

MANITOBA MÉTIS FEDERATION AND THE
MANITOBA MÉTIS FEDERATION INC.
CONSTITUTION



AS RATIFIED BY THE ANNUAL GENERAL ASSEMBLY MARCH 27, 2022

PREAMBLE

WHEREAS the Métis Nation is one of the Aboriginal Peoples of Canada referred to in section 35 of the Constitution Act, 1982; and

WHEREAS, the Manitoba Métis Community or Manitoba Métis, also known as the Red River Métis, is an integral part of the Métis Nation; and

WHEREAS, the Manitoba Métis Federation has been created to be the democratic and self-governing representative body of the Manitoba Métis Community; and

WHEREAS, the Manitoba Métis Federation Inc. has been created as a body corporate in order to conduct financial and administrative affairs relating to the Manitoba Métis Community and to otherwise carry out its objectives; and

WHEREAS, the Manitoba Métis Community comprises Métis Citizens, settlements also known as local communities, and traditional territories, and is defined by a common identity, culture, history and, among other things, social and kinship relationships;

BE IT HEREIN ENACTED:

MANITOBA MÉTIS FEDERATION AND THE MANITOBA MÉTIS FEDERATION INC. CONSTITUTION BY-LAW NO. 1

ARTICLE I OBJECTIVES

1. To promote the history and culture of the Manitoba Métis, also known as the Red River Métis, and otherwise to promote the cultural pride of its Citizenship.
2. To promote the education of its Citizens respecting their legal, political, social, and other rights.
3. To promote the participation of its Citizens in community, municipal, provincial, federal, Aboriginal, and other organizations.
4. To promote the political, social, and economic interests of its Citizens.
5. To provide responsible and accountable governance on behalf of the Manitoba Métis, also known as the Red River Métis, using the constitutional authorities delegated by its Citizens.

ARTICLE II INTERPRETATION

1. Canada required the Manitoba Métis Federation to incorporate Manitoba Métis Federation Inc. in order to facilitate funding arrangements and the establishment of intergovernmental relationships. As a result, the Manitoba Métis Federation was previously required to conform the language contained in its Constitution to include corporate terms such as “member”, “Board”, etc.
2. The Manitoba Métis Federation is the recognized self-government of the Manitoba Métis, also known as the Red River Métis. On July 6, 2021, the Manitoba Métis Federation and Canada signed the Manitoba Métis Self-Government Recognition and Implementation Agreement.
3. The Manitoba Métis Federation, in preparation for the signing of a constitutionally protected Treaty with Canada, has initiated the process for removing the corporate language from its Constitution consistent with the existence of the Manitoba Métis Government.
4. Until such time as the Treaty has been signed, ratified, and Implementation Legislation passed, for the purposes of this Constitution, the Election By-Law, and the Local By-Law still being the by-laws of the Manitoba Métis Federation Inc.,
 - (a) the following terms have the same meaning:
 - (i) “MMF Cabinet” and “Board of Directors”; and
 - (ii) “MMF Cabinet Member” and “Director”;
 - (b) the “MMF” includes the “Manitoba Métis Federation” and the “Manitoba Métis Federation Inc.”;
 - (c) “MMF Cabinet Member” includes each of the following: “Regional Executive Officer”, “Vice-President”, “Infinity Women Secretariat Spokeswoman”, and “President”;
 - (d) “Citizens” and “Members” described in Article IV 4(a) and 4(b) are the members of the Manitoba Métis Federation Inc. as referred to in The Corporations Act; and
 - (e) “Citizens” means the members of the Manitoba Métis Federation Inc. whose Citizenship application has been approved by the MMF.

5. Once the Treaty has been executed by the MMF and Canada and Implementation Legislation is in place, this Article II may be removed from the MMF Constitution by resolution of the MMF Cabinet.

ARTICLE III POLITICAL AFFILIATION

1. The MMF shall not be affiliated with any political party.

ARTICLE IV CITIZENSHIP

DEFINITIONS AND APPLICATIONS FOR CITIZENSHIP

1. DEFINITION

- (a) “Métis” means a person who self-identifies as Métis, is of historic Métis Nation Ancestry, is distinct from other Aboriginal Peoples and is accepted by the Métis Nation;
- (b) “Historic Métis Nation” means the Aboriginal people then known as Métis or Half-Breeds who resided in the Historic Métis Nation Homeland;
- (c) “Historic Métis Nation Homeland” means the area of land in west central North America used and occupied as the traditional territory of the Métis or Half-Breeds as they were then known;
- (d) “Métis Nation” means the Aboriginal people descended from the Historic Métis Nation, which is now comprised of all Métis Nation citizens and is one of the “aboriginal peoples of Canada” within section 35 of the Constitution Act, 1982;
- (e) “Distinct from other Aboriginal Peoples” means distinct for cultural and nationhood purposes.

2. APPLICATION PROCESS

- (a) All persons seeking to become Citizens or Children Citizens, except Honorary Membership, shall be admitted in accordance with the provision of this Article.
- (b) Applications for Citizenship shall be made in a form established from time to time by resolution of the MMF Cabinet. Consistent with demonstrating Citizenship in the Manitoba Métis Community, the application shall be submitted to the Local of the MMF, or the Local in care of the Regional Office, which represents the:

- (i) Birthplace of the applicant; or,
- (ii) Childhood residence or current residence of the applicant; or,
- (iii) Place in which the applicant has a direct ancestral connection as evidenced by a genealogy including supporting evidentiary documents.

For the purpose of this Article, “residence” and “direct ancestral connection” shall bear the meaning established by resolution of the MMF Cabinet.

- (c) All applications for Citizenship shall be submitted to the Regional Executive by the receiving Local. The Regional Executives shall consider each application, and in accordance with such procedures as may be established by the MMF Cabinet, shall recommend acceptance or rejection of the application, or shall return the application to the applicant along with a request for further specified information respecting the application.
- (d) Recommendations by the Regional Executives in accordance with clause (c) shall be made to the MMF Cabinet who shall decide whether to accept or reject such applications. The MMF Cabinet’s decision shall be forthwith delivered by registered post or personally to the applicant.
- (e) The MMF Cabinet may delegate its decision-making authority described in (b) and (d) to the Regional Executive or any such other committee as may be determined from time to time by resolution of the MMF Cabinet.

3. APPEALS

- (a) Any applicant whose application for Citizenship is rejected has a right to appeal that decision to the Citizenship Appeal Tribunal, provided that the appeal is placed before the Tribunal, in such form and in such manner as the MMF Cabinet may prescribe, within 60 days from the date of receipt of rejection.
- (b) Any Citizen or Member has a right to appeal a decision respecting their Citizenship or Membership, provided that the appeal is placed before the Tribunal, in such form and in such manner as the MMF Cabinet may prescribe, within 60 days from the date of receipt of the decision.

- (c) The Citizenship Appeal Tribunal shall be determined and appointed from time to time by resolution of the MMF Cabinet. The decision made by the Tribunal shall be final and shall not be reviewable by, nor appealable to, any Court of Law.

4. CITIZENSHIP AND MEMBERSHIP

(a) CITIZENS

Any person who is Métis, a member of the Manitoba Métis Community and who is at least 18 years of age, and whose Citizenship application has been approved by the MMF, is entitled to be a Citizen. Citizens have a right to vote and hold office in accordance with the MMF Constitution and by-laws.

All applicants for Citizenship shall be required to provide a genealogy including supporting evidentiary documents completed by a recognized institution to objectively verify the applicant's Historic Métis Nation Ancestry.

The MMF Cabinet shall by resolution designate acceptable recognized institutions and required criteria and documents.

(b) MEMBERS

All Members who have not already done so, shall be required to provide a genealogy including supporting evidentiary documents completed by an institution approved by the MMF Cabinet to objectively verify the Member's Historic Métis Nation Ancestry. Members have no right to vote or hold office.

The MMF Cabinet shall by resolution designate acceptable recognized institutions and required criteria and documents.

(c) ASSOCIATE MEMBERS

Associate Members are spouses, as defined by resolution of the MMF Cabinet, of Citizens. Such resolution shall only be effective upon confirmation by the Citizens at an Annual General Assembly. Associate Members shall have no right to vote or hold office, and shall be entitled only to such benefits as may from time to time be determined by the resolution of the MMF Cabinet, upon confirmation by the Citizens at an Annual General Assembly.

