



**Norway House Cree Nation
Election Procedures Act**

DRAFT

TABLE OF CONTENTS

Article One	
Definitions	01
Article Two	
Composition of Council	04
Article Three	
Tenure of Council	04
Article Four	
Nominations	04
Article Five	
Elections	07
Article Six	
Absentee Voting, Electronic Voting and Advance Polling	10
Article Seven	
Appeal and Ethics Commission	12
Article Eight	
Remuneration of Electoral Office and Commission	18
Article Nine	
Vacancy, Removal and Suspension of Office	19
Article Ten	
Duties and Responsibilities of the Council	21
Article Eleven	
Amending Procedure	22

SCHEDULES AND APPENDIX

Schedule “A” Nomination Forms

Part I – Consent of Nominee Form

Part II – Nominators Form

Part III – Receipt for Nomination Form

Schedule “B” Ballot and Absentee Forms

Part I – Voters Identification Form

Part II – Ballot for Chief

Part III – Ballot for Councillors

Part IV – Return Envelope

Part V – Confirmation of Vote Envelope

Part VI – Ballot Envelope

Schedule “C” Instructions for Completion of Ballot Papers

Schedule “D” Blackout Period Guidelines

Schedule "E" Cree Language Learning Agreement

Schedule "F" Oath of Office

Appendix – History of the NHCN Election Procedures Act.

Norway House Cree Nation Elections Procedures Act

WHEREAS the Norway House Cree Nation recognizes the deep and enduring connection between its people and the land, understanding that the land is a source of life, culture, and identity, and that this connection must be honored and preserved for future generations; and

WHEREAS the Norway House Cree Nation affirms the importance of the Cree language as a vital expression of its culture, heritage, and governance, and is committed to promoting, preserving, and revitalizing the language for the continued strength and unity of the Nation; and

WHEREAS the Norway House Cree Nation, as a sovereign people, exercises its inherent right to self-governance, including the authority to enact laws governing its own election processes. This authority is rooted in the Nation's enduring connection to the land and the Cree language, which together form the foundation of its self-determination, guiding its governance and preserving its identity; and

WHEREAS the Indian Act provides a framework under which First Nations may assume control over their election processes, which the Norway House Cree Nation exercised in 1997 in the pursuit of self-governance; and

WHEREAS the Norway House Cree Nation is committed to establishing a recognized and respected form of governance that reflects the will and meets the needs of its people, while safeguarding its sovereignty and the collective interests of its people; and

WHEREAS the Norway House Cree Nation acknowledges the importance of preserving its traditions and values which includes embracing the principles of democracy, transparency, fairness, and inclusivity in its electoral process;

NOW THEREFORE, this Act is established to govern the election process, ensuring that it is conducted with integrity, accountability, and transparency. This Act reflects the democratic principles of the Norway House Cree Nation and safeguards the long-term governance of the Nation by honoring the collective interests of its people, preserving its connection to the land, and promoting the Cree language for future generations.

ARTICLE ONE - DEFINITIONS

1.1 In this Act:

- a) **“Act”** means the *Norway House Cree Nation Elections Procedures Act*.

- b) **“Appeal and Ethics Commission” (the “Commission”)** means a group consisting of seven (7) persons who are **Members** of the Norway House Cree Nation. The **Commission** is responsible for conducting hearings and addressing any matters related to elections as outlined in the **Act**, including appeals, ethical hearing and concerns, and any additional procedures arising from such matters.

- c) **“Blackout Period”** means a designated time period from the closing of the nomination meeting to the closing of the polls on election day that Norway House Cree Nation elected officials, employees and members of any Norway House Cree Nation board are restricted from using their offices or positions to influence the outcome of the election. While an election does not suspend **Chief** and **Council** activity, elected officials must carry out those duties in a clearly fair and honest fashion. The intent is to prevent the use of official power or influence to gain an unfair advantage during an election.
 - i) All Norway House Cree Nation elected officials, employees and members of any Norway House Cree Nation board must comply with the “Blackout Period Guidelines” attached hereto at Schedule “D”.

- d) **“Candidate”** means a person who is a **Member** of the Norway House Cree Nation and who meets all of the requirements set forth in Article 4.3 of the **Act**.

- e) **“Chief”** means that **Member** of Norway House Cree Nation elected as **Chief** pursuant to the procedure of the **Act**.

- f) **“Council”** means the Norway House Cree Nation **Chief** and **Councillors** elected pursuant to the procedures of the **Act**.

- g) **“Councillor”** means a **Member** of the Norway House Cree Nation elected as **Councillor** pursuant to the procedures of the **Act**.

- h) **“Corrupt Practice”** means any action intended to improperly influence a voter's choice or interfere with the fairness of the election. This includes (but is not limited to) bribery, coercion, buying votes, manipulating voting procedures, or any other actions that unfairly change the election outcome, preventing it from reflecting the true will of the voters.

- i) **“Elector”** means a person who:
 - i) is the full age of eighteen (18) years; and
 - ii) is a **Member** of the Norway House Cree Nation; and
 - iii) is not the **Electoral Officer** or their appointed assistant(s), see also 5.4.

- j) **“Electoral Officer”** means a person appointed to the office by the **Council** from time to time for the purpose of carrying out the duties set out in these procedures. They are not allowed to vote and must remain neutral throughout the election process.
- k) **“General Band Meeting”** means a meeting of the **Members** of the Norway House Cree Nation, which shall be open for all **Members** to attend.
 - i) All **General Band Meetings** shall require a minimum of two (2) weeks’ notice, unless otherwise specified in the **Act**.
 - ii) Notice of all **General Band Meetings** shall be posted in the Norway House Cree Nation Government Administration and Council Offices; on the local radio and television station(s); and on the Norway House Cree Nation website, unless otherwise specified in the **Act**.
 - iii) Should the Norway House Cree Nation adopt a constitution, the definition and procedures for **General Band Meetings** outlined in this **Act** shall be governed by and subject to the provisions of the constitution. In the event of any conflict between this **Act** and the constitution, the terms of the constitution shall prevail.
- l) **“Malfeasance”** means intentional conduct by a public official that is either legally or ethically wrong. It always involves dishonesty, illegality or knowingly exceeding authority for improper reasons.
- m) **“Member”** means a member of the Norway House Cree Nation enrolled on the Band List or recognized as a citizen by any future constitution or membership laws created by the Norway House Cree Nation.
- n) **“Scrutineer”** means a person appointed in writing by a **Candidate** to represent the **Candidate** during the voting procedure and during the counting of ballots. (Written appointment of the **Scrutineer** by the **Candidate** shall be delivered to the **Electoral Officer** 48 hours prior to the date of the election.)

1.2 All personal pronouns used in the **Act**, whether used in the masculine, feminine or non-binary gender, include all other genders and the singular shall include the plural and vice versa.

1.3 The headings, subheadings, and titles used in this **Act** are for reference and convenience only. They shall not affect the meaning, interpretation, or application of any provisions of the **Act**.

ARTICLE TWO – COMPOSITON OF COUNCIL

- 2.1 The Norway House Cree Nation Council shall consist of one (1) **Chief** and six (6) **Councillors** who shall be elected in accordance with these procedures.

