



**Re Cstélnec Secwépemc Tkwemíple7tn  
ADAMS LAKE INDIAN BAND (ALIB)  
CUSTOM ELECTION REGULATIONS  
2017**

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## ADAMS LAKE INDIAN BAND – VISION STATEMENT

“Re Tqeltkúkwpí7 tntels ne7élye ne tmicw es yecwemínste re kwseltktn-kt, re ckúíten-kt, re xqweqwlúteń-kt retmicw-kt re tkwemíple7ten-kt, re stselxmém-kt, re pellsúten-kt ell re keknuctn-kt” Welmé7 yews, welmé7 yews. Me7 tsyecwemínste es le7s r stsyem-kt n7élye ne tmicw,es yecwestsút-kt, es sxyestém r ekultn-kt tikumíte7, es tselxestsút-kt ell es sxyestwécw-kt tel7éliye te pyin.

“Our Creator placed us on this land to take care of our people, our land, our language, our customs, our knowledge, our culture, our title, to be ours forever and ever. Ensuring that we live in a safe, healthy, self-sufficient community where cultural values and identity are consistently valued promoted and embraced by all.”

## RATIFICATION OF ALIB CUSTOM ELECTION REGULATIONS

This Election Regulations has been ratified by the Adams Lake Indian Band at a duly convened

Tkwemiple7tn (Band Council) meeting, This 7<sup>th</sup> Day of November ,2017

And is effective November 07<sup>th</sup> , 2017

Kuk7pi (Chief)

Tk'wemi'ple7(Councillor)

Tk'wemi'ple7(Councillor)

Tk'wemi'ple7(Councillor)

Tk'wemi'ple7(Councillor)

Tk'wemi'ple7(Councillor)



## PART 1: DEFINITIONS

Terms as defined within the Adams Lake Custom Regulation

<b>Abuse</b>	As defined in the " <i>Criminal Code</i> ", purposefully injures or threatens to injure another person.
<b>Acclamation</b>	When an eligible Elector has been nominated for the position to Band Council, without opposition, the Electoral Officer will declare that person duly elected.
<b>ALIB</b>	A band of Indians described "as the Adams Lake Indian Band IR#1 to IR#7 within the meaning of the Indian Act, ILS.C.1985, c.1-5.
<b>Band Council</b>	Kuk7pi (Chief) and Tkwemiple7tn (Councillors) elected according to the ALIB Custom Election Regulations.
<b>By-Election</b>	A special election held to fill a position on Band Council that has become vacant.
<b>Campaign</b>	A candidate who may choose to campaign in compliance with the ALIB Custom Election Regulations and Campaign Code of Ethics.
<b>Candidate</b>	An ALIB Elector who is eligible to be nominated as a candidate in an election.
<b>Certified Professional(s)</b>	Appointed to deal with election appeals and with the Regulations Committee to deal with Election Petition; can be a Justice of the Peace, Notary Public, Articling Aboriginal Law Student, Mediator or Arbitrator, {ie. Restorative Justice}
<b>Confidential</b>	Entrusted with private, restricted, written and verbal information, during term.
<b>Conflict of Interest</b>	A situation in which a person is in a position to derive personal/or financial gain from actions or decisions made in their official elected position.
<b>Corrupt Practice</b>	Intention to act dishonestly or to commit theft or falsification of records or to destroy evidence.
<b>Council Approved Designate</b>	Person chosen by the Band Council to carry out the duties and responsibilities when Executive Director is unavailable for a determined amount of time.
<b>Criminal Offense</b>	Action which is wrong and is punishable by law.
<b>Deputy Electoral Officer</b>	Person appointed by the Electoral Officer to act as a Deputy Electoral Officer.
<b>Disrepute</b>	An expression or action of Band Council to show disrespect, dishonor,