(d) HONOURARY MEMBERS

Such persons as may from time to time be admitted by resolution of the Annual General Assembly. Honourary Members shall have no right to vote or hold office.

(e) CHILDREN CITIZENS

Children Citizens includes all natural or adopted children, whether legitimate or illegitimate under Canadian law, and who are under 18 years of age, are Métis, and whose Citizenship application has been approved by the MMF. Children Citizens shall be entitled to the benefits of the services of the MMF and to such other benefits as shall be determined by resolution of the MMF Cabinet.

5. VALID CITIZENSHIP CARD

- (a) The MMF may issue a Citizenship card to each individual who has fully complied with the applicable provisions of Article IV 2, 4(a), 4(b), or 4(e) of the MMF Constitution. Such card is referred to hereafter as a “valid Citizenship card”.
- (b) The fee for a valid Citizenship card shall be established by resolution of the MMF Cabinet.
- (c) In order to be eligible to be a Candidate for President, Vice-President, Regional Executive, or a Local Executive position, a Citizen must first obtain a valid Citizenship card.
- (d) In order to serve as part of the MMF Cabinet, the person elected as Spokeswoman of Infinity Women Secretariat Inc. must first obtain a valid Citizenship card. As well, those individuals elected to the Board of Infinity Women Secretariat Inc. must first obtain a valid Citizenship card.

ARTICLE V TERMINATION OF CITIZENSHIP OR MEMBERSHIP

- 1. A person’s Citizenship or Membership shall terminate upon the happening of one or more of the following events:
 - (a) Death.
 - (b) Participation in any land claims agreement or modern treaty under the meaning of the Constitution Act, 1982, to which the MMF is not a party.

- (c) The entry of the Citizen or Member’s name in a Band list or in the Indian Register according to the provisions of the Indian Act, R.S.C., c. I-5, as amended, or in a register or list of members maintained by an Indigenous government outside of Canada.
 - (d) It is determined by the MMF that Citizenship or Membership was granted as a result of the Citizen or Member:
 - (i) misrepresenting that they are Métis; or
 - (ii) providing false information or documentation related to the application for Citizenship or Membership; or
 - (iii) concealing information which was required to be provided to the MMF as part of the application process.
2. A person’s Citizenship shall terminate if it is determined by the MMF that the Citizen has not provided the genealogy including supporting evidentiary documents that they objectively and verifiably meet the definition of Métis in Article IV 1 and the Citizenship requirement in Article IV 4(a).
 3. An individual may appeal the termination of their Citizenship to the Citizenship Appeal Tribunal provided that the appeal is placed before the Tribunal in such form and in such manner as the MMF Cabinet may prescribe, within 60 days from the date of receipt of notice of the termination of Citizenship.

ARTICLE VI REGIONAL AND LOCAL ASSOCIATIONS

1. The MMF shall be organized on the basis of regional associations (“Regions”) which shall comprise the total of local associations (“Locals”) within the boundaries of each Region.
 - (a) BOUNDARIES
 - (i) The boundaries establishing the Regions shall be established by resolution of the MMF Cabinet. Such resolutions shall take effect upon ratification by a 2/3 majority at an Annual General Assembly or Extraordinary General Assembly.
 - (ii) The boundaries establishing Locals shall be determined by the Regional Executives pursuant to rules established by the MMF Cabinet.

(b) EXECUTIVE

- (i) Each Region shall be administered by a Vice-President and two Executive Officers for that Region, who shall sit on the MMF Cabinet, and who shall form the Regional Executive for their respective Region.
- (ii) The Vice-President and the two Regional Executive Officers shall be elected in accordance with the by-laws of the MMF.
- (iii) Each Local shall be administered by a Chairperson, a Vice-Chairperson, and a Secretary-Treasurer or, if approved by the Local, a Chairperson, a Vice-Chairperson, a Treasurer, and a Secretary.
- (iv) These executive officers of each Local shall be elected in accordance with the by-laws of the MMF.

ARTICLE VII TERMS OF OFFICE

- 1. The Vice-President and Executive Officers of a Region shall hold office for a term, or terms, each of which shall not exceed four years and three months from the date of Election, and each of which shall commence from the date such officers shall be declared elected by the Chief Electoral Officer and continue until the date of the next following Election pursuant to By-Law No. 2 or the vacation of that term under Article X hereof.
- 2. The executive officers of each Local shall hold office for a four year term. However, no change of executive officers shall be recognized until details of same are registered with the appropriate Regional Office and with the Home Office of the MMF.
- 3. Vacancies arising in any of the Regional or Local offices between regular Elections shall be filled in accordance with the by-laws by special by-election called for that purpose.

ARTICLE VIII MMF CABINET

- 1. The MMF Cabinet shall consist of:
 - (a) those individuals who have been elected to the position of Vice-President for each Region; and
 - (b) those individuals who have been elected to the two Regional Executive Officer positions for each Region; and

- (c) the person elected as President of the MMF; and
 - (d) the person elected as Spokeswoman of Infinity Women Secretariat Inc.
2. The MMF Cabinet shall have the power to manage and administer the affairs of the MMF.

ARTICLE IX MMF CABINET MEMBERS: FAILURE TO ATTEND MEETINGS

1. A member of the MMF Cabinet who fails to attend three consecutive MMF Cabinet meetings without cause acceptable to the MMF Cabinet shall be liable to dismissal ipso facto. For greater certainty, the dismissal shall take effect from the date of the relevant third meeting unless cause acceptable to the MMF Cabinet is shown at that meeting.

ARTICLE X MMF CABINET: POWER TO REMOVE MEMBERS

1. The MMF Cabinet shall have the power to remove any officer of the MMF or member of the MMF Cabinet for behavior which is contrary to, or detrimental to, the objects of the MMF, or for behavior which would tend to bring the MMF into disrepute.
2. The MMF Cabinet shall set a process for the removal of any Regional Executive Officer or Vice-President by the Citizens from the Region represented by such Regional Executive Officer or Vice-President.
3. Where the Citizens of a Region have complied with the process defined by the MMF Cabinet, it shall declare the position of such Regional Executive Officer or Vice-President vacant and institute an Election as provided in the by-laws.
4. Without restricting the generality of the foregoing, any petition signed by a majority of Citizens registered to vote in such Region or a majority vote supporting such removal taken at any Regional meeting at which such recall has been set as an order of business shall be grounds for removal.
5. No motion for removal shall apply unless there is Notice in writing of intention to remove the Regional Executive Officer or Vice-President, and the Notice has been delivered to such Regional Executive Officer or Vice-President at least 21 days in advance of any Regional meeting.

ARTICLE XI PRESIDENT

1. The President shall be the Chief Executive Officer of the MMF, and shall chair all meetings of the MMF Cabinet.
2. The President shall hold for a term, or terms, each of which shall not exceed four years and three months from the date of Election, and each of which shall commence from the date such President shall be declared elected by the Chief Electoral Officer and continue until the Chief Electoral Officer shall declare elected in an Election pursuant to By-Law No. 2 another person elected to the office of President or the vacation of that term under Article X.
3. In the event that a vacancy occurs in the office of the President before the expiration of a term, the MMF Cabinet shall appoint a member of the MMF Cabinet to fill the vacancy unless more than one year remains in the term of that vacancy. In that event, an Election for the position of President shall be held in accordance with the by-laws of the MMF.

ARTICLE XII MMF CABINET MEETINGS

1. The MMF Cabinet shall meet at least once in every calendar year.
2. A meeting of the MMF Cabinet may be convened at the request of the President, or at the request of four or more MMF Cabinet Members.
3. At least 10 business days written notice shall be given for MMF Cabinet meetings provided that the notice requirement may be waived with the agreement of the MMF Cabinet.
4. QUORUM: A majority of the MMF Cabinet shall constitute a Quorum.
5. PROCEDURE: The procedure at meetings shall follow Robert’s Rules of Order unless the MMF Cabinet by resolution adopts another standard for procedures as the first order of business.