ARTICLE THREE – TENURE OF COUNCIL

- 3.1 The **Chief** and **Councillors** shall hold office for four (4) years.
- 3.2 An election for **Chief** and **Councillors** shall be held every four (4) years, within thirty (30) days of the second Tuesday in March,
- 3.3 **Four (4) months** prior to the date of an election, the **Council** shall appoint an **Electoral Officer**. A written statement setting out the name of the **Electoral Officer** shall be posted in the Norway House Cree Nation Government Administration and Council Offices and such other places on the Norway House Reserve as the **Council** deem necessary.

ARTICLE FOUR – NOMINATIONS

- 4.1 The **Electoral Officer** shall, at least 60 days before the nomination meeting, post in the Norway House Cree Nation Government Administration and Council Offices; in at least three (3) other public places within Norway House Cree Nation; on the local radio and television station(s); and on the Norway House Cree Nation website, a written notice setting out:
- a) the time, date and place where the nomination meeting is to be held, and
 - b) the offices open for election.
- 4.2 A copy of the **Act** will be provided to those individuals seeking nomination.
- 4.3 A **Candidate** for the office of **Chief** and/or the office of **Councillor** must:
- a) Be the full age of eighteen (18) years as of the date of the nomination meeting; and
 - b) Be a **Member** of the Norway House Cree Nation; and
 - c) Have a basic understanding of the Cree Language or be willing to learn the Cree language during their term of office. **Candidates** who do not speak Cree at the time of their election must undertake to learn the language and must also sign the ‘Cree Language Learning Agreement’ attached hereto at Schedule “E”, when they take office; and

- d) Have not been convicted of a criminal offence within five (5) years prior to the calling of the nomination for the election; and
- e) Not have any pending criminal charges as of the date of the nomination meeting; and
- f) Not currently be listed on the Child Abuse Registry or Adult Abuse Registry; and
- g) Whose nomination has been moved, seconded, and supported by a third nominator, all of whom are eligible **Electors** as defined herein. At least one of the three nominators must be 60 years of age or older.
- h) Submit non-refundable candidacy filing dues of \$100.00.

4.4 Criminal convictions resulting from the assertion of Aboriginal Rights or Title are exempt and shall not be grounds for ineligibility to run for **Council**.

4.5 All **Candidates** elected as **Chief** or **Councillor** of the Norway House Cree Nation must reside on or within 25 kilometers of the Norway House Reserve 17 within six (6) months of their election.

4.6 The **Candidate** must provide to the **Electoral Officer**:

- a) The completed nomination forms, in the forms attached hereto as Schedule "A" Part I and II:
 - i) In Part 1, the **Candidate** shall indicate the office they are seeking and will confirm that if nominated in accordance with these provisions they will run for that office.
 - ii) In Part II, the **Candidate** shall provide their three (3) nominators.
- b) A completed criminal record check and an adult and child abuse registry check.
- c) \$100.00 non-refundable candidacy filing dues.

4.7 The nomination forms should be obtained from the **Electoral Officer** prior to or during the nomination meeting. The \$100.00 candidacy filing dues and the completed nomination documents shall be forwarded to the **Electoral Officer** prior to the end of the nomination meeting.

4.8 **Candidates** must provide proof that the checks required under Article 4.6(c) are being sought after (copy of receipts) within seven (7) days of the nomination meeting to the **Electoral Officer**. The completed checks shall be provided to the **Electoral Officer** before the **Candidate** takes office.

4.9 All documentation received by the **Electoral Officer** in connection to nominations shall be held by the **Electoral Officer** as confidential documentation and the contents of this documentation shall not be disclosed to any third party, including the **Council** of the day, and shall be held by the **Electoral Officer** until the time for all appeals as set out in the **Act** has expired.

Once the time for all appeals has expired, any and all documentation received by the **Electoral Officer** in connection with the election shall be destroyed by the **Electoral Officer**.

In the event that a person who filed the nomination documents referred to herein was either not formally nominated in accordance with these provisions or chose not to stand for election, although nominated, that person shall be entitled to receive all of the documentation they filed with the **Electoral Officer**. Upon receipt of a written request, the **Electoral Officer** shall return all of the documentation.

4.10 Upon receiving the nomination forms referred to in Article 4.6(a), the **Electoral Officer** shall review same to ensure that the nomination forms are in order for filing.

4.11 Should the **Candidate** file the required documentation referred to in Article 4.6(a), the **Electoral Officer** shall confirm receipt of the nomination forms by issuing a nomination form receipt in the form attached hereto as Schedule "A" III.

4.12 In the event that the **Candidate** does not meet the requirements for nomination, the **Electoral Officer** shall advise the **Candidate** of the deficiencies by ordinary mail, electronic mail or in person if the **Candidate** personally files the nomination forms. The **Electoral Officer** shall then give the **Candidate** the opportunity to correct or amend the deficiencies prior to the close of nominations.

4.13 The **Electoral Officer** shall attend at the time and place set out in the notice and shall declare the meeting open for the purpose of receiving the nomination of **Candidates** for office.

4.14 The **Electoral Officer** shall maintain order at all times during the nomination meeting and may have any person removed who, in their opinion, is disrupting or otherwise interfering with the meeting.

- 4.15 The **Electoral Officer** shall keep the nomination meeting open for a period of not less than four (4) hours. At the end of the nomination meeting, the **Electoral Officer** shall declare the meeting closed and shall receive no further nominations of **Candidates** for office.
- 4.16 A person may be a **Candidate** for either the office of **Chief** or the office of **Councillor**, but not both.
- 4.17 If the number of **Candidates** does not exceed the number of offices open for election at the end of the nomination meeting, the **Electoral Officer** shall declare such **Candidates** elected by acclamation.
- 4.18 The **Electoral Officer** shall, if the number of **Candidates** for **Chief** is greater than one, and if the number of **Candidates** for **Councillor** exceeds the number of offices open for election, announce the date of the election.
- 4.19 The **Electoral Officer** shall organize a public forum seven (7) days before the date of the election. **Candidates** for office may make a presentation at the forum. The **Electoral Officer** shall make such rules as are reasonably necessary for the holding of a public forum and, in all cases, the decision of the **Electoral Officer** shall be final. Only **Members** may attend this public forum.

ARTICLE FIVE – ELECTIONS

- 5.1 The **Electoral Officer** shall, within 48 hours following the nomination meeting, post in the Norway House Cree Nation Government Administration and Council Offices; in at least three (3) other public places within Norway House Cree Nation; on the local radio and television station(s); and on the Norway House Cree Nation website, a notice setting out:
- a) The times, dates and location where voting will take place, both on election day and for the advance polls.
 - b) A list of the **Candidates** for the office of **Chief** and for the offices of **Councillor**.
 - c) The date the public forum will be held pursuant to Article 4.19 of the **Act**.
- 5.2 A **Candidate** for the office of **Chief** or **Councillor** may withdraw at any time up to five (5) days before the election by filing with the **Electoral Officer** a notice in writing of their intention to withdraw.