	shame or disgrace.
<b>Election</b>	An ALIB Election held for the number of persons required to fill Band Council pursuant to the provisions of these Regulations.
<b>Elder</b>	An ALIB Elector who is 60 years of age or older.
<b>Election Date</b>	The date set for the Election of Band Council.
<b>Elector</b>	An ALIB Elector is eighteen years of age or older and is registered as a member of ALIB.
<b>Elector's List</b>	A confidential list of names, birthdate, and addresses of all registered Electors, on and off reserve, to be used for the sole purpose of the Election.
<b>Elector's List for Posting</b>	A list of names and birthdates of all ALIB registered Electors, on and off reserve, to be used for the sole purpose of an Election.
<b>Electoral Officer</b>	A person appointed by the Band Council to govern an Election.
<b>Elector's Declaration</b>	The official form the Elector is required to complete to verify eligibility to vote.
<b>Employee of Band</b>	A person employed by ALIB.
<b>Executive Director</b>	The Senior Management Administrative position with ALIB.
<b>Fraudulent Practice</b>	An intentional deception made for personal or financial gain.
<b>Immediate Family</b>	A person's mother, father, brothers, sisters, spouse, sons, daughters.
<b>Immoral Conduct</b>	Violating moral principles; not conforming to the patterns of conduct usually accepted or established as consistent with principles of personal and social ethics.
<b>In-Camera</b>	A presentation exclusive to Adams Lake Indian Band Electors, as defined in Part 4, where in only ALIB Electors will vote on Governance issues.
<b>Mail-In Ballot</b>	A ballot that is provided by the Electoral Officer to an off-reserve Elector or an Elector who is unable to vote on Election Day or the Advance Poll.
<b>Mediation</b>	A process for resolving disputes with the assistance of a Mediator.
<b>Mediator</b>	A Certified Professional who takes a neutral approach when assisting two (2) or more parties.
<b>Oath of Office</b>	Oath of Office for Band Council, Electoral Officer and Regulations Committee and Recording Secretary as set out in Appendix <u>"A" "D" &amp; "F"</u>
<b>Outstanding Financial Debt</b>	Not having an outstanding debt owed to ALIB.
<b>Petition</b>	A petition signed by the number of Signatures of Electors that equals the same number of votes by which they were elected to office.
<b>Polling Station</b>	A building selected as the site for the Election.

<b>Quorum</b>	A majority of elected Band Council (4); Regulations Committee (3).
<b>Recall Election</b>	A Recall Election is a process by which Electors can remove Band Council member(s) from office through a ballot vote before the end of their term.
<b>Regulations Committee</b>	A committee of 5 members who will over-see the petition process.
<b>Scrutineer</b>	An Elector chosen by a candidate to observe the Election.
<b>Secwepemc Ancestry</b>	A registered ALIB member who is of the Secwepemc ancestry.
<b>Serious Violation</b>	A violation of serious nature and examples are but not limited to criminal convictions, corrupt or fraudulent practice for financial or personal gain, physical or sexual abuse, and any actions of Band Council that puts ALIB in disrepute.
<b>Sxwetsméllp</b>	<b>Sxwetsméllp</b> Indian reserve #6 that is commonly known and referred as Gleneden/Pierre's Point & Sandy Point
<b>Sxwetsméllp Councillor</b>	A Candidate, ordinarily resident of <b>Sxwetsméllp</b> IR#6 and duly elected to Band Council.
<b>Witness</b>	An Elector or other person 18 years of age or older who can witness and verify forms.

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## Calendar Days are used for the timelines in the 2017 ALIB Custom Elections Regulations

**Note: The title Adams Lake Indian Band (ALIB) Custom Election Regulations 2017 is referred as ALIB Custom Regulations throughout this document.**

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## PART 2: ADAMS LAKE INDIAN BAND RESERVES

- 2.1 Means the Band of Indians described as the Adams Lake Indian Band meaning of the Indian Act, ILS.C1985, c.1-5
- 2.2 Adams Lake Indian Reserve lands include:
  - Hustalen No. 1 = Cstélen No. 1
  - Squaam No. 2 = Sq7em No. 2
  - Toops No. 3 = Tegwúps No. 3
  - Sahhaltkum No. 4 = Sexqeltqín No. 4

Stequmwhulpa No. 5 = Stequmwhulpa No. 5

Switsemalph No. 6 = Sxwetsméllp No. 6

Switsemalph No. 7 = Sxwetsméllp No. 7

### **PART 3: ELECTION OF BAND COUNCIL**

- 3.1 The Adams Lake Indian Band Council will consist of a Chief and five (5) Councillors, with at least one (1) Council member from **Sxwetsméllp #6**, based on receiving highest votes of those running for that position.
- 3.2 If there are no candidates from **Sxwetsméllp #6**, then candidates with the next highest votes is elected.
- 3.3 Elections for the Band Council will be held every three (3) years on the last Saturday in February.
- 3.4 The office of the Band Council will be determined by Electors in a ballot vote.
- 3.5 By-Elections will be held on the date set by the Electoral Officer in accordance with Part 24.
- 3.6 The successful candidate in a By-Election will hold office for the remainder of the original term of office of Band Council he/she is elected to replace.
- 3.7 The term of Band Council will commence when the Electoral Officer declares the Band Council duly elected to office, and the term of the outgoing Band Council will end at that time.
- 3.8 The Nomination Meeting or Election Day Poll will be postponed to the following day after an ALIB community funeral service.