ARTICLE XIII GENERAL ASSEMBLIES

1. An Annual General Assembly (“AGA”) of all Citizens shall be called once in every calendar year.
2. The following business shall be transacted at every AGA, namely:
 - (a) The MMF Cabinet shall inform Citizens regarding the MMF’s activities in the previous year;

- (b) The MMF Cabinet shall present annual financial statements to the Assembly and arrange for the MMF Auditor to be available to provide information as may be required by the Assembly;
 - (c) The Assembly shall appoint an Auditor for the following year;
 - (d) The Assembly shall appoint a Resolutions Committee consisting of one Citizen representative from each Region and one Citizen representative from Infinity Women Secretariat Inc., to receive and review resolutions at the AGA and to submit all proper resolutions to the Assembly for its consideration;
 - (e) Subject to the provisions of this By-Law, Citizens may by resolution of 60% of the Citizens in actual attendance at the AGA make and approve, change, or revoke by-laws for the regulation of the affairs of the MMF.
3. VOTING: At all General Assemblies, each Citizen shall have one vote.
 4. Regional Executives may submit resolutions to the MMF Cabinet for its consideration for submission to the AGA or to an Extraordinary General Assembly.
 5. Notice concerning an AGA shall be sent from the MMF's Head Office postmarked not less than 45 days before the date set for the AGA to all Regional offices. The Regional Executive shall send such notice to the address of each Local Secretary-Treasurer postmarked at least 35 days before the date of the AGA and shall take such other reasonable means available to it to bring notice of the AGA to the Citizens within its Region. Each notice shall provide for the opening and adjournment times which shall be confirmed by a majority vote at the outset of each Assembly, and which may not otherwise be changed or extended except as hereinafter provided in Article XIII (7).
 6. The notice concerning an AGA shall specify the place and time of the meeting, and shall state the business to be transacted.
 7. Providing that proper and sufficient notice, as hereinafter set forth, shall have been given, there shall be no minimum nor maximum number of Citizens entitled or required to conduct or hold any meeting of the Citizens. Any motion to extend the time set for adjournment shall require an affirmative vote of 80% of the delegates registered to attend such meeting at the close of business on the first day of such meeting. The Assembly may, by majority vote, move to adjourn at any time prior to the times so determined.

8. Quorum for the purpose of an AGA shall be one delegate from at least 50% of the registered Locals.

ARTICLE XIV EXTRAORDINARY GENERAL ASSEMBLY

1. An Extraordinary General Assembly of Citizens may be called at any time, by the MMF Cabinet, provided that the notice required for an AGA be complied with and that the purpose for the Assembly, and the business proposed for consideration be stated in the notice of such Extraordinary General Assembly.

ARTICLE XV BY-LAW AMENDMENT PROCEDURE

1. No proposed amendment to the MMF's by-laws, shall be accepted from the floor at an AGA or an Extraordinary General Assembly;
2. Proposed by-law amendments may be initiated by the MMF Cabinet or, by a Citizen in accordance with the procedure set out in this Article;
3. The wording of any proposed by-law amendment shall be forwarded by the MMF Cabinet to each Regional Office at least 25 days prior to the AGA. Each Regional Office shall distribute the wording of the proposed by-law amendment to each Local at least 21 days before the commencement of the AGA or Extraordinary General Assembly;
4. Any Citizen who wishes to submit a proposed by-law amendment, must first submit the proposed amendment to their Local and obtain the approval of the Local to proceed with the proposed amendment;
5. If approval of the proposed by-law amendment is given by the Local, the Chair of the Local shall then submit the proposed by-law amendment to the Regional Executive;
6. In the event a Citizen's Local is not active, a Citizen may submit a proposed by-law amendment directly to the Regional Executive;
7. The Regional Executive shall within 14 days of the receipt of the proposed by-law amendment, submit the proposed by-law amendment to the MMF Cabinet along with the recommendation of the Regional Executive with respect to the proposed by-law amendment;
8. The MMF Cabinet will review all proposed by-law amendments received from a Regional Executive and may suggest such changes as in the opinion of the MMF Cabinet, may be appropriate;

9. Any suggested changes by the MMF Cabinet will be communicated to the Regional Executive which in turn shall communicate such suggested changes to the Local and determine whether the Local/Citizen who first proposed the by-law amendment agrees to the changes suggested by the MMF Cabinet;
10. The MMF Cabinet will then decide whether the proposed by-law amendment should be brought forward to the next AGA or Extraordinary General Assembly. In the event the MMF Cabinet decides not to have the proposed by-law amendment brought forward to the AGA or Extraordinary General Assembly, a written explanation as to the MMF Cabinet's decision shall be provided to the Regional Executive, the initiating Local, and the Citizen who proposed the by-law amendment;
11. In the event the MMF Cabinet agrees to have the proposed by-law amendment brought forward to the AGA or Extraordinary General Assembly, it shall do so in accordance with the time frame stated in paragraph number 3 above.

ARTICLE XVI ELECTION OF MMF GOVERNMENT

1. The MMF Cabinet shall pass by-laws for the regulation of the elections of members of the MMF Cabinet and other officials of the MMF.

ARTICLE XVII MISCELLANEOUS

1. Each MMF Cabinet Member shall be entitled to receive an amount by way of MMF Cabinet Member fees or any other form of remuneration, which amount shall be established by the MMF Cabinet on an annual basis.
2. Those elected representatives who serve as President, Regional Administrators, Chief Administrative Officer, or any other employee position created by the MMF Cabinet, are entitled to serve as employees to fulfill the obligations of their position with the MMF.
3. Other than as provided for in (2) above, no MMF Cabinet Member elected as a Regional Executive or Spokeswoman of Infinity Women Secretariat Inc. may do work for the MMF, either as an employee or by contract.
4. The MMF may establish a compensation and benefits package for the President and all other MMF Cabinet Members to provide, in addition to MMF Cabinet Member fees or any other form of remuneration, an amount of remuneration to be paid following the person ceasing to be an MMF Cabinet Member whether by having failed to be re-elected or, deciding not to stand for Election.

5. Other than as provided for in (4) above, no person elected to office shall by reason only of having failed to be re-elected to such office be entitled to any further or other notice, or to any severance pay.

ARTICLE XVIII MÉTIS HARVESTING INITIATIVE

1. The Métis Harvesting Initiative comprises the structures, policies, and procedures enabling and regulating the exercise of the Manitoba Métis Community's collectively-held harvesting rights recognized in section 35 of Canada's Constitution Act, 1982.
2. The Métis Harvesting Initiative includes but is not limited to the following:
 - (a) Métis Harvester Registration and Métis Harvester Identification Cards;
 - (b) Métis Conservation Trust Fund;
 - (c) Métis Management System;
 - (d) Métis Laws of the Harvest;
 - (e) Métis Harvesting Judicial Tribunal;
 - (f) Métis Harvesting Appeal Tribunal.
3. Any person who is a Citizen or Child Citizen is entitled to register as a Métis Harvester, receive a Métis Harvester Identification Card, and participate in the Métis Harvesting Initiative and shall accept and be subject to all policies and procedures governing the Métis Harvesting Initiative as may be prescribed by resolution of the MMF Cabinet.
4. Harvester Application Process:
 - (a) All applications to be registered as a Métis Harvester and to receive a Métis Harvester Identification Card shall be made in accordance with the provisions of this Article;
 - (b) The application process shall be objective and verifiable, and in the form and manner as may be prescribed by resolution of the MMF Cabinet.