- 5.3 Any person who believes their name should be included on the voter's list may apply to the **Electoral Officer** for a determination. The **Electoral Officer** shall not be bound by formal rules of evidence and the decision of the **Electoral Officer** shall be final and binding.
- 5.4 The **Electoral Officer** may appoint individuals to assist in the polling as they deem necessary. Appointed individuals are not allowed to vote and must remain neutral throughout the election process. These do not include volunteers that assist in the public vote counting (keeping track of votes) or individuals hired as Cree interpreters.
- 5.5 The **Electoral Officer** shall keep the polling station open from 9:00 a.m. to 6:00 p.m. on the day of the election.
- 5.6 The **Electoral Officer** shall secure such equipment as is necessary to ensure the secrecy of voting.
- 5.7 The **Electoral Officer** shall maintain order at all times during the voting and may have any person removed who, in their opinion, is disrupting or otherwise interfering with the voting.
- 5.8 A person presenting themselves for the purpose of voting shall, upon being confirmed by the **Electoral Officer** or their assistant as an **Electors**, be given one (1) ballot on which to register their vote. The **Electoral Officer** or their assistant shall initial each ballot as it is given to the **Electors**.
- 5.9 Each ballot must be marked with an "X" being placed beside the name of the **Candidate** or **Candidates** for whom the **Electors** intends to vote, and such instruction shall be clearly posted at the place of voting by the **Electoral Officer**.
- 5.10 The **Electoral Officer** shall appoint Cree interpreter(s) to assist **Electors** where required. The Cree interpreters retain their right to vote as **Electors** but must otherwise remain neutral throughout the election process.
- 5.11 The **Electoral Officer** shall ensure that all votes, including those cast by mail-in ballot, and all ballot boxes are kept secure from the time the polls close until the final certification of the election results. This includes secure storage of the ballots and boxes to prevent any tampering or unauthorized access.
- a) **Candidates** and their **Scrutineers** shall have the right to verify the security of the ballot boxes at any time during the counting process and while the ballots are stored, upon request.
 - b) The **Electoral Officer** shall facilitate reasonable access for **Candidates** and their **Scrutineers** to observe and verify the security measures in place.

5.12 All ballot boxes must be kept together when they are opened for counting. All **Candidates** shall have the right to be present when the **Electoral Officer** opens the ballot boxes. If the **Candidate** so chooses, one (1) **Scrutineer** on behalf of the **Candidate**, (in place of the **Candidate**), may be present when the **Electoral Officer** opens the ballot box. The **Candidate** shall appoint such **Scrutineer** by filing a notice in writing with the **Electoral Officer**. Immediately following the close of the poll, the **Electoral Officer** shall open the ballot box and

- a) Examine the ballots and reject any that are not:
 - i) initialed by the **Electoral Officer** or their assistant, or
 - ii) properly marked in accordance with these procedures,
- b) Count the votes given for each **Candidate** from the ballots, and
- c) Publicly declare to be elected the **Candidate** for **Chief** and the six (6) **Candidates** receiving the highest number of votes for **Councillor**.

5.13 If there is a tie between two (2) **Candidates** for **Chief** and two (2) **Candidates** receiving the sixth highest number of votes for **Councillor**, there shall be a run-off election between these two (2) **Candidates** held in accordance with these procedures 30 days or sooner after the date of the election that gave rise to the tie.

- a) If the margin between the first (1st) and second (2nd) place **Candidates** for **Chief**, or the sixth (6th) and seventh (7th) place **Candidates** for **Councillor**, is 20 votes or fewer, a recount request to the **Electoral Officer** may be submitted by any of the affected **Candidates**. The results of the recount shall be final and binding.

5.14 Within 24 hours of the public declaration of the **Candidates** elected for office, the **Electoral Officer** shall provide to each **Candidate** and shall post in the Norway House Cree Nation Government Administration and Council Offices; in at least three (3) other public places within Norway House Cree Nation; on the local radio and television station(s); and on the Norway House Cree Nation website, a written statement setting out:

- a) The **Candidates** elected.
- b) The number of votes cast for each **Candidate**.
- c) the number of ballots rejected.

- 5.15** After counting the ballots, the **Electoral Officer** shall deposit all of the ballots in a sealed envelope(s) in the presence of the **Candidates** or their **Scrutineers** who are personally present at the counting. The envelope(s) shall be initialed by the **Electoral Officer** or their representative, and by the **Candidates** or their **Scrutineers**.
- a) The **Electoral Officer** shall retain possession of the ballots for a period of 30 days or until served with a notice of appeal. In the event of an appeal, the **Electoral Officer** shall forward the ballots, along with the voter’s list and any other relevant documentation, to the **Commission**.
 - b) Once the time period for all appeals has expired, any and all documentation received by the **Electoral Officer** and in their position, in connection with the election, including the ballots, shall be destroyed by the **Electoral Officer**.
- 5.16** Within 30 days after the posting of the written statement by the **Electoral Officer**, pursuant to Article 5.14, the **Council** shall hold a public meeting for the signing of the Oath of Office, attached hereto at Schedule “F”, and, if applicable, the Cree Language Learning Agreement, attached as Schedule “E” herein.
- 5.17** At the first duly constituted **Council** meeting following an election, the **Council** shall appoint a Deputy Chief. The individual appointed Deputy Chief will hold this position until such time as they resign or until the **Council** appoints a new Deputy Chief.
- 5.18** Exceptional circumstances, such as natural disasters, public health emergencies, or significant security threats, may impact the election process. In such cases, any decision to postpone, extend, or modify the election to maintain fairness and integrity shall require the mutual agreement of both the **Council** and the **Commission**.

ARTICLE SIX – ABSENTEE VOTING, ELECTONIC VOTING AND ADVANCE POLLING

Absentee Voting

- 6.1** Absentee voting shall be meant for those **Electors** residing away from the Norway House Cree Nation and those who expect to be absent on the day of voting.
- 6.2** Within five (5) days of the close of nominations the **Electoral Officer** shall mail to all off-reserve **Electors** a voters identification form, together with a ballot form with a **Candidate** listing, a secured ballot envelope, an envelope confirming the identity of the **Electors**, and a self-addressed return envelope for returning of the ballot and the voters identification forms, all of which forms are attached hereto as Schedules “B” (I), “B” (II), “B” (III), “B” (IV), “B” (V), AND “B” (VI).

- 6.3 In order for the absentee ballot to be counted, a completed voter identification form, together with a completed ballot/ballots must be returned to the **Electoral Officer**, in the envelopes, Schedules “B” (IV), “B” (V) and “B” (VI) on or before 12:00 noon on the date of the election. All ballots received after 12:00 noon on the date of the election shall not be counted.
- 6.4 In addition to all of the documents referred to as Schedules “B” (I), “B” (II), “B” (III), “B” (IV), “B” (V), and “B” (IV), the **Electoral Officer** shall forward instructions for the completion of the ballot forms, the form of which is attached hereto as Schedule “C” hereof.
- 6.5 Upon receipt of the voters identification form together with the mail-in ballot/ballots, the **Electoral Officer** shall check the **Elector’s** name on the voting list and shall secure the sealed absentee voting envelope until the date of the election. At the opening of the polls, the **Electoral Officer**, in the presence of the **Candidates** and/or their **Scrutineers** shall open the absentee voting envelope and deposit the absentee voting ballots into the ballot box.

Electronic Voting

- 6.6 The **Electoral Officer** may utilize electronic voting for elections only in accordance with the requirements of the **Act**.
- 6.7 The electronic voting system shall employ advanced security measures, including encryption and secure authentication, to prevent unauthorized access.
- 6.8 To prevent double voting the system will immediately update the voter registry once a vote is cast, blocking further attempts to vote, either electronically, by mail-in ballot or in person.
- 6.9 The system shall generate a secure audit trail for each vote, allowing for accurate recounts while maintaining voter anonymity.
- 6.10 During the appeal period specified in Article 7.22(a), a **Candidate** may request an independent audit of the electronic voting results from the **Commission**. The **Commission** holds sole discretion to order the audit to confirm the accuracy of the voting, and the findings shall be made publicly available.
- 6.11 If technical issues or unauthorized access are detected, the election may be suspended, extended, or reverted to paper ballots, depending on the situation and at the discretion of the **Electoral Officer**.

