

CHIPEWYAN PRAIRIE FIRST NATION ELECTION CODE

WHEREAS the members of the Chipewyan Prairie First Nation have determined that they would establish their own Band custom election code and have given their approval to the Chipewyan Prairie First Nation Custom Election Code;

AND WHEREAS the Indian Act, R.S.C. 1970, c. 1-6 as amended provides that an Indian Band may choose its Chief and Council by the Band's own customs;

NOW THEREFORE BE IT RESOLVED that the Chipewyan Prairie First Nation Band Custom Election Code be as follows:

ELIGIBILITY:

Every member of the Chipewyan Prairie First Nation, who is eighteen years of age or older ~~and who has been resident on the Chipewyan Prairie First Nation Reserve for at least six months prior to the date of an election for Chief or Councillors for the Chipewyan Prairie First Nation~~ is eligible to vote in that election.

- **Words struck by Federal Court on June 7, 2021**

NOMINATIONS:

1. Any candidate for Chief or Councillor must be a Band member who is eligible to vote in the election.
2. A candidate for the position of Chief or Councillor must be nominated by five Band members who are eligible to vote in the election.
3. The nomination by the five Band members of a candidate should be made by them in person at the nomination meeting.

selected from a list of names of people, who are willing to serve on an appeal committee for the Chipewyan Prairie First Nation and are recommended as qualified by the electoral officer, will be appointed by the Band members to hear the appeal.

3. The appeal committee will hear the reasons for the appeal and make any inquiry which it decides is necessary to determine the appeal. Upon hearing the appeal and completing any inquiry they might make, the appeals committee will decide on the appeal.

4. Grounds for an appeal shall be:

- a) denial of eligible voters' right to vote;
- b) voting by ineligible voters;
- c) the candidacy of an ineligible candidate: or
- d) election fraud.

5. Where the appeal committee finds that the appeal complaint is proven and its impact was sufficient to affect the election result, the appeals committee will declare the election invalid.

6. If the appeal committee is of the opinion that the appeal complaint, although proven, was not of significance, the committee may deny the appeal.

DISQUALIFICATION FROM OFFICE

1. Any person who is convicted of an indictable offence is disqualified from holding the office of Chief and Councillor for a period of six years from the date of conviction.

2. Any Chief or Councillor who is absent from the duties of his office without a valid reason for a period of one month may be relieved of his office by a motion of Council passed by a majority at a Council meeting.

3. A member of Chief and Council may be ousted from office if 75% of the eligible voters sign a written petition seeking repeal of that person's election.

AMENDMENT

1. This Band Custom Election Code may be amended by the majority of the eligible voters who vote on an amendment. If the proposed amendment is approved by a majority of the eligible voters who but not a majority of all eligible voters, then a second vote will be held and the amendment will be approved if it receives a majority of votes cast.
2. Notice of any amendment of this Band Custom Election Code shall be given in writing by posting in a public place on the Chipewyan Prairie First Nation Reserve 14 days before any vote to any amendment.
3. Any vote to amend this Band Custom Election Code shall be by secret ballot in a referendum.