5. Harvester Application Appeals:
 - (a) Any applicant whose application is rejected has a right to appeal that decision to the Citizenship Appeal Tribunal, provided that the appeal is placed before the Tribunal, in such form and in such manner as the MMF Cabinet may prescribe, within 60 days from the date of receipt of the decision.
6. Métis Harvesting Judicial Tribunal:
 - (a) The MMF shall create a Métis Harvesting Judicial Tribunal, in accordance with Terms of Reference approved by resolution of the MMF Cabinet. The Métis Harvesting Tribunal shall deal with all breaches of the Métis Laws of the Harvest by Métis Harvesters and shall determine appropriate consequences for such breaches. The decision made by the Métis Harvesting Judicial Tribunal may be appealed by the Métis Harvester(s) in accordance with Article XVIII ((7) and (8)).
7. Métis Harvesting Appeal Tribunal:
 - (a) The MMF shall create a Métis Harvesting Appeal Tribunal, in accordance with Terms of Reference approved by resolution of the MMF Cabinet. The Métis Harvesting Appeal Tribunal shall deal with all appeals from a decision of the Métis Harvesting Judicial Tribunal. The decision made by the Métis Harvesting Appeal Tribunal shall be final and shall not be reviewable by, nor appealable to, any Court of Law.
8. A Métis Harvester may appeal a decision of the Métis Harvesting Judicial Tribunal to the Métis Harvesting Appeal Tribunal provided that the appeal is placed before the Métis Harvesting Appeal Tribunal in such form and in such manner as the MMF Cabinet may by resolution prescribe, within 60 days from the date of receipt by the Harvester of the decision of the Métis Harvesting Judicial Tribunal.

**MANITOBA MÉTIS FEDERATION AND THE
MANITOBA MÉTIS FEDERATION INC.
ELECTION BY-LAW
BY-LAW NO. 2**

ARTICLE I APPLICATION

1. This By-Law applies to “Regional” and “Provincial” Elections held by the MMF. It does not apply to “Local” elections.

ARTICLE II DEFINITIONS

For the purposes of this By-Law the following definitions apply:

1. “Candidate” – means a Citizen who:
 - (a) is entitled to hold an elected office in the MMF; and
 - (b) is duly nominated as a candidate for office.
2. “Chief Electoral Officer” – means the person appointed by the MMF Cabinet to fulfil the position of Chief Electoral Officer.
3. “Citizen” – means a Citizen who has been approved by the MMF to be entered in the Citizenship Register.
4. “Deputy Chief Electoral Officer” – means a person appointed by the Chief Electoral Officer to assist them in carrying out the duties and responsibilities of Chief Electoral Officer.
5. “Deputy Returning Officer” – means a person appointed by the Chief Electoral Officer to:
 - (a) manage and conduct voting procedures at polls that are established by the Chief Electoral Officer; and
 - (b) provide such further and other support as may be required by the Chief Electoral Officer for that poll including, without restricting the generality of the foregoing, the placement of advertisements, materials, posters, or other like items as directed by the Chief Electoral Officer to inform Citizens of the Election and its details.
6. “Election” – means an election called pursuant to the Constitution and by-laws of the MMF.

7. “Elector” – means a Citizen who is entitled to vote pursuant to this By-Law and the MMF Constitution.
8. “Election Day” – means the day when all voting except Advance Poll or mail-in voting takes place.
9. “Election Officer” – means the Chief Electoral Officer and any Deputy Chief Electoral Officer, Deputy Returning Officer, and Poll Clerk appointed by them for a particular Election.
10. “List of Electors” – means the Preliminary List of Electors of the MMF as amended by the Chief Electoral Officer and distributed not less than 21 days before Election Day.
11. “Local” – means the association of Citizens established at the community level pursuant to the Constitution of the MMF.
12. “Local Executive” – means the Chairperson, Vice-Chairperson, Secretary, and Treasurer of an MMF Local and includes a Secretary-Treasurer if one person holds both the Secretary and Treasurer positions.
13. “MMF” – means the Manitoba Métis Federation and the Manitoba Métis Federation Inc.
14. “Polling Location” – means a geographic area or Local designated by the MMF Cabinet, by resolution or law, for the establishment by the Chief Electoral Officer of a Polling Station. If the MMF Cabinet fails to establish polling locations by proper resolution, “Polling Location” shall mean an area designated by the Chief Electoral Officer, in advance of the calling of an Election, for the establishment of a Polling Station.
15. “Poll Clerk” – means a person appointed by the Chief Electoral Officer to assist a Deputy Returning Officer at the Polls.
16. “Polling Station” – means a place established by the Chief Electoral Officer where Electors may vote in person.
17. “Preliminary List of Electors” – means the Master List of Citizens entitled to vote pursuant to this By-Law and the MMF Constitution, on file at the MMF Head Office on the date the Election is called.
18. “Presidential Candidate” – means a nominated Citizen who is entitled to run for the office of President of the MMF.

19. “Region” – means one of the seven Regions of the MMF created in accordance with the Constitution of the MMF.
20. “Regional Position” and “Regional Office” – means the office of the Vice-President and two Regional Executive Officers elected by the Citizens in a Region.
21. “Regional Returning Officer” – means a person who may be appointed by the Chief Electoral Officer to:
 - (a) manage and conduct voting procedures at a poll or polls as directed by the Chief Electoral Officer;
 - (b) to provide support to the Deputy Returning Officers in that Region; and
 - (c) to provide such other support as may be required for that Region by the Chief Electoral Officer including, without restricting the generality of the foregoing, the placement of advertisements, materials, posters, or other like items, as directed by the Chief Electoral Officer to inform Citizens of the Election and its details.
22. “Scrutineer” – means a person appointed by a Candidate to represent their interest at a Polling Station and to act as their agent.

ARTICLE III CHIEF ELECTORAL OFFICER

1. The MMF Cabinet shall appoint a person to serve as Chief Electoral Officer for a fixed term. The person so appointed shall have the responsibility to conduct any necessary Elections or by-elections while their appointment remains in effect.
2. The Chief Electoral Officer shall set, manage, and conduct the Election.
3. The duties and powers of the Chief Electoral Officer shall include but not be limited to:
 - (a) Creating all forms, notices, ballots, and documents as may be required.
 - (b) Appointing such Election officials as are necessary to conduct the business of the Office of the Chief Electoral Officer including Regional Returning Officers, Deputy Returning Officers, and Poll Clerks.

- (c) Deciding the eligibility of all Candidates to run for office. The decision of the Chief Electoral Officer shall be final and not the subject of appeal.
 - (d) Deciding all challenges to Candidates. The decision of the Chief Electoral Officer shall be final and not the subject of appeal.
 - (e) Deciding the eligibility of all Citizens to vote and all challenges to Citizens. The decision of the Chief Electoral Officer shall be final and not the subject of appeal.
 - (f) Preparing the List of Electors.
 - (g) Providing a written report to the MMF Cabinet within 60 days from the date of the Election.
 - (h) Taking all reasonable actions to ensure compliance with this By-Law.
4. The Chief Electoral Officer shall ensure that all eligible Electors of the MMF are permitted to vote and that no clerical mistake or omission results in the disenfranchisement of eligible Electors.

ARTICLE IV TIMING OF ELECTION AND RULE FOR CALCULATION OF TIME

- 1. The MMF Cabinet shall call an Election by resolution passed by a majority vote of the MMF Cabinet Members.
- 2. The President, upon passage of the resolution, shall transmit a certified copy of the resolution to the Chief Electoral Officer within two days after the passing of the resolution by the MMF Cabinet.
- 3. The Chief Electoral Officer shall set the date for such Election or by election within seven days after the receipt of the resolution calling the Election.
- 4. There shall be no more than 60 days between the date of the notice setting the date of the Election and Election Day. In order to calculate compliance with this provision, the first day counted shall be the day after the date of the notice setting the date of the Election and the last day counted shall be Election Day.
- 5. For the purpose of calculating a period of time as provided for anywhere in this By-Law, when anything is to be done within a time after, from, or before a specified day, the period of time does not include that day.