Advance Polling

- 6.12** Before the date of the election, the **Electoral Officer** shall conduct advance polls in Winnipeg for all **Electors** who reside in or around Winnipeg or who are attending Winnipeg for medical, treatment or other reasons.
- 6.13** Voting will be conducted in accordance with the procedures provided in Article 5 of the **Act**.

ARTICLE SEVEN – APPEAL AND ETHICS COMMISSION

Establishment of the Appeal and Ethics Commission.

- 7.1** The **Appeal and Ethics Commission** ("the **Commission**") shall be established as the authoritative body responsible for conducting hearings and adjudicating all matters related to elections under this **Act**. This includes appeals, ethical hearings, decisions regarding the removal or suspension of the **Chief** and/or **Councillors**, as well as any other election-related issues or disputes contemplated or authorized by the **Act**.
- 7.2** The **Commission** shall operate independently from the **Council** and any other governing bodies of the Norway House Cree Nation, ensuring impartiality in all proceedings. Members of the **Commission** shall not participate or be involved in the election process in any manner whatsoever, including making any public comments on the election process or any **Candidate**. However, **Commission** members retain their right to vote as **Electors** but must otherwise remain neutral throughout the election process.
- 7.3** The **Council** shall maintain an email address and mailbox for the **Commission** and ensure that this information is made available to all **Electors**.
- 7.4** Members of the **Commission**, acting in their official capacity, shall not be held personally liable for any action, decision, or omission made in good faith in the course of their duties. This section does not protect against liability for actions taken in bad faith, gross negligence, or willful misconduct.

Composition of the Commission

- 7.5** The **Commission** shall consist of seven (7) members. All members must be **Electors** as defined in the **Act**.
- 7.6** Four (4) shall be appointed by **Council**. Three (3) shall be elected at a **General Band Meeting**.

- 7.7 A Chairperson shall be appointed by the members of the **Commission** to oversee proceedings and ensure adherence to procedural rules.
- 7.8 All appointments and elections of **Commission** members shall be completed six (6) months prior to the election.

Commission Requirements

- 7.9 To be eligible for membership on the **Commission**, an individual must meet all of the following requirements:
- a) Be eighteen (18) years of age.
 - b) Be a **Member** of the Norway House Cree Nation.
 - c) Have not have any pending criminal charges or have been convicted of a criminal offence within five (5) years prior to their election or appointment to the **Commission**.
 - d) Not currently be listed on the Child Abuse Registry or Adult Abuse Registry.

Commission Appointment Procedures

- 7.10 Four (4) members shall be appointed by **Council** and should have a strong understanding of the values, traditions, and governance of the Norway House Cree Nation. While formal knowledge of law, ethics, or governance is beneficial, the **Council** may also consider **Electors** who possess practical experience, wisdom, and integrity. These appointed members shall serve for a term of four (4) years and shall be appointed by Band Council Resolution.
- 7.11 At least one (1) appointed member must reside on or within 25 kilometers of the Norway House Cree Nation reserve 17.
- 7.12 Appointed **Commission** members may be removed for misconduct, incapacity, failure to perform duties, criminal conviction, or excessive absences. A motion for removal may be initiated by the **Council** or the remaining **Commission** members. The member shall be informed of the reasons in writing and given the opportunity to respond. Removal requires a majority vote of the **Council** at a duly constituted meeting. Upon removal, a replacement shall be appointed in accordance with the **Act**.
- 7.13 In the event that an appointed member of the **Commission** resigns, is removed, or is otherwise unable to complete their term, the **Council** shall appoint a replacement member to serve the remainder of the term.

Commission Election Procedures

- 7.14** Three (3) members shall be elected by the **Electors** at a **General Band Meeting**. These elected members shall serve for a term of eight (8) years.
- 7.15** The election of the three (3) members shall be conducted at a **General Band Meeting**, called by the **Council** and held specifically for this purpose. The **Council** shall appoint someone to conduct **Commission** election(s) as required.
- a) Notice of the election shall be provided at least 30 days prior to the **General Band Meeting**. The notice shall include the date, time, and location of the meeting, as well as information on the nomination process.
 - b) Any **Elector** may be nominated for election to the **Commission**. Nominations must be submitted in writing at the **General Band Meeting**. Each candidate must have two nominators.
 - c) Any **Electors** seeking election must reside on or within 25 kilometers of the Norway House Cree Nation reserve 17.
 - d) Each **Elector** in attendance shall have one vote for each of the four (4) positions on the **Commission**. Voting shall be conducted by secret ballot.
 - e) The four (4) candidates receiving the highest number of votes shall be declared elected to the **Commission**. In the event of a tie, a run-off election shall be held immediately to determine the final members.
- 7.16** An elected **Commission** member may be removed for misconduct, incapacity, failure to perform duties, criminal conviction, or excessive absences.
- a) A motion for removal may be initiated by the **Council** or the remaining **Commission** members. The motion must be supported by a majority of either the **Council** or the remaining **Commission** members.
 - b) The member shall be notified in writing of the reasons for removal and given the opportunity to respond.
 - c) A **General Band Meeting** shall be held where the matter is presented, and a majority vote of the **Electors** present is required for removal. Upon removal, a by-election shall be held at the next **General Band Meeting** to fill the vacancy.

- 7.17 If an elected member of the **Commission** resigns, no longer complies with the residency requirement, is removed, or is otherwise unable to complete their term, a by-election shall be held at the next **General Band Meeting** to fill the vacancy for the remainder of the term.

Jurisdiction and Authority

- 7.18 The **Commission** shall have the authority to conduct hearings and adjudicate all matters related to elections under this **Act**, including hearing and deciding on matters related to the removal or suspension of the **Chief** and/or **Councillors**. The decisions of the **Commission** shall be final and binding. Any appeal shall be made to the Federal Court and shall be founded in law and not in fact.
- 7.19 The decisions of the **Commission** shall remain in effect unless and until they are overturned by the Federal Court.
- 7.20 In the event that a decision of the **Commission** is appealed to Federal Court, only the legal costs of the **Commission** and/or the **Electoral Officer** will be paid for utilizing Norway House Cree Nation funds (i.e. band funds). For greater clarity, Norway House Cree Nation funds cannot be utilized to pay for the legal costs of any party other than the **Commission** and/or the **Electoral Officer** for any appeal made to the Federal Court.
- 7.21 The **Commission** shall have the authority to request no more than three (3) drug testing samples from any member of the **Council** during their term of office. These samples may be requested randomly or in response to specific concerns or allegations. The **Commission** shall exercise this authority to ensure accountability to the Norway House Cree Nation and to uphold the commitment of elected officials to responsible and healthy leadership. The **Commission** is also responsible for reviewing the results and determining any necessary actions based on the findings.