### **PART 4: ELIGIBILITY OF ELECTORS**

- 4.1 To be eligible to vote in an ALIB Election, an Elector must be:
  - a) 18 years of age;
  - b) Registered on the ALIB Elector's list.

### **PART 5: ELIGIBILITY OF CANDIDATES**

- 5.1 Any Candidate seeking Election for the office of ALIB Band Council must:
  - a) be registered on the ALIB Electors list with Secwepemc Ancestry;
  - b) be 18 years of age as of the Election date;
  - c) not be convicted of a Criminal Offense, have cleared a Royal Canadian Mounted Police Information check. {Appendix C};
  - d) be a resident within 65-kilometer radius of any ALIB IR#1 to IR#7 reserve;
  - e) not have an outstanding financial debt owing to ALIB;
  - f) be prepared to pay a non-refundable two-hundred fifty-dollar (\$250) nomination fee to ALIB before the close of the nomination meeting.
  - g) understand the ALIB Custom Election Regulations, Chief and Council Responsibilities, Financial By-law, and the Oath of Office-ALIB Band Council.
  - h) if elected, agrees to be drug and alcohol free while undertaking any duties as a Council Member, in any capacity, whether internally or externally as representative of ALIB;
  - i) have relevant life experience to fully understand and contribute to the business administration functions of ALIB if elected.

## **PART 6: APPOINTMENT OF ELECTORAL OFFICER**

- 6.1 The Electoral Officer will be appointed by Band Council Resolution at a duly convened Band Council meeting, by the last Tuesday of November prior to an Election.
- 6.2 If an Electoral Officer has not been appointed within the time set out in Section 6.1, the Electoral Officer will be appointed by the Executive Director or Council Approved Designate.
- 6.3 The Electoral Officer will sign a contract outlining remuneration, responsibilities, final report, including planning, organizing and attending the Candidates forum.
- 6.4 The Electoral Officer will appoint the Deputy Electoral Officer within fourteen (14) days of his/her appointment.
- 6.5 The Deputy Electoral Officer will work under the direction of the Electoral Officer. At no time will the Deputy Electoral Officer take on the full responsibilities of the Electoral Officer.
- 6.6 The Electoral Officer or Deputy Electoral Officer will not be a member of Band Council, a Candidate, an ALIB Elector, or an employee of ALIB.
- 6.7 The Electoral Officer, Deputy Electoral Officer will swear an "Oath of Office" before a duly appointed Commissioner, before assuming their duties. {Appendix D}.
- 6.8 The Electoral Officer will assist administration in keeping statistics on the number of Mail-In, Advance Poll and Election Day Poll ballots received.
- 6.9 The Electoral Officer will provide a summary of recommendations for improving the effectiveness of the Election process; within 30 days.
- 6.10 The Electoral Officer will report to the Executive Director or Council Approved Designate.

## **PART 7: REGULATIONS COMMITTEE**

- 7.1 The Terms of Reference for the Regulations Committee are outlined in Appendix E.
- 7.2 The Regulations Committee will consist of: two (2) non-staff ALIB Electors, two (2) non-staff ALIB Elders and one (1) non ALIB Certified Professional.
- 7.3 The major role of the Regulations Committee is to review petitions that are submitted

## **PART 8: CONTACT ADDRESSES**

- 8.1 The Executive Director or Council Approved Designate will provide the official ALIB Elector's list to the Electoral Officer within seven (7) days of the Electoral Officer being appointed.
- 8.2 Except for the purpose of an Election, the Elector's contact address will not be disclosed by the Electoral Officer without the consent of the Elector.
- 8.3 The ALIB Membership Clerk will make a call out for current addresses through the newsletter and website by the 3rd week of November before an Election.
- 8.4 ALIB Electors will be responsible for providing their current contact address to the ALIB Membership Clerk; a mail-in ballot package will be considered properly provided to an elector if it was mailed to the Electors last known address.
- 8.5 The Elector's List for posting will be posted at the ALIB Administration Buildings IR #4 & IR #6, the ALIB Health Centre #4 and on ALIB website to allow electors a timeframe to make changes.

## **PART 9: ELECTOR'S LIST**

- 9.1 A list of eligible Elector's names, birthdates, address, on and off reserve to be used for the sole purpose of the Election.
- 9.2 A person whose name does not appear or does not correctly appear on the Elector's List will



provide the correct information to the ALIB Membership Clerk.