ARTICLE V

PREPARATION OF LIST OF ELECTORS

1. The MMF Central Registry Office shall, within two days, at such times as requested by the Chief Electoral Officer, provide the Chief Electoral Officer with an alphabetical list or lists of Citizens divided by Region and Local.
2. Not later than the day the Election is set by the Chief Electoral Officer, the Chief Electoral Officer shall transmit by email, or other appropriate means, to the Deputy Returning Officer or other person appointed by the Chief Electoral Officer to receive the Preliminary List of Electors for each Local and to the Secretary or Secretary-Treasurer of the Local, as the case may be, the Preliminary List of Electors.
3. The persons to whom the list has been transmitted shall post the list, together with such other notices as the Chief Electoral Officer may require, within 24 hours of its transmission in at least two public places which are within the geographic boundary of the Local. The Chief Electoral Officer may publish, by electronic means, a Preliminary List of Electors to enable Citizens to determine if they are registered to vote and the Local at which they are entitled to cast their ballot.
4. Citizens shall have 21 days from the date of the notice setting the date of the Election to apply for revision of the Preliminary List of Electors by adding or deleting a name/names.
5. The Secretary or Secretary-Treasurer of the Local, as the case may be, shall review the list and shall cause to be communicated to the Chief Electoral Officer, by a certificate in proper form, the names of such persons as the Secretary knows are deceased or otherwise disqualified from voting, and the reason they are disqualified from voting within seven days of receipt of the Preliminary List of Electors.
6. The Chief Electoral Officer may accept proof of death of any Citizen from anyone who provides the Chief Electoral Officer with a valid Death Certificate or copy of a published obituary.
7. The names of those persons that are listed by the Secretary or Secretary Treasurer of a Local, as the case may be, as deceased or for whom a proof of death has been provided shall be deleted by the Chief Electoral Officer from the List of Electors. The Chief Electoral Officer shall transmit the information received and the decision to remove the name from the List of Electors to the MMF Central Registry Office.

8. The persons otherwise disqualified may be contacted by the Chief Electoral Officer, or a person designated by the Chief Electoral Officer, to determine the eligibility of that person to vote. If the Chief Electoral Officer is able to determine that the person is not qualified to vote in the Election, the name of that person shall be deleted from the Preliminary List of Electors, but otherwise the name shall remain on the List of Electors and the person shall be entitled to vote. The Chief Electoral Officer shall transmit the information received and a decision to remove the name from the List of Electors to the MMF Central Registry Office.
9. The Chief Electoral Officer shall only accept the submission of a name for addition to the Preliminary List of Electors, if the Citizen has completed a form approved by the Chief Electoral Officer requesting that the Citizen's name be added to the Preliminary List of Electors.
10. The Chief Electoral Officer shall revise the Preliminary List of Electors and shall create and distribute the List of Electors as required by this By Law.
11. One copy of the List of Electors eligible to vote in an Election may be provided to each Candidate for that Election or by-election, provided the Candidate complies with such requirements as may be set by the Chief Electoral Officer. The List of Electors shall provide only the names of registered voters, the address of the registered voters as known to the MMF, and the Local at which each voter is entitled to cast a ballot. The Candidates shall not copy, memorialize, transmit, secure electronically, or otherwise keep or share the List of Electors and shall return the list so provided to the Chief Electoral Officer after the conclusion of any Election. In addition, each Scrutineer may, by complying with such requirements as may be set by the Chief Electoral Officer, obtain one copy of the List of Electors from the Deputy Returning Officer at the Polling Location, which list must remain at the Polling Location, and which must be returned to the Deputy Returning Officer when the Scrutineer leaves the polling place.
12. No names shall be added to the List of Electors on Election Day by any person except the Chief Electoral Officer.
13. The Chief Electoral Officer may add the name of a Citizen to the List of Electors on Election Day after consulting with a Deputy Returning Officer only when there has been an obvious clerical mistake or omission and the Citizen to be added satisfies the Chief Electoral Officer that they are a Citizen.

14. In the event, that an individual has made application for Citizenship prior to the date on which the Chief Electoral Officer gives notice of the date of the Election, and that application is processed and the individual is approved by the MMF Central Registry Office prior to Election Day, the Chief Electoral Officer shall add the name of the new Citizen to the List of Electors on Election Day.

ARTICLE VI QUALIFICATIONS OF ELECTORS

1. Only a Citizen whose name appears on the List of Electors may vote in a MMF Election.
2. A Citizen may retain Citizenship in their original or another Local indefinitely even though they have permanently moved to another community represented by a different Local.
3. If a Citizen has moved and wishes to vote in the Poll where they live, they must transfer their Citizenship to that Local before an Election is called.
4. A Citizen may only belong to one Local at a time.
5. A Citizen may vote only in the Region where the Local of which they are a member is located.

ARTICLE VII APPOINTMENT OF DEPUTY RETURNING OFFICERS

1. The Chief Electoral Officer shall appoint a Deputy Returning Officer and a Poll Clerk for every Polling Station and may appoint such other officials, including a Regional Returning Officer, as are necessary to conduct the Election.
2. A person appointed as an Election official shall hold office from the time appointed until 30 days after the Election and all recounts and appeals have been completed.
3. If a vacancy occurs in those offices during the Election process, the Chief Electoral Officer shall appoint another person to fill the vacancy.

ARTICLE VIII NOMINATIONS OF CANDIDATES

1. The Chief Electoral Officer shall indicate the day on which nominations close in the notice setting the date of the Election. The date on which nominations close shall not be more than 14 days after the date of the notice setting the date of the Election. The notice shall be sent to and

posted by each Local, Region, and the Head Office of MMF. The notice shall also be published in at least one Aboriginal newspaper and in any other newspapers the Chief Electoral Officer thinks necessary.

2. Nominations shall be in writing and shall include the Candidate's written acceptance.
3. One or more Nomination Forms shall be signed by the person making the nomination and be supported and signed by at least 20 more Electors on the Preliminary List of Electors in the Region in which the Candidate is running.
4. Nomination Forms must be filed with the Chief Electoral officer by 5:00 p.m. on the day set for nominations to close. The forms may be delivered or sent to the Chief Electoral Officer by mail or fax transmission.
5. If a Nomination Form is received after the deadline, the Chief Electoral Officer may still accept it if it bears a postmark dated prior to the close of nominations.
6. A Citizen may not be nominated for more than one position.
7. A nomination that fails to meet these requirements will be void and the name of the proposed Candidate will not appear on a ballot.

ARTICLE IX QUALIFICATION OF CANDIDATES

1. Only Citizens who are residents of Manitoba and have obtained a valid Citizenship card in accordance with Article IV 5(a) of the MMF Constitution are entitled to stand for Election.
2. To run for the position of Regional Vice-President or Regional Executive Officer, a person must be a member of a Local within that Region and reside in that Region. If a person is a member of a Local within that Region but does not reside in that Region, they shall be allowed to be a Candidate provided they give to the Chief Electoral Officer, a written promise that if they are elected, they will move and reside in that Region for the duration of their term within six months of being elected.
3. Any Candidate who breaches their promise to the Chief Electoral Officer referred to in subsection (2) shall automatically forfeit their elected office.
4. (a) In order to be able to stand for Election for the position of Regional Executive Officer, a Citizen must, during the previous 20 years, have held office for at least three years as either Chairperson, Vice-

Chairperson, Secretary-Treasurer, Secretary, or Treasurer of an Active Local; or have held office for at least three years as a Regional Board Member of Infinity Women Secretariat Inc.

- (b) In order to be able to stand for Election for the position of Regional Vice-President in a Region, a Citizen must, during the previous 20 years, have held office for at least three years as either Chairperson, Vice-Chairperson, Secretary-Treasurer, Secretary, or Treasurer of an Active Local; or have held office for at least three years as a Regional Board Member of Infinity Women Secretariat Inc.
 - (c) In order to be able to stand for Election for the position of President, a Citizen must, during the previous 20 years, have held office for at least three years as either Chairperson, Vice-Chairperson, Secretary Treasurer, Secretary, or Treasurer of an Active Local, or have held office for at least three years as a Regional Board Member of Infinity Women Secretariat Inc., and as well, have held office for at least three years as either a Regional Executive Officer or Regional Vice-President, or as Spokeswoman of Infinity Women Secretariat Inc.
 - (d) Once a Citizen has previously held office for at least three years as either a Regional Executive Officer, Regional Vice-President, Spokeswoman of Infinity Women Secretariat Inc., or President, they may stand for Election for any of the positions of Regional Executive Officer, Regional Vice-President, or President and the requirements of 4 (a), (b), and (c) do not apply to that Citizen.
5. A Citizen who has a debt or financial obligation owing to the MMF or a MMF Region that is more than 30 days in arrears at the date nominations close may not be a Candidate. Any Citizen against whom the MMF or a MMF Region holds an unpaid judgment must pay such judgment in full on or before the date nominations close in order to be eligible to be a Candidate.
 6. A Citizen who has a contract or an interest in a contract for pecuniary gain with the MMF at the date nominations close may not be a Candidate.
 7. A Candidate who is employed by the MMF (except for Regional Administrators) must apply for a leave of absence without pay effective on or before the day on which nominations close. The application for a leave of absence shall be presented to the MMF and a copy shall be sent to the Chief Electoral Officer before nominations close. The MMF shall grant all such applications for a leave of absence.