Procedures for Election Appeal Hearings and Ethical Hearings

- 7.22 Any **Elector** or **Candidate** may file a written hearing request with the **Commission** challenging the continued holding of office by the **Chief** and/or **Councillor(s)** on the grounds outlined in Article 9.
- a) A non-refundable filing fee of \$500.00 is required to submit a written hearing request, payable to the **Commission**.
- 7.23 An “Appeal Hearing” is a formal process conducted by the **Commission** in which a **Candidate** or **Elector** may challenge the outcome of an election or the eligibility of a **Candidate** on specific grounds outlined in the **Act**.

- 7.24** An “Ethical Hearing” is a formal hearing conducted by the **Commission** to address allegations of unethical conduct, misconduct, breaches of duty, or violations of this **Act** by the **Chief** and/or **Councillors** during their term of office. Ethical Hearings are limited to the specific grounds outlined or contemplated within the **Act**, including determinations related to residency and language requirements.
- 7.25** The deadlines for submitting a written hearing request are as follows:
- a) A hearing request related to an election Appeal Hearing must be submitted within 30 days after the posting of the written statement by the **Electoral Officer**, pursuant to Article 5.14.
 - b) A hearing request related to an Ethical Hearing must be submitted within 60 days of the alleged ethical violation or from the date the **Electors** became aware, or ought reasonably to have become aware, of the violation. In no event shall a hearing request be filed more than one (1) year after the date of the alleged violation.
- 7.26** Upon receipt of a hearing request, the **Commission** shall within ten (10) days conduct a preliminary review to determine if there is sufficient basis for a hearing.
- 7.27** If the **Commission** finds the hearing request frivolous or without merit, it may dismiss the appeal hearing or ethical hearing request without a hearing. A written explanation of the decision will be provided to the petitioner who filed the written hearing request.
- 7.28** If the written hearing request is accepted, the **Commission** shall schedule a hearing within 30 days of the receipt of the written hearing request, providing at least ten (10) days' written notice to all parties involved.
- 7.29** The hearing shall be conducted in a manner that ensures fairness to all parties. Parties may be represented by counsel if they so choose but costs shall be borne by the parties involved.
- 7.30** All hearings shall be held on Norway House Cree Nation reserve lands, at a location where **Electors** are able to attend and observe the proceedings.
- 7.31** The **Commission** shall not be bound by formal rules of evidence but will ensure that all hearings are conducted impartially.
- 7.32** The **Commission** shall render its decision in writing within ten (10) days following the conclusion of the hearing. The decision shall include a summary of the facts, the findings of the **Commission**, and the reasoning for the decision. The **Commission** shall notify the **Council** and the affected parties of the decision and any required actions.

- a) All decisions of the **Commission** shall require a majority vote of five (5) of its members. The written decision shall include the majority opinion. Any dissenting opinions shall also be documented and made available. A decision is considered passed when five (5) members of the **Commission** vote in favor of it.

7.33 If the **Commission** determines that the **Chief** and/or **Councillor(s)** should be removed from office, the decision shall be enforced immediately, and the office shall be declared vacant. The **Electoral Officer** shall be appointed and will hold a nomination meeting and election for the vacant office or offices in accordance with the procedures provided in the **Act**.

Procedural Fairness and Rights of the Parties

7.34 The **Commission** shall ensure that appeal and ethical hearing proceedings adhere to the principles of procedural fairness, including but not limited to:

- a) The right to be heard and to present evidence.
- b) The right to a decision based on the evidence presented.

7.35 All parties involved in the appeal or ethical hearings shall be treated with dignity and respect throughout the process.

Record Keeping and Transparency

7.36 The **Commission** shall maintain a complete and accurate record of all proceedings, including transcripts and/or recordings of hearings, evidence submitted, and the final decision.

7.37 The records of the **Commission** shall be confidential, except as required by law or with the consent of the parties involved.

Commission Manual

7.38 During the first two (2) years of the **Commission**, it shall develop a training and procedural manual in accordance with the requirements of the **Act**. The manual shall:

- a) Identify and mandate required training for new members.
- b) Detail procedures for handling appeals and ethical hearings.
- c) Include protocols for conducting drug testing, specifying the processes for requesting, administering, and handling drug tests.

d) Incorporate legal requirements and best practices.

7.39 The manual and any updates made to it shall undergo a legal review prior to finalization.

7.40 The **Council** shall also be provided with an opportunity to review and provide any comments, suggestions or edits to the manual (and/or suggested updates) prior to finalization.

7.41 The **Commission** shall finalize the manual once it has undergone legal review and received any comments or suggestions from the **Council**. The final version of the manual will be adopted by the **Commission** and shall take effect immediately upon finalization. Any subsequent updates to the manual shall also be finalized by the **Commission** following the same review process.

7.42 The manual shall be reviewed at least once every 4 years by the **Commission** and updated as required.

ARTICLE EIGHT – REMUNERATION OF ELECTORAL OFFICER AND COMMISSION

8.1 The **Council** shall have the authority from time to time to set the remuneration for the **Electoral Officer** and their assistants, and for members of the **Commission**, in such reasonable manner as they determine.

8.2 The **Council** shall provide sufficient resources to ensure proper record keeping, development of the training and procedural manual, and support for the **Commission**.

a) “Sufficient resources and support” shall include legal and administrative support to enable the **Commission** to fulfill its obligations.

8.3 The **Council** shall ensure the **Commission** is covered by appropriate liability insurance. The coverage must be adequate to cover the **Commission’s** responsibilities and potential risks.

8.4 All dues and fees collected under this **Act** shall be allocated to cover costs associated with the **Commission**.

ARTICLE NINE – VACANCY, REMOVAL AND SUSPENSION OF OFFICE

9.1 The office of **Chief** or **Councillor** becomes vacant when a person who holds that office:

- a) Dies.
- b) Resigns in writing from his/her office.
- c) Is removed from office.

9.2 A **Chief** or **Councillor** shall be removed from office when a person who holds that office:

- a) Is convicted of an indictable offence.
- b) Is convicted of a child abuse offence and/or has their name entered in the Child Abuse Registry.
- c) Ceases to qualify as a **Candidate** as defined in the **Act**.
- d) Fails to attend (3) consecutive duly constituted **Council** meetings without being excused from attendance by a quorum of **Council**.
- e) Is guilty of corrupt practice, accepting a bribe or engaging in malfeasance in connection with an election.
- f) Is guilty of accepting a bribe or engaging in malfeasance during their term of office.

9.3 A **Chief** or **Councillor** may be removed from office when a person who holds that office:

- a) Is charged with a criminal offence.
- b) Is convicted of a summary conviction offence.
- c) Breaches their duties and responsibilities under Article 10 of the **Act**.
- d) Tests positive for a prohibited substance or for prescription drugs without a valid prescription, in a drug test requested by the **Commission**.