- 9.3 Where the Electoral Officer has received information that an Elector's name on the Elector's List is being challenged, the Electoral Officer will verify the Elector's membership with the ALIB Membership Clerk, and then notify the Elector.
- 9.4 Challenges or corrections to the Elector's list will be verified and if necessary, be amended by the ALIB Membership Clerk, which is final and not subject to an appeal.
- 9.5 The Electoral Officer will initial and post a final Elector's list for posting 7 days prior to the Advance Poll, in the ALIB Administration Buildings IR#4 & IR# 6 Health Centre #4

## **PART 10: NOTICE OF NOMINATION DATE**

- 10.1 On or before the second Friday in December prior to the Election Date, the Electoral Officer will publish a notice advising of the Nomination date in the ALIB Administration Building IR #4 & IR#6 and Health Centre #4, in the ALIB newsletter and on the website.
- 10.2 The notice of the Nomination meeting will include:
  - a) the date, time and location of the Nomination meeting;
  - b) notification that a copy of the ALIB Custom Election Regulations may be obtained at the ALIB Administration Building IR# 4 & IR#6 and Health Centre #4;
  - c) the criteria for Candidate's eligibility as per Part 5;
  - d) the Electoral Officer's business address, telephone, email and facsimile number;
  - e) the date and signature of the Electoral Officer;
  - f) information on how Electors may vote.

## **PART 11: NOMINATION PROCESS**

- 11.1 The Nomination meeting will be held on the first Saturday in January.
- 11.2 The ALIB Custom Election Regulations Part 4, 5, 12 will be read by the Electoral Officer prior to accepting nominations.
- 11.3 At the time and place specified in the notice of the Nomination meeting, the Electoral Officer will declare the Nomination meeting open for the purpose of receiving nominations.
- 11.4 The Nomination meeting will remain open for two (2) hours.
- 11.5 Any eligible Elector who is present at the nomination meeting may nominate or second a nomination of any qualified Candidate.
- 11.6 If only one qualified Candidate is nominated for the office of Chief by the close of the Nomination meeting, the Electoral Officer will declare that Candidate as Chief by acclamation.
- 11.7 Where the number of qualified candidates nominated as Councillors does not exceed the number of positions available, the Electoral Officer will declare such Candidate's as Councillor's by acclamation.
- 11.8 In the event that more than the required number of Candidates are nominated for the office of Chief or Councillor, the Electoral Officer will declare that an Election will be held.
- 11.9 A candidate may be nominated for only one position, either for Chief or Councillor in any Election.
- 11.10 Upon the close of Nomination meeting, the Electoral Officer will verify the Candidate's eligibility based on Part 5; and Candidates will:
  - a) accept or decline the nomination;
  - b) provide their eligibility as a Candidate;
  - c) provide an original RCMP Detachment: Police Information Check or a RCMP receipt or letter until the original is available within 7 days;

- d) provide a letter of financial standing from ALIB finance department, confirming no debt owing to ALIB;
- e) pay a non-refundable fee of two-hundred fifty (\$250) payable to ALIB; via cash, money order or certified cheque. A receipt will be given;
- f) may withdraw his/her name from the Election by written notice to the Electoral Officer by the second (2<sup>nd</sup>) Friday in January.

11.11 The Electoral Officer will:

- a) post the list of candidates and the positions for which they are nominated in the ALIB Administration Building IR# 4 & IR#6 and Health Centre #4; and in the ALIB newsletter and website.
- b) remove the names of candidates who fail to turn in all required documentation by the allotted time and the Electoral Officer will repost the new list of candidates.

11.12 All candidates must attend the ALIB Candidate's forum, which is planned organized and scheduled at the discretion of the Electoral Officer.

## **PART 12: ELECTION CODE OF ETHICS**

12.1 Candidates who choose to campaign will:

- a) respect the rights of all Electors;
- b) campaign in accordance to the ALIB Custom Election Regulations;
- c) not participate in corrupt and fraudulent practice in relation to the Election;
- d) not Intimidate, bribe, disrupt or disrespect other Candidates or Electors;
- e) all Candidates must agree to the use of the press to cover the Election.

12.2 The Electoral Officer will request ALIB Security to remove any person(s) from the polling station who violates section 12.1.