8. A Candidate who is employed by the MMF shall, at the time of applying for a leave of absence, claim and be paid all outstanding holiday pay, wages, claims, and disbursements.

ARTICLE X CHALLENGE TO CANDIDATES

1. Within seven days of the close of nominations, any elector may submit a written challenge to the right of a Candidate to run for the office to which they have been nominated.
2. The challenge shall be sent to the Chief Electoral Officer, along with any documents or other material that support the challenge.
3. A copy of the challenge and supporting material shall also be sent to the person being challenged.
4. An elector may only challenge a Candidate for Vice-President or Executive Officer in the Region where the challenger is entitled to vote.
5. The Chief Electoral Officer may decide a challenge on the basis of the written material, or may set a date when the challenger and the Candidate may present their arguments in person.
6. The onus to prove a challenge to the satisfaction of the Chief Electoral Officer is upon the challenger.

ARTICLE XI ACCLAMATION

1. Where, on the close of nominations, the number of Candidates nominated for an office equals the number to be elected, the Chief Electoral Officer shall declare the nominated Candidates to be elected.

ARTICLE XII TOO FEW CANDIDATES

1. Where insufficient Candidates are nominated to fill a position, the Chief Electoral Officer shall declare any Candidate who has been nominated to be elected and call for further nominations.

ARTICLE XIII POLL REQUIRED

1. Where more Candidates are nominated for an office than are to be elected, the Chief Electoral Officer shall:

- (a) Announce the names of the Candidates that have been nominated, and
- (b) Announce the dates, places, and times when voting will take place.

ARTICLE XIV WITHDRAWALS

- 1. A Candidate who has been nominated may, before 2:00 p.m. of the second day following the day on which nominations closed, send a written notice to the Chief Electoral Officer withdrawing their nomination.
- 2. If such a withdrawal results in insufficient Candidates to fill a position, the Chief Electoral Officer shall set a date and time for the receipt of further nominations.
- 3. If a Citizen who wishes to run for President has already been nominated for another position, they shall withdraw from it and if there are not sufficient nominees to fill that position, the Chief Electoral Officer shall call for further nominations.

ARTICLE XV DEATH OF A CANDIDATE

- 1. Where a Candidate dies after being nominated, but before nominations close, no further nominations shall be called for if there are enough remaining Candidates to fill the position.
- 2. In the event of the death of a Candidate for the office of President prior to Election Day, the Election shall be postponed for at least one month and the Chief Electoral Officer shall call for further nominations for President.

ARTICLE XVI VOTING ON ELECTION DAY

- 1. Polls shall be open on Election Day between 8:00 a.m. and 8:00 p.m.
- 2. Elections shall be held at the Polling Stations established by the Chief Electoral Officer.
- 3. The Chief Electoral Officer shall establish one or more Polling Stations within each Polling Location as are, in their opinion, necessary to afford reasonable access to voting by Citizens.
- 4. A Polling Station shall not be in premises owned by a Candidate or a member of their immediate family.

5. Polling Stations in public buildings shall be accessible to disabled and handicapped persons.
6. Where a Polling Station is established in a private residence where such access is not available, the Deputy Returning Officer and a Scrutineer, if one is present, may go outside the home to permit a handicapped voter to mark their ballots.

ARTICLE XVII ADVANCE POLL

1. At least one Advance Poll, with at least two days of polling, shall be established in each Region on such days, places, and times as determined by the Chief Electoral Officer.
2. Additional Advance Polls shall be held on such days, places, and times as determined by the Chief Electoral Officer.
3. Electors may vote at an Advance Poll if they wish.
4. Electors who choose to vote at an Advance Poll must vote at the Advance Poll established in the Region where they are entitled to vote.
5. Electors who choose to vote at an Advance Poll must vote in person.
6. There shall be no mail-in Advance Poll.
7. When the Advance Poll closes, the Deputy Returning Officer shall:
 - (a) Place the ballots in a marked and sealed envelope and place it in the Ballot Box,
 - (b) Place a seal across the opening in the box and initial across it so it will not be opened until Election Day.

ARTICLE XVIII INFIRM OR INCAPACITATED VOTERS

1. Where an Elector on the List of Electors comes to a Polling Station to vote and is unable to mark a ballot due to illiteracy, blindness or physical or mental disability, the Deputy Returning Officer shall:
 - (a) Have a friend or relative complete a Voter Assisted form showing the name of the voter, their own name and the reason the person is incapable of voting alone.

- (b) Permit that person to accompany the voter into the voting compartment to mark the ballots in accordance with the voter's instructions.
 - (c) Receive the completed ballots, check their initials and place the ballots in the ballot box.
 - (d) Enter the reason the person was permitted to vote in this manner, and the name of the person who assisted the voter, in the Poll Book.
2. Infirm or incapacitated voters who are unable to attend a Polling Station to vote may vote in the following way:
- (a) On receipt of an application, the Deputy Returning Officer shall send the Poll Clerk and any Scrutineers who are present and wish to attend to the place where the voter is living.
 - (b) Ask the Poll Clerk to have the voter complete an Incapacitated Voter form. The completed form shall include the name of the voter, the reason the person could not attend a Polling Station, and the signature of the Poll Clerk and Scrutineer.
 - (c) The voter must sign the form, or if the voter is infirm, have a friend or relative do so.
 - (d) If the Deputy Returning Officer requires the assistance of another Poll Clerk in the absence of the one who goes to assist a Citizen to vote, they may appoint a temporary replacement until the Poll Clerk returns.
 - (e) When the ballots are returned, the Deputy Returning Officer shall place them in the ballot box and place the voter's declaration into an Incapacitated Voter envelope.

ARTICLE XIX BALLOTS

1. The Chief Electoral Officer shall cause a sufficient number of ballots to be prepared.
2. The ballots for the various offices to be filled shall be in the form and colour prescribed by the Chief Electoral Officer.
3. Each ballot shall list the nominated Candidates in alphabetical order. If two or more Candidates for the same office have the same surnames, their names shall be listed in the alphabetical order of their given names.

ARTICLE XX VOTING MATERIAL

1. The Chief Electoral Officer shall ensure that each Polling Station has:
 - (a) An area where Electors can mark their ballots in private;
 - (b) A document providing voting instructions;
 - (c) A ballot box and tape to secure it until the ballots are counted;
 - (d) A Poll Book containing the names of the Electors, who are entitled to vote at that Poll;
 - (e) Instructions for the Deputy Returning Officer and Poll Clerk;
 - (f) Sheets for counting ballots;
 - (g) Forms and envelopes when sorting ballots; and
 - (h) Forms and envelopes for reporting to the Chief Electoral Officer after all the ballots are counted.

ARTICLE XXI CONDUCT AT POLLING STATIONS

1. No person shall speak to or interfere with an Elector who is marking their ballots or placing them in the ballot box.
2. No person shall approach an Elector in a Polling Station to suggest the Candidate for whom they should vote.
3. No person shall approach an Elector after they have voted to determine the Candidate for whom they voted.
4. Any person in breach of these provisions will be removed from the Polling Station and will not be entitled to vote.
5. The campaign office of a Candidate must not be within one kilometre of a Polling Station.
6. There shall be no campaigning in or in the vicinity of a Polling Station on Election Day.
7. Except for casting their own ballots, no Candidate or supporters of Candidates shall be or remain in the vicinity of a Polling Station on Election Day.

ARTICLE XXII VOTING BY MAIL

1. The Chief Electoral Officer shall permit the following Electors to vote by mail:
 - (a) Electors who reside in remote areas in Manitoba, only if no Polling Station is established in their Local; and
 - (b) Electors who reside outside of Manitoba.
2. Those Electors wishing to vote by mail may only request ballots in writing, and such request shall be signed by the Elector.
3. Those Electors eligible to vote by mail may only request a mail-in ballot within 21 days from the date the Election is called.
4. No person shall be allowed to request a mail-in ballot for any other Elector.
5. When mail-in ballots have been forwarded to an Elector, the poll book will be marked as having voted by mail and the Elector may not vote in person at an Advance Poll or at a Polling Station on Election Day.
6. Mail-in ballots must be received by the Chief Electoral Officer by the end of Election Day.

ARTICLE XXIII SECRECY OF VOTING

1. Voting shall be by secret ballot.
2. Deputy Returning Officers and Poll Clerks shall maintain the secrecy of the vote and shall not communicate any information obtained at the counting of the ballots to any person other than the Chief Electoral Officer or those in their office.
3. If they should inadvertently see the face of a voter's ballot, they shall refrain from telling anyone the name of the voter or for whom the votes were cast.

ARTICLE XXIV SCRUTINEERS

1. A Candidate is entitled to have one Scrutineer at a time in each Polling Station while voting is in progress and while the ballots are being counted. Where there are several Polling Stations within one Poll, a Candidate may have one Scrutineer at each Polling Station.

2. Candidates shall supply their Scrutineers with a form approved for such use by the Chief Electoral Officer, appointing them as a Scrutineer. If Scrutineers are only present for part of a day and are replaced by another Scrutineer, the replacement Scrutineer must have their own form to show the Deputy Returning Officer.
3. Scrutineers may observe the operation of the Polling Station and observe the counting of the ballots. They may object to a certain person voting or to the admissibility of a certain ballot but are not entitled to argue their position at length. The decision of the Deputy Returning Officer to accept or reject a challenge is final.

ARTICLE XXV BALLOT BOX

1. On the opening of a Polling Station on Election Day, the Deputy Returning Officer shall:
 - (a) Open the ballot box and, if the same box was used at the Advance Poll, remove the envelope containing the ballots cast at the Advance Poll, and show the empty ballot box to the Scrutineers who are present. The envelope containing the Advance Poll ballots shall then be returned to the ballot box.
 - (b) Seal the ballot box and place their initials across the sealing material and the box. The box shall remain sealed until the Poll closes and the counting of the ballots begins.
2. The ballot box shall not leave the Polling Station during the hours of voting. If it does leave, the ballots in the box shall not be counted, but the box and its contents shall be sent to the Chief Electoral Officer.
3. If there is a recount involving that Polling Station, the Chief Electoral Officer may hear evidence with respect to the removal of the ballot box and decide whether it was opened or tampered with, and may, in their discretion, count the ballots in the box or refuse to do so.

ARTICLE XXVI VOTING PROCEDURE

1. Where a person attends a Polling Station to vote, the Deputy Returning Officer or the Poll Clerk shall:
 - (a) Make certain the person's name appears on the List of Electors and that the person did not vote at an Advance Poll. The Deputy

Returning Officer, or the Poll Clerk shall require the person seeking to vote, to provide acceptable identification evidencing the identity of the person;

Acceptable identification shall be the following:

- (i) a Manitoba Métis Federation card issued after September 10, 2009; or
 - (ii) a Province of Manitoba driver license; or
 - (iii) an Enhanced Manitoba identification card; or
 - (iv) a student photo identification card; or
 - (v) any other photo identification card or identification documents approved by the Chief Electoral Officer.
- (b) If the person's name is not in the Poll Book, they shall not be allowed to vote unless the Chief Electoral Officer permits the addition of the person's name to the Poll Book;
- (c) Have the person sign the Poll Book next to their name;
- (d) Initial the ballots, hand them to the Elector, and ask they be folded and returned when completed;
- (e) Explain the voting procedure if necessary and direct the Elector to the voting booth;
- (f) Receive the completed ballots from the Elector and examine them to make sure they bear the initials that were placed on them; and
- (g) Place the ballots, or permit the voter to place the ballots, in the ballot box.
2. Upon receiving ballots from the Deputy Returning Officer or Poll Clerk, the Elector shall proceed directly to the voting compartment and mark them by placing an X beside the name of the Candidate or Candidates for whom they wish to vote.
3. The Elector shall then fold the ballots, leaving the initials where they can be seen and return them to the Deputy Returning Officer or Poll Clerk for examination.

4. Only one Elector shall be permitted to enter a voting compartment at one time.
5. Where a person who is entitled to vote has received ballots from the Deputy Returning Officer or Poll Clerk, they may not speak to any other person or leave the Polling Station until their completed ballots have been placed in the ballot box.
6. If an Elector makes a mistake in completing a ballot by putting an X opposite the wrong Candidate, or opposite too many Candidates, the Elector may return the ballots to the Deputy Returning Officer, explain the circumstances, and receive a new set of ballots in return for the original ones.
7. The Deputy Returning Officer shall write “exchanged ballots” on the original ballots and indicate in the Poll Book that new ballots were issued. The original ballots shall then be placed in an “Exchanged Ballots” envelope and shall not be counted.

ARTICLE XXVII COUNTING VOTE

1. Immediately after the close of the Polls, the Deputy Returning Officer and the Poll Clerk shall, in the presence of any Scrutineers who are present, proceed to count and tabulate the vote on forms provided by the Chief Electoral Officer.
2. The number of names on the List of Electors for the Poll and the number who voted shall be recorded.
3. The number of spoiled, exchanged and declined ballots shall be counted and recorded on the envelopes containing them. Those envelopes shall then be sealed so the ballots in them cannot be counted.
4. The Deputy Returning Officer and Poll Clerk shall count the remaining ballots and record the number of votes cast for each Candidate.
5. During the examination and counting of the ballots, the Deputy Returning Officer shall show each ballot to the Scrutineers, hear any comments or challenges they make, and decide whether the ballot is to be counted or rejected.
6. A ballot shall be counted if the Elector has clearly indicated the Candidate they wished to vote for.

7. A ballot shall not be rejected merely because the Elector used a pen or other instrument, rather than the pencil that was provided.
8. A ballot is not invalid merely because the Elector, without any apparent intention of identification, marked it out of its proper space, as long as the mark clearly indicates the Candidate for whom the vote was intended.
9. Ballots shall not be counted if:
 - (a) They were not supplied by the Chief Electoral Officer;
 - (b) Do not bear the Deputy Returning Officer or Poll Clerk's initials;
 - (c) It is impossible to determine who the Elector intended to vote for;
 - (d) The Elector voted for more than the permitted number of Candidates;
 - (e) The ballot contains a name, signature or other mark that enables the Elector to be identified; or
 - (f) If the ballot contains an improper remark about the Election or any Candidate.
10. The Deputy Returning Officer or Poll Clerk shall endorse each ballot that is rejected with:
 - (a) "Rejected by DRO";
 - (b) "Challenged by a Scrutineer but counted" where a Scrutineer challenges the Deputy Returning Officer's decision. If the Deputy Returning Officer disagrees with the challenge, the vote will be counted.

ARTICLE XXVIII FORWARDING RESULTS

1. As soon as possible after the counting of ballots is completed, the Deputy Returning Officer shall:
 - (a) Telephone the Chief Electoral Officer's Election office and report the number of votes received by each Candidate.
 - (b) Forward to the Chief Electoral Officer the ballots, unused ballots, declaration forms, poll book, counting sheets, and the other documents used during the Election, along with their signed report.

ARTICLE XXIX ELECTION RESULTS

1. The Chief Electoral Officer shall, as soon as all telephone reports are received from the Deputy Returning Officers, announce the names of the Candidates that appear to have been elected and the number of votes received by each.
2. When the original reports and ballots have been received from the Deputy Returning Officers, the Chief Electoral Officer shall check the reports, but not the ballots, and verify or confirm the results.

ARTICLE XXX RECOUNT

1. Where two or more Candidates for the same position have an equal number of votes, the Chief Electoral Officer shall declare a tie and conduct a recount.
2. A Candidate who was not elected, but received within 25 votes of the total received by the elected Candidate, may request a recount and the Chief Electoral Officer shall hold a recount with respect to that position.
3. A request for a recount on either basis must be requested within seven days of the Election Day. The Recount shall, if possible, be held within the next seven days.
4. Upon the completion of any and all recounts, the Chief Electoral Officer shall certify the final results of the Election and declare the names of the successful Candidates.

ARTICLE XXXI BY-ELECTION

1. If a recount results in the leading Candidates having the same number of votes, the Chief Electoral Officer shall call and conduct a by-election as soon as possible. Only Citizens who were on the List of Electors for the first Election are entitled to vote in such by-election.
2. In the event a vacancy arises in the position of President or Regional Vice President or Regional Executive Officer and a by-election is required in accordance with the MMF by-laws, such by-election shall be held in accordance with the provisions of the Election By-Law.

**ARTICLE XXXII DESTRUCTION OF BALLOTS AND
ELECTION MATERIAL**

1. Unless the Chief Electoral Officer is, within 30 days after the date of the Election or any recount or by-election, directed by a resolution of the MMF Cabinet or an order of a Court to retain Election material, the ballots and such other Election material as the Chief Electoral Officer may direct, shall be destroyed.

**MANITOBA MÉTIS FEDERATION AND THE
MANITOBA MÉTIS FEDERATION INC.
LOCAL BY-LAW
BY-LAW NO. 3**

This By-Law of the MMF is intended to cover all Locals under the auspices of the MMF.

ARTICLE I

1. Interpretation

- (a) This By-Law will be interpreted in accordance with and consistent with the MMF’s Constitution.

ARTICLE II

1. Definition of Métis

- (a) “Métis” means a person who self-identifies as Métis, is of historic Métis Nation Ancestry, is distinct from other Aboriginal Peoples and is accepted by the Métis Nation;
- (b) “Historic Métis Nation” means the Aboriginal people then known as Métis or Half-Breeds who resided in the Historic Métis Nation Homeland;
- (c) “Historic Métis Nation Homeland” means the area of land in west central North America used and occupied as the traditional territory of the Métis or Half-Breeds as they were then known;
- (d) “Métis Nation” means the Aboriginal people descended from the Historic Métis Nation, which is now comprised of all Métis Nation citizens and is one of the “aboriginal peoples of Canada” within section 35 of the Constitution Act, 1982;

- (e) “Distinct from other Aboriginal Peoples” means distinct for cultural and nationhood purposes.

ARTICLE III

1. **Membership (Local)**

- (a) Each Local in the Federation shall consist of two kinds of members:
 - (i) *Local Member* – Local Members include Members, Citizens, and Children Citizens as defined in the MMF Constitution. A Local Member must be a Citizen to be entitled to vote or hold office in the MMF.
 - (ii) *Associate Member* – Associate Members are spouses of Local Members, as defined by resolution of the MMF Cabinet. Such resolution shall only be effective upon confirmation by the Citizens in an Annual General Assembly. Associate Members shall have no right to vote or hold office, and shall be entitled only to such benefits as may from time to time be determined by the resolution of the MMF Cabinet, upon confirmation by the Citizens in an Annual General Assembly.

ARTICLE IV

1. **Locals**

(a) **Registration**

Any Métis who unite to form a Local may apply for registration in a Region of the MMF in which they are located. The Region will decide registration at its next Regional Meeting. Any applicant may appeal any decision of the Region to the MMF Cabinet.

(b) **Location**

Communities may form Locals which shall consist of a minimum of nine Local Members. No more than one Local shall be established in any community. For this purpose, all villages and towns shall be considered as single communities.

(c) Naming of Locals

Each Local shall be named according to their pleasure which must be approved by the MMF Cabinet.

(d) Activities of Local

To organize the Métis people of their community.

To promote the objectives of the MMF.

To act as a Local Métis governance on behalf of Métis in their respective communities. These activities must be consistent with the MMF's objectives.

To inform the members within their Locals of all matters that affect the MMF.

To participate at Regional meetings of the MMF.

To initiate programs to address the needs of their Métis membership in their respective Locals.

To establish and maintain a registry of Local Métis members.

To update member lists and send revised copies at least once every calendar year to the Regional and Head Office of the MMF.

2. Local Meetings

- (a) The Local shall have at least four meetings per year with a quorum requirement of at least five Local Members.
- (b) Copies of minutes of Local meetings shall be sent to the Regional and Head Offices of the MMF.
- (c) Seven days public notice is required to hold a duly-called meeting of the Local.

3. Local Transfers

- (a) All Local memberships are permanent and transferable from one Local to another within the MMF.

4. **Local Executives**

- (a) Each Local shall be represented by an Executive, which shall be:
 - (i) a Chairperson, Vice-Chairperson, and Secretary-Treasurer; or
 - (ii) where a Secretary and Treasurer are approved by the Local, a Chairperson, Vice-Chairperson, Secretary, and Treasurer.
- (b) In order to be eligible for election to a Local Executive position, a Local Member must first obtain a valid Citizenship card in accordance with Article IV 5(a) of the MMF Constitution.
- (c) The Chairperson, Vice-Chairperson, and Secretary-Treasurer or if applicable, Treasurer and Secretary, shall all be elected at the same time for a four year term beginning in 2006 and every four years thereafter. Any two of the three or four Local Executives shall be the signing Officers of the Local.
- (d) In the case of a Chairperson, Vice-Chairperson, and Secretary Treasurer the Duties/Responsibilities are:

Chairperson

- Chief Executive Officer of the Local.
- Chairs Local meetings.
- Spokesperson on behalf of Local.
- Calls and ensures that meetings are held.
- Follows up on motions.
- Is ex-officio member of all Local committees.
- Performs other duties as directed by Local membership.

Vice-Chairperson

- Assumes all the responsibilities of the Chairperson in the absence of the Chairperson.

Secretary-Treasurer

- Keeps minutes of meetings and records and files such minutes as well as all correspondence and activities of the Local.
- Assumes all responsibilities of the Chairperson in the absence of the Chairperson and Vice-Chairperson.
- Reads minutes of previous meetings and correspondence at all Local meetings.

- Responsible for all advertisement and notices regarding meetings, fund-raising notices and all other notices relating to the Local business.
 - Maintains and is responsible for all Local financial records, (e.g. bookkeeping, ledger, deposits, income, bank statements, etc.).
 - Presents financial statements to the membership at all Local meetings.
 - Second signing Local authority.
- (e) In the case of a Chairperson, Vice-Chairperson, Treasurer, and Secretary the Duties/Responsibilities are:

Chairperson

- Chief Executive Officer of the Local.
- Chairs Local meetings.
- Spokesperson on behalf of Local.
- Calls and ensures that meetings are held.
- Follows up on motions.
- Is ex-officio member of all Local committees.
- Performs other duties as directed by Local membership.

Vice-Chairperson

- Assumes all the responsibilities of the Chairperson in the absence of the Chairperson.

Treasurer

- Maintains and is responsible for all Local financial records, (e.g. bookkeeping, ledger, deposits, income, bank statements, etc.).
- Presents financial statements to the membership at all Local meetings.
- Second signing Local authority.
- Assumes all responsibilities of the Chairperson in the absence of the Chairperson and Vice-Chairperson.

Secretary

- Keeps minutes of meetings and records and files such minutes as well as all correspondence and activities of the Local.
- Reads minutes of previous meetings and correspondence at all Local meetings.
- Responsible for all advertisement and notices regarding meetings, fund-raising notices and all other notices relating to the Local

business.

5. Local Executives

- (a) All Citizens currently elected to a Local Executive position shall be required to have a valid Citizenship card issued in accordance with the provisions of Article IV 5(a) of the MMF's Constitution by a date to be set by resolution of the MMF Cabinet.

ARTICLE V

1. Local Elections

- (a) Local elections will be governed in accordance with the Constitution and by-laws of the MMF.

ARTICLE VI

1. Meetings

- (a) The Chairperson or any two executive members may call a Local meeting. Failure to call at least four meetings per year will result in appeals to the Regional Executive or to the MMF Cabinet by any five members of a Local.

ARTICLE VII

1. Active Local

- (a) An "Active Local" shall mean a Local that has, for three consecutive years, met the following criteria:
 - (i) provided notice of the dates and times of its meetings to Local Members in a manner prescribed by resolution or enactment of the MMF Cabinet;
 - (ii) provided its minutes of meetings to the corresponding MMF Regional Office and the MMF Home Office on a regular basis, and in any event, within three months of any meeting;
 - (iii) had at least one member attend the MMF Regional meetings to which the Local belongs; and
 - (iv) had at least one member attend the MMF AGA.



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