- e) Fails to comply with any requirements under the **Act**.
- 9.4** A **Chief** or **Councillor** may be suspended for up to six (6) months, with or without pay, when a person who hold that office:
- a) Is charged with a criminal offense.
 - b) Is convicted of a summary conviction offence.
 - c) Breaches their duties and responsibilities under Article 10 of the **Act**.
 - d) Tests positive for a prohibited substance or for prescription drugs without a valid prescription, in a drug test requested by the **Commission**.
 - e) Fails to comply with any requirements under the **Act**.
- 9.5** Criminal convictions resulting from the assertion of Aboriginal Rights or Title are exempt and shall not be grounds for removal or suspension.
- 9.6** An appeal of a criminal conviction shall not delay or prevent the implementation of decisions regarding the suspension or removal of a **Chief** or **Councillor**. The **Commission's** authority to act based on a criminal conviction remains effective, regardless of any ongoing or pending conviction appeals.
- 9.7** Any person who ceases to hold office by virtue of Article 9.2 (e) and (f) shall not be eligible to be a **Candidate** for a period of ten (10) years.
- 9.8** Where the office of **Chief** and **Councillor** becomes vacant more than one (1) year before the date when another election would ordinarily be held, a special election shall be held in accordance with these procedures to fill that vacancy or vacancies.
- 9.9** All appeals or hearings concerning the suspension or removal of a **Chief** and/or **Councillor** shall be held by the **Commission** in accordance with the procedures in the **Act**.
- 9.10** In the event that a majority of **Council** tender their resignations on the same date, then a special election shall be held, in accordance with these procedures to fill the position of **Chief** and all six (6) **Councillor** positions.

ARTICLE TEN – DUTIES AND RESPONSIBILITIES OF THE COUNCIL

- 10.1** The **Council** shall promote, preserve, and protect the Aboriginal and Treaty rights of the **Members** of the Norway House Cree Nation.
- 10.2** The **Council** shall represent the Norway House Cree Nation with integrity, acting in the best interests of the Nation at all times.
- 10.3** The **Council** shall uphold the highest ethical standards, avoiding any conflicts of interest, refraining from **Corrupt Practices**, accepting bribes, or engaging in **Malfeasance**.
- 10.4** The **Council** shall be accountable to the **Members** of the Norway House Cree Nation and shall comply with the following requirements:
- a) Comply with any drug bylaw(s) or policies adopted by the **Council** and applicable to employees of the Norway House Cree Nation.
 - b) Provide regular reports to the **Members** on their activities, including financial management, governance issues, travel costs, updates to major projects and other significant matters.
 - c) Hold at least six (6) **General Band Meetings** per calendar year.
 - d) Ensure that **Electors** have reasonable access to the minutes from all duly constituted meetings of **Council**.
 - e) Comply with the requirement to submit no more than three (3) samples for drug testing, either randomly or in response to specific concerns or allegations, upon request from the **Commission** during the term of office. This measure is intended to affirm accountability to the Nation and demonstrate a commitment to maintaining responsible and healthy leadership.
 - f) Actively perform the duties and responsibilities for which they were elected, including:
 - i) participating in decision-making processes,
 - ii) attending meetings regularly,
 - iii) being available to **Members** for issues and concerns,
 - iv) ensuring the effective governance and development of the Norway House Cree Nation, and

v) Complying with the requirements of the **Act**.

10.5 All members of the **Council** must reside on or within 25 kilometers of the Norway House Reserve 17 during their term of office. This residency requirement is essential to ensure elected officials are fully engaged with the First Nation, remain connected to the land and are accessible to its **Members**.

a) For the purposes of this **Act**, residency shall mean maintaining a primary, permanent residence on or within 25 kilometer the Norway House Cree Nation reserve 17, where the individual resides for the majority of the year. Residency implies physical presence and a Norway House P.O. box number.

10.6 The members of the **Council** who fail to meet the performance expectations outlined in the **Act** may be subject to review and potential sanctions, including suspension or removal from office, based on their level of non-performance.

ARTICLE ELEVEN – AMENDING PROCEDURE

11.1 Amendments to the **Act** may be proposed through two (2) separate processes:

- a) amendments initiated by the **Council**, or
- b) amendments proposed by the **Electors**.

11.2 The **Council** may initiate amendments to the **Act** by proposing changes to any part of the **Act**. Upon proposing an amendment, the **Council** shall direct its administration and legal counsel to examine the form and content of the proposed amendment prior to presenting them to the **Members** at a **General Band Meeting**.

11.3 **Electors** may propose amendments to the **Act** by submitting both of the following to the **Council**:

- a) The text of the proposed amendment(s).
- b) A petition supporting the amendment(s) signed by at least 10% of the **Electors**.

11.4 The procedure for the adoption and ratification of any proposed amendments to the **Act** is as follows:

- a) Upon receipt of the amendments (and petition if required), the **Council** will schedule a **General Band Meeting** to present the proposed amendments to the **Members** for discussion, review and adoption purposes.
- b) Four (4) weeks prior to the **General Band Meeting**, notice will be posted in the Norway House Cree Nation Government Administration and Council Offices; in at least three (3) other public places within Norway House Cree Nation; on the local radio and television station(s); and on the Norway House Cree Nation website. The notice shall indicate the date, time, place, and purpose of the meeting.
- c) Draft forms of the proposed amendments to the **Act** made will be made available for review at the Norway House Cree Nation Government Administration and Council Offices and on the Norway House Cree Nation Website during the four (4) week notice period.
- d) Voting with respect to the amendment at the **General Band Meeting** will be by a secret ballot.
- e) A simple majority of the **Electors** must support the proposed amendment of the **Act**.
- f) In the event that an insufficient number of **Electors**, as defined herein, attend the **General Band Meeting** to consider and vote in favour of the amendment, a second **General Band Meeting** shall be held within one (1) month of the first meeting. Notice for the second meeting shall be given in the same manner as for the first meeting and shall require a minimum of two (2) weeks' notice.
- g) At the second **General Band Meeting** a simple majority of those **Electors**, as defined herein, attending the meeting shall be sufficient to support the proposed amendment.
- h) In the event a majority of those **Electors** referred to in either Article 11.4 (d) or (e) hereof vote in support of the proposed amendment, then the same will be presented to **Council** at the next duly constituted meeting of **Council**. At that meeting **Council** shall accept and ratify the amendments.

SCHEDULE "A" PART I – Consent of Nominee Form

PLEASE PRINT CLEARLY

<p>1. Name as I wish it to appear on the ballot</p> <p>For the office of Chief <input type="checkbox"/></p> <p>Councillor <input type="checkbox"/></p> <p>_____</p> <p>Family Name</p> <p>_____</p> <p>First Name</p>	<p>For Electoral Officer or Deputy</p> <p>Electoral Officer USE:</p> <p>Received on:</p> <p>_____</p> <p>Date:</p> <p>_____</p> <p>Time:</p> <p>_____</p> <p>Signature</p> <p>_____</p>
<p>2. Candidate's residential address:</p> <p>Treaty No.: _____</p>	
<p>Candidate's Phone Numbers:</p> <p>Home: _____ Business: _____ Fax: _____</p>	

CONSENT OF NOMINEE

I, the undersigned,

Am eligible to be a candidate and I wish for my name to appear on the ballot paper.

Have attached the signatures of my three (3) nominators. Do hereby consent to this nomination.

Signature of Person nominated as Candidate

Date

SCHEDULE "A" PART II – Nominators Form

First Nominator

I, _____, Treaty # _____ Age _____

Nominate _____ for _____

Signature

Second Nominator

I, _____, Treaty # _____ Age _____

Nominate _____ for _____

Signature

Third Nominator

I, _____, Treaty # _____ Age _____

Nominate _____ for _____

Signature

SCHEDULE "A" PART III – Receipt of Nomination Form

(To be completed **after** nomination is **verified** by the Electoral Officer or Deputy Electoral Officer.)

I, the undersigned, in my capacity as Electoral Officer or Deputy Electoral Officer for the Norway House Cree Nation issue this receipt, for the nomination forms nominating _____ as candidate for the office of _____ of the Norway House Cree Nation.