## **PART 13: ADVANCED AND ELECTION POLL**

13.1 The Electoral Officer during the First (1<sup>st</sup>) week in January, will post:

- a) notice of the Advanced and Election Date at the ALIB Administration Building IR #4 & IR #6 and Health Centre #4, ALIB website and newsletter;
- b) the Advance Poll will be held on the third (3<sup>rd</sup>) Saturday of February at Sxwetsméllp No. 6, and will be open from 10am to 4pm;
- c) the Election Date will be the last Saturday in February and will be held at Sexqeltqín #4 and open from 8:00am to 8:00pm.

## **PART 14: PREPARATION OF BALLOTS**

14.1 The Electoral Officer will prepare ballots setting out:

- a) the names of the Candidates nominated as Chief in alphabetical order starting with surnames;
- b) the names of the Candidates nominated as Councillors in alphabetical order, starting with surnames.

14.2 The ballot may, at the request of the Candidate, include a Candidate's commonly used nickname.

14.3 The ballot will indicate that the Elector is to signify his/or her choice of Candidate(s) by clearly marking an "X" or a check mark "✓" in the appropriate space opposite the name of the

Candidate(s).

## **PART 15: VOTING BY MAIL-IN BALLOT PACKAGE**

- 15.1 All Electors who live off reserve will be sent a mail in ballot package.
- 15.2 Any Elector unable to vote in person, may request a mail in ballot package to the Electoral Officer by providing their mailing address.
- 15.3 The Electoral Officer will send out the mail-in ballot package on the third (3<sup>rd</sup>) Monday in January.
- 15.4 The mail-in ballot package, will include:
- a) a letter of instruction on how to vote by mail-in ballot;
  - b) the final list of candidates and the office for which they are nominated;
  - c) a statement of the Election Date and location
  - d) the option that the Elector may vote in person on the day of the Election if they forfeit their right to vote by mail-in ballot to the Electoral Officer;
  - e) an Elector's Declaration form with an envelope, which must be completed with:
    - i. the Elector's Name;
    - ii. the Elector's ALIB Membership number;
    - iii. the Elector's address and telephone number;
    - iv. the name, address and telephone number of the witness to the signature of the elector.
  - f) a Ballot initialed on the back by the Electoral Officer;
  - g) an envelope marked "Ballot" for insertion of the completed Ballot and;
  - h) a pre-paid return envelope, pre-addressed to the Electoral Officer.
- 15.5 An Elector will vote by mail-in ballot by:
- a) clearly marking the ballot with an "X" or a check mark "✓" in the appropriate space opposite the name of the Candidates of his /her choice;
  - b) folding the ballot in a manner to conceal their choice exposing the Electoral Officer's initials on the back;
  - c) placing the ballot in the envelope marked "ballot" and sealing the envelope;
  - d) completing and signing the Elector's declaration form in the presence of a witness who is at least eighteen (18) years of age;
  - e) placing the envelope and the completed, signed and witnessed declaration form in the postage paid, return envelope pre-addressed to the Electoral Officer;
  - f) returning the completed Mail in Ballot by mail to the Electoral Officer; the Electoral Officer will not accept electronically, or hand delivered mail-in ballots;
  - g) ensuring that their Mail-in ballots are received at the Electoral Officer's mailing address by 6pm Friday before Election Day.
- 15.6 All mail-in ballots received by the Electoral Officer must be kept unopened in an initialed and sealed envelope or box marked "Mail- In Ballots" to be counted on election day.

## **PART 16: VOTING AT A POLLING STATION**

- 16.1 At the Advance Poll at 10:00 am sharp the Electoral Officer will announce the polling station is open for voting.
- 16.2 At the Election Date Poll, and at 8 am sharp the Electoral officer will announce the polling station is open for voting.

- 16.3 The Electoral Officer will, supply the polling station with:
- a) locking wooden ballot boxes that will have secure tape vertically across the opening; that contains the electoral officer initials;
  - b) a sufficient number of ballots;
  - c) the final Elector's List;
  - d) the necessary materials for marking ballots and;
  - e) a ballot tally sheet to identify the number of confirmed votes.
- 16.4 The Electoral Officer will provide a voting compartment in the Polling Station where Electors can mark their ballot privately.
- 16.5 A Candidate who wishes to appoint a Scrutineer must provide a letter to the Electoral Officer at least forty-eight (48) hours prior to Advance and Election Date poll.
- 16.6 Each Candidate will be entitled to have one scrutineer at the polling station at any one time.
- 16.7 The Electoral Officer and Deputy Electoral Officer will immediately before the commencement of the poll:
- a) open the ballot box and, in the presence of any Scrutineers, ