

Documents included in this package:

- 1) comments
- 2) Letter from the Chief
- 3) Timeline
- 4) Agenda
- 5) Bingwi Neyaashi Anishinaabek Custom Election Code (Bingwi Code)
- 6) Big Grassy First Nation Leadership Election Code (Big Grassy Code)
- 7) Buctouche Micmac Band Custom Election Code

Comments:

Sample election codes (# 5 & # 6) provided in this package are for discussion purposes only, as the final decision of every category (please see the AGENDA items attached), will be decided by the members. Additional samples of custom election codes can be found by googling: **First Nations Custom Election Codes**.

There may be other topics which someone might want to add and that is why "OTHER" is included in the Agenda, so please do not hesitate to do so. Just keep in mind that the "OTHER" has to pertain to the election process, and any other topic(s) will be disregarded.

The plan is to discuss each topic and vote on each item at each meeting, which will eventually result in a final draft being submitted to the Band Lawyer for review, and then brought forward for a final vote as outlined in the timeline.



**TJIPOGTOTJG MICMAC BAND**  
**BUCTOUCHE MICMAC BAND**

*9 Reserve Road, Buctouche Reserve, New Brunswick, E4S 4G2*  
*Tel: 506-743-2520 Fax: 506-743-8995*

November 7, 2017

Greetings Member:

**Re: Custom Election Code up-date**

After the last election held in 2016, a complaint was submitted to the Band Office by a couple of members stating they were filing a complaint to the Human Rights Commission as the off-reserve members were not allowed to vote in our Custom Election Code (Code). Keep in mind the decision to exclude off-reserve members from voting at election was voted on by the members a long time ago at a community meeting.

With that complaint we decided to be proactive and have all our members revisit our Code to review and possibility up-date the whole process, as there was just way too much vagueness on the two page document we now have. Our Code was outdated and just did not meet the needs of our members. To leave it as is would end up in the courts sooner than later, so we decided to turn it over to our members to decide what changes, if any, would be required.

As stated above, the current election code does not allow band members residing off reserve to vote at the next election. This also applies to the ones residing on-reserve but work off reserve. Discussions will take place to see if members will allow our code to change to include members living off-reserve or working off reserve to vote at our next election, as our current code states otherwise.

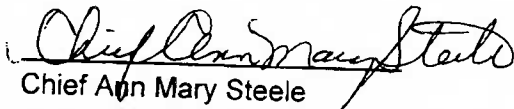
We also did some research and found that many high courts have allowed various changes, including the members residing off reserve to vote in other custom election Bands. To save us on possible massive legal costs of having to fight a human rights complaint through the courts, which we might lose given the court decisions to date, we decided to commence this process this year.

As well, over the years, band members have expressed concerns on other various sections of the Code, such as having only two hours to appeal the election results. We also heard other various complaints. We thereby decided to take this opportunity and have all band members of the age of 19 by the final vote date as per the timeline, to voice and express the changes they would like to see, if any. We will hold public meetings and having a final vote to accept or reject a new up-dated Code. Members input are very important on all matters, including this issue, so please get involved.

The full package can also be found at our Website at [buctouchemicmacband.ca](http://buctouchemicmacband.ca), so keep checking it on a continuous basis for changes and updates.

I hope you do attend the sessions on the dates outlined in this package and express your recommendations/suggestions. Please do not hesitate to contact myself, or the Band Manager, Arnold Peters, at 506-743-2520 if you have any additional questions pertaining to the process.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Chief Ann Mary Steele".

Chief Ann Mary Steele

On behalf of the Buctouche Micmac Band Council

**PUBLIC MEETINGS (9:00 am – 4:00 pm):**

Thurs November 16, 2017: – 1<sup>st</sup> Public meeting at Buctouche Band Office

Wed November 22, 2017 – 2<sup>nd</sup> Public meeting at Buctouche Band Office

Thurs November 23, 2017 – 3<sup>rd</sup> Public meeting at Buctouche Band Office

Wed November 29, 2017 – 4<sup>th</sup> Public meeting at Buctouche Band Office

Wed December 6, 2017 - 5<sup>th</sup> Public meeting at Buctouche Band Office

Thurs December 7, 2017 – 6<sup>th</sup> Public meeting at Buctouche Band Office

Wed January 10, 2018 – 7<sup>th</sup> Public meeting at Buctouche Band Office

Wed January 17, 2018 – 8<sup>th</sup> Public meeting at Buctouche Band Office

Wed January 24, 2018 – 9<sup>th</sup> Public meeting at Buctouche Band Office

Mon February 5, 2018 – Final draft submitted to the Band Lawyer for review.

Mon February 19, 2018 - Mail out of final draft to off-reserve members, and copies provided at Band Office for the on-reserve members.

Tues March 27, 2018 – Vote

Wed March 28, 2018 – Post Notices of the results.

Thurs March 29, 2018 – Mail the results to off reserve members.

**Note:** This timeline is subject to change depending on inclement weather etc. Notice of any change(s) will be made available on our website at:

**[buctouchemicmacband.ca](http://buctouchemicmacband.ca)**

# AGENDA:

1. Preamble & Title
2. Coming Into Force
3. Interpretation
4. The Council
5. Code of Ethics
6. Removal of Council Members from Office
7. Pre-nomination Procedure
8. The Nomination Process
9. Candidacy
10. Pre-Election Procedure
11. Election Day
12. Counting of the Votes
13. Post-Election Procedures
14. Complaints and Appeal Board
15. Appeal Mechanism
16. Amendments
17. Considerations
18. Appendix A - Alternative Council Member Dismissal Procedure
19. Other

Please note that the list above is just a sample agenda for discussion purposes, and the list might change during and after every meeting depending on which direction is provided by the members. The discussions will however stay focused solely on our custom election code, and the possible amendments.