**Electoral Officer or
Deputy Electoral Officer**

Date

SCHEDULE "B" PART I - Voters Identification Form

I am a member of the Norway House Cree Nation eligible to vote pursuant to the definition of "Elector" in the NHCN Election Procedures Act.

PART ONE

I, _____
First Name Middle Name Last Name

Treaty Number _____

MAILING ADDRESS

Street #/PO Box City

Province Postal Code

PART TWO

I do hereby declare that:

- I am an eligible elector.
- I am a Norway House Cree Nation Band Member.
- I will be 18 years of age on or before election day.
- I am not otherwise disqualified by the Norway House Cree Nation Election Code from voting.
- I have not/will not attempt to vote again in this election.
- I will notify the Electoral Officer of any changes to the above information.

Signature Date

In order for the completed ballot to be counted, the ballot must be received by the Electoral Officer on or before the date of the election.

SCHEDULE "B" PART II – BALLOT FOR CHIEF

F O R C H I E F	NAME OF CANDIDATES	Vote for one person only. Mark an "X" or "✓" opposite the name of the person for whom you vote.

SCHEDULE "B" PART III - BALLOT FOR COUNCILLORS

F O R C O U N C I L L O R S	NAME OF CANDIDATES:	
	Vote for six people only.	
	Mark an "X" or "✓" opposite the names of the person(s) for whom you vote.	

SCHEDULE "B" PART IV – ENVELOPE 1

RETURN ENVELOPE

THE ELECTORAL OFFICER

Norway House Cree Nation

P.O. Box 250

Norway House, MB R0B 1B0

SCHEDULE "B" – PART V – ENVELOPE 2

CONFIRMATION OF VOTE ENVELOPE

I, _____ of the Norway House Cree Nation,
Treaty No. _____, certify that I have not submitted
any other voting paper for this election.

Dated this _____ day of _____, 20____.

Signature

Received: _____

SCHEDULE "B" PART VI – ENVELOPE 3

BALLOT ENVELOPE

INSERT BALLOT PAPER AND SEAL

DO NOT MAKE ANY MARKS ON THIS ENVELOPE

SCHEDULE "C"

INSTRUCTIONS FOR COMPLETION OF BALLOT

1. **Upon receiving your ballot, fill out same accordingly marking with either an "X" or "✓" one choice for Chief and a maximum of six choices for Councillor.**
2. **Along with your ballots for Chief and Councillors you should have received three envelopes:**
 - i. **The envelope that requires your personal information:**
 - ii. **Blank envelopes which hold your ballot paper; and**
 - iii. **A self-addressed stamped envelope to the ELECTORAL OFFICER.**
3. **Once you complete your ballot, place your ballot in the "Ballot Envelope".**
4. **Next, place the "Ballot Envelope" in your completed "Confirmation of Vote Envelope" and seal it.**
5. **Place both envelopes in the self-addressed stamped "Return Envelope" and mail it as soon as possible.**
6. **If you have any questions or concerns regarding the ballot forms and/or absentee voting, please call the Norway House Cree Nation at (204) 359-6786 during regular business hours Monday – Friday from 8:30 a.m. to 4:30 p.m.**

SCHEDULE “D” – Blackout Period Guidelines

Purpose:

To ensure the fairness and integrity of the election process by preventing elected officials, employees, and board members of the Norway House Cree Nation from using their positions of authority to influence the outcome of the election.

Scope:

These guidelines apply to all Norway House Cree Nation elected officials, employees, and members of any Norway House Cree Nation board.

Overview:

From the closing of the nomination meeting until the closing of the polls on election day, the following restrictions apply to maintain a fair election process:

1. **Restrictions on Influence:**

Elected officials, employees, and board members are prohibited from using their office, position, or any associated resources to influence the election outcome. This includes, but is not limited to, using their authority to sway voters, promote candidates, or direct resources in ways that could be perceived as unfair.

2. **Performance of Duties:**

While the blackout period does not suspend the regular functions of Chief and Council, all elected officials must ensure their duties are carried out in a fair, transparent, and non-partisan manner. Actions during this period must not provide any candidate, including themselves, with an electoral advantage.

3. **Use of Resources:**

Public resources, including facilities, communication platforms, and staff time, must not be used for campaigning or to influence the election outcome.

Blackout Period Guidelines for Chief and Councillors

During the blackout period, which as indicate above, runs from the close of the nomination meeting until the close of polls on election day, elected officials must adhere to the following guidelines:

What Elected Officials *CAN* Do:

1. **Perform Regular Duties:**

Chief and Councillors may continue fulfilling their regular, day-to-day responsibilities as members of the Council. This includes attending meetings, making decisions, and addressing the Nation’s ongoing needs, as long as these actions are part of their regular duties and not aimed at influencing the election.

2. **Provide Routine Communications:**

Officials may continue to communicate with the public about ongoing issues or projects, provided these communications are factual, neutral, and not related to the election or promoting any candidate.

3. Maintain Public Services:

All services and functions of the Norway House Cree Nation should continue without interruption. The Chief and Councillors can oversee and ensure the proper functioning of these services, provided they do not use them to sway the electorate.

4. Campaign-Related Activities and After-Hours Conduct:

During the blackout period, the Chief and Councillors are prohibited from using their position, office, or any official resources to endorse, criticize, or support any candidate, including themselves, even outside of working hours. However, the Chief and Councillors running as candidates may engage in campaign-related activities, including fair criticism of other candidates, provided it is done in their capacity as a candidate and not by utilizing their official role or resources.

What Elected Officials *CANNOT* Do:

1. Use Official Resources for Campaigning:

The Chief and Councillors cannot use their position, title, staff, or public resources (e.g., government vehicles, equipment, offices, communication platforms, finances, cell phones, etc.) to campaign for themselves or others. For example, it would be inappropriate to use the Nation's website or social media to promote a candidate or influence voters.

2. Make Announcements or Decisions that Could Impact the Election:

Announcements of new initiatives, programs, or major decisions that could influence voter perceptions must be avoided. For example, announcing a new project or funding just before election day could be seen as an attempt to influence voters and is prohibited.

3. Direct Staff or Influence Employees:

Elected officials must not direct or ask government employees to support their campaign efforts. Staff should remain neutral and continue to serve the entire Nation, regardless of the election.

4. Promise Favors or Benefits:

The Chief and Councillors cannot offer or imply promises of future benefits, such as jobs, contracts, housing or other forms of influence, in exchange for electoral support.

5. Inappropriate Use of Public Funds:

Elected officials cannot approve or disburse public funds in a manner that could influence the election, such as using government funds for events, advertising, or other expenditures that could be perceived as campaign-related.

Consequences for Violating the Blackout Period:

Any violations of these guidelines may result in an investigation by the Appeal and Ethics Commission, and officials could face penalties, including suspension, removal from office, or other disciplinary actions.



NORWAY HOUSE CREE NATION

CHIEF & COUNCIL

• BOX 250 • NORWAY HOUSE, MANITOBA • ROB 1B0 •
• TEL: (204) 359-6786 • FAX: (204) 359-4186 •

Schedule "E"

Cree Language Learning Agreement

I, _____, elected as [Chief/Councillor] of the Norway House Cree Nation, recognize the importance of the Cree language in the governance, culture, and identity of our Nation. In acknowledgment of this, I make the following commitments:

1. Understanding and Respect for Cree Language

I understand that the Cree language is an essential part of our Nation's heritage and governance. I commit to supporting its use and preservation within our Nation.

