Electoral Officer shall note in the column for remarks opposite the name of the disabled Voter in the Voters List that the Ballot was marked at the request of the disabled Voter.~~

~~5.5 (3) Disabled Voters have the option of~~

~~(a) providing an independent witness; and~~

~~(b) requiring that the Electoral Officers take an Oath of Confidentiality under Schedule 1.~~

### Voters Requiring Assistance

#### 5.5

5.5(1) An Electoral Officer, upon request of any Voter who is unable to vote in the manner prescribed by these Regulations because he or she cannot read or has a physical disability, shall assist the Voter by marking the ballot and placing the Ballot in the Ballot box as directed by the Voter.

5.5(2) If a Voter requires assistance to vote, a friend, the spouse, the common-law partner or a

relative of the Voter or a relative of the Voter's spouse or common-law partner may accompany the Voter into the voting compartment and assist the Voter to mark his or her Ballot.

5.5(3) A person described in subsection (2) who wishes to assist a Voter in marking a Ballot shall first take an Oath of Confidentiality under Schedule 1.

5.5(4) No person shall assist more than one Voter for the purpose of marking a Ballot.

5.5(5) No person who assists a Voter under this section shall, directly or indirectly, disclose the candidate for whom the Voter voted.

### **Mobile Voting**

#### **6.3**

6.3 (1) Mobile voting is carried out ~~in any place designated by Council including Moosonee and Moose Factory during the~~ 14 Business Days prior to the Election for those Voters who are confined in the hospital or home due to illness or disability.

6.3 (2) The Electoral Officers shall visit the local hospital or any residence in Moose Factory or Moosonee ~~that requests mobile voting~~ so that Voters can cast a vote.

### **Advance Poll**

#### **6.4**

6.4 (1) Except as provided in this section, an Advance Poll shall be conducted in the same manner as the manner in which the vote at a polling station on Election day is conducted and shall be regarded as such for all purposes of these Regulations.

6.4 (2) The Electoral Officers shall conduct an Advance Poll in ~~any place designated by Council including~~ Moosonee and Moose Factory one week prior to Election day.

6.4 (3) The polling station will be held at the Moose Cree Complex foyer or any other location designated by the Chief Electoral Officer.

6.4 (4) The location designated by the Chief Electoral Officer will be posted in a Public Place ~~at least 7 days prior to the voting day. as soon as reasonably possible.~~

## **14. Vacancy**

14.1 The office of a Council member becomes vacant when a person who holds office (iv) is removed pursuant to the Moose Cree First Nation Impeachment Regulations ~~or the Moose Cree First Nation Recall Election Regulations;~~

## **15. By-Elections**

15.1 If a Council position is vacated between General Elections and there are six months or more remaining in the original term of office, a By-Election will be held to fill the vacant position.

15.2 A By-Election must occur at least 30 days after the ~~appointment of the Chief Electoral Officer. decision to hold a By-Election has been made.~~

15.3 In the event that a scheduled By-election cannot be held due to extreme circumstances, the By-Election shall be held 7 days later.

### **Notice of Nominations Open Meeting**

**16.3** Electoral Officers shall post a notice ~~of the Nomination Meeting~~ by the first Business Day after the decision to hold a By-Election has been made ~~that nominations are open for vacant position(s).~~

~~16.3(2) Nominations will only be accepted for positions after the posting of the Notice of Nominations. notice of a Nomination Meeting [Already covered in 16.4(a)]~~

### **Nomination Procedure**

**16.4** Candidates ~~shall be~~ may be nominated through the completion of a Nomination Form as prescribed in Schedule 1 ~~or in person at a Nomination Meeting,~~ and according to the following:

- (a) From the first Business Day after the appointment of the **Chief Electoral Officer**, Electoral Officers may be contacted by any Voter in person, by telephone, by e-mail, or by post to obtain a Nomination Form.
- (b) Completed original Nomination Forms must be sent by post or delivered to any of the Electoral Officers by 4 p.m., ~~within seven days after the posting of the Notice for Nominations Open. on the day of the Nomination Meeting.~~
- (c) The Electoral Officers shall not accept incomplete Nomination Forms.
- (d) The Electoral Officers must determine the authenticity of the Nomination Forms.
- (e) Nominees must file Acceptance of Nomination form as prescribed in Schedule 1 to the Chief Electoral Officer by writing, fax or email to either accept or refuse the nomination within **fourteen days after the posting of Notice of Nominations Open**; a failure to file will be deemed a refusal of the nomination.

### **Nomination Results**

**16.5** The Chief Electoral Officer shall post the results of the nominations within 24 hours of the close of nominations. ~~the end of the Nomination Meeting.~~

### **Acclamation**

**16.6** When the date for accepting or refusing nominations has expired, and if only one candidate has accepted their nomination, the Chief Electoral Officer shall declare that candidate to be Acclaimed.

### **Nomination Meeting [For By-Elections - Removed Due To Low or No Turnouts]**

#### ~~16.5~~

~~16.5(1) A Nomination Meeting will be held seven days after the posting of the notice of the Nomination Meeting.~~

~~16.5(2) The Nomination Meeting shall remain open as determined by the members present at the meeting.~~

~~16.5(3) The Chief Electoral Officer shall declare the Nomination Meeting open for the purpose of receiving nominations, and during the Nomination Meeting;~~

- ~~(a) A listing of authenticated Nomination Forms will be available at the beginning of the meeting;~~
- ~~(b) Each nomination must be called for a Second;~~
- ~~(c) If a nomination is not Seconded, then that nomination shall be deemed invalid;~~
- ~~(d) Any Voter may propose or Second a nomination; and~~
- ~~(e) A nomination may be Seconded without the Voters attendance at the Nomination~~

~~Meeting through an authenticated Nomination Form.~~

**Advance Poll**

**16.7**

16.7(1) Except as provided in this section, an advance poll for a By-Election shall be conducted in the same manner as the manner prescribed in Section 6.4.

16.7(2) If two or more candidates accept their nomination an advance poll will be held in ~~any place designated by Council including~~ Moosonee and Moose Factory ~~seven days after the closing of nominations fourteen days after the Nomination Meeting~~, and the By-Election shall be held seven days after the advance poll.

**Acclamation Moved to 16.6**

~~16.8—When the date for accepting or refusing nominations has expired, and if only one candidate has accepted their nomination, the Chief Electoral Officer shall declare that candidate to be Acclaimed.~~

**Nomination Results Moved to 16.5**

~~16.9—The Chief Electoral Officer shall post the results of the nominations after Nominations are closed, within 24 hours of the end of the Nomination Meeting.~~

NEW FORM ADDED:

MOOSE CREE FIRST NATION  
22 Jonathan Cheechoo Drive, P.O. Box 190  
MOOSE FACTORY, ON P0L 1W0  
Phone: 705-658-4619 - Fax: 705-7658-4734

**Moose Cree First Nation Election Regulations Schedule 1  
OATH OF CONFIDENTIALITY FOR VOTERS**



I, \_\_\_\_\_, solemnly declare that:

1. I have been requested by the Voter \_\_\_\_\_ to mark his or her Ballot;
2. I will mark the Ballot in the manner directed by the Voter;
3. I will keep secret the names of the candidate(s) being marked for the Voter on the Ballot;
4. I will not try to influence the Voter in choosing a candidate; and
5. I have not assisted and will not assist any other Voter to mark a Ballot during this current election.

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

I understand that it is an offence to make a false statement in this declaration.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Declared before me on the Island of Moose Factory, in the Province of Ontario, this \_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Name of Electoral Officer

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date