2. Undertaking to Learn Cree

As I currently do not speak the Cree language fluently, I hereby commit to learning Cree during my term in office. I will actively participate in language learning opportunities to develop a working knowledge of the language.

3. Participation in Language Programs

I agree to participate in any Cree language programs or initiatives offered by the Norway House Cree Nation to support my language learning process. I will dedicate the necessary time and effort to improve my understanding and usage of the Cree language.

4. Commitment to Progress

I understand that while fluency may take time, I will regularly engage in learning activities and make reasonable progress in acquiring the Cree language throughout my term in office.

By signing this agreement, I affirm my commitment to the Cree language and the responsibilities of my elected office.

Signature: _____

Date: _____



OATH OF OFFICE FOR CHIEF OF NORWAY HOUSE CREE NATION

I, _____, a member of the Norway House Cree Nation and the duly elected as Chief on March ____, 20____, do solemnly swear (or affirm) that I will faithfully execute the office of Chief of Norway House Cree Nation and will, to the best of my ability, serve with honesty, integrity, and dedication.

I commit to:

- 1. Protecting and advancing the Treaty and Aboriginal Rights of all members of Norway House Cree Nation;*
- 2. Preserving our connection to the land, culture, and Cree language;*
- 3. Upholding the laws, customs, and values of Norway House Cree Nation, honoring our governance and making decisions in the best interests of our people.*
- 4. Acting responsibly, ethically, and with respect in all matters; and*
- 5. Fulfilling my duties in a manner that upholds the trust placed in me by our people.*

I understand that this Oath is a solemn commitment to uphold the highest standards of leadership, and I accept the responsibilities of this office with humility and respect for our Nation and the people I serve.

Chief

Witness

Date

Date



OATH OF OFFICE FOR COUNCILLOR OF NORWAY HOUSE CREE NATION

I, _____, a member of the Norway House Cree Nation and the duly elected as Councillor on March ____, 20____, do solemnly swear that I will faithfully execute the office of Councillor of Norway House Cree Nation and will, to the best of my ability, serve with honesty, integrity, and dedication.

I commit to:

- 1. Protecting and advancing the Treaty and Aboriginal Rights of all members of Norway House Cree Nation;*
- 2. Preserving our connection to the land, culture, and Cree language;*
- 3. Upholding the laws, customs, and values of Norway House Cree Nation, honoring our governance and making decisions in the best interests of our people.*
- 4. Acting responsibly, ethically, and with respect in all matters; and*
- 5. Fulfilling my duties in a manner that upholds the trust placed in me by our people.*

I understand that this Oath is a solemn commitment to uphold the highest standards of leadership, and I accept the responsibilities of this office with humility and respect for our Nation and the people I serve.

Councillor

Witness

Date

Date

APPENDIX - History of the Norway House Cree Nation Election Procedures Act
(Updated as of December 2024)

1. In December of 1997, Norway House Cree Nation took control of its own Election Procedures. The people of Norway House Cree Nation adopted an Election Procedures Act which allowed the Norway House Cree Nation to be removed from Section 74 (Election Procedures), of the *Indian Act* and further assert its right to self-government by taking control of elections for Chief and Council.
2. The Supreme Court of Canada decision in *Corbiere v. Canada (Minister of Indian and Northern Affairs)*, [1999] 2 S.C.R. 203, fully came into effect on November 20, 2000. It ruled that the restriction preventing off-reserve band members from voting in band elections violated section 15 of the Canadian Charter of Rights and Freedoms. This decision affirmed the right of eligible band members residing off-reserve to participate in band elections, ensuring equal voting rights regardless of residence location.
3. In 2001, as a result of the *Corbiere* decision, the Chief and Council initiated a review of the December 1997 Election Procedures Act (“**1997 EPA**”). Notably, the 1997 EPA already permitted off-reserve members to vote in elections for Chief and Council, demonstrating Norway House Cree Nation's early commitment to inclusive voting rights.
4. The review of the 1997 EPA took place over a period of many months, during which time numerous consultations took place between Chief and Council and members of Norway House Cree Nation. After the completion of a number of drafts, an amended Election Procedures Act was presented to the Norway House Cree Nation Band Membership at three Band meetings.
5. In May 2001, the amended Election Procedures Act, introduced by Chief and Council in response to the *Corbiere* decision, expanded the rights of off-Reserve members by allowing them not only to vote in elections for Chief and Council, but to run for these offices, and to nominate eligible electors for Chief and Councillor positions.
6. At the third public meeting in July of 2001 to deal with the amended Election Procedures Act, a majority of those present when the vote was taken voted to defeat the amended Election Procedures Act in its entirety.
7. Since the Department of Indian Affairs at that time required a formal vote to be taken in order to amend custom election codes of this nature, the Chief and Council was left with the 1997 EPA provisions.
8. Since the failure to comply with the *Corbiere* decision would most certainly have led to numerous court challenges of the March 2002 election, the Chief and Council, in consultation with the Department of Indian Affairs, was obliged to make changes to provisions of the 1997 EPA. The changes included the deleting of references that were specifically contrary to the *Corbiere* decision and the adding of provisions, such as the mail-in ballot process, to accommodate off-Reserve membership.

9. The Chief and Council determined that proceeding with the March 2002 election under the amended 1997 EPA was in the best interests of Norway House Cree Nation and necessary to comply with the *Corbiere* decision.
10. On September 7, 2005, The Chief and Council took the amended 1997 EPA to the membership to present the amendments as proposed. At the meeting, the members present proposed and recommended some changes in the form of motions. At this time a vote could not be held as the provisions under Section 10.1 (c) of the 1997 EPA could not be met.
11. In accordance with Sections 10.1(d) and 10.1(e) of the 1997 EPA, a second meeting was held on October 17, 2005, at which meeting a majority vote of those electors present supported the proposed amendments. On October 18, 2005, Chief & Council, at their duly convened Council meeting, ratified the amendments to the 2005 Norway House Cree Nation Election Procedures Act “**2005 EPA**”).
12. Since the adoption of the 2005 EPA there have been here several election appeals. Some have been successful and resulted in the removal of individuals from office. Some have not. Most of these appeals have been further appealed to the Federal Court. Over the years the Federal Court has made several findings with respect to issues that currently exist with the 2005 EPA.
13. In 2023, the Chief and Council observed that several appeals and Federal Court decisions highlighted the need for enhanced clarity and accountability. Consequently, they initiated a review of the 2005 EPA.
14. On March 2024, Chief and Council appointed an EPA Coordinator who, with support from, in-house legal counsel and the EPA Steering Committee—comprising dedicated Norway House Cree Nation members—carried out extensive engagement with members of the Norway House Cree Nation.
15. Over several months, engagement efforts included pamphlets, a dedicated website, and targeted outreach to Elders, youth and the general public. Focused sessions were held within Norway House Cree Nation with Elders, youth, and the general public at large, as well as meetings with members in Winnipeg and Thompson. Additionally, a community-wide survey was distributed, gathering hundreds of responses. The feedback from these efforts was instrumental in shaping the proposed amendments.
16. The proposed amendments will be presented to Norway House Cree Nation members at a General Band Meeting on November 19, 2024 in accordance with the current 2005 EPA amendment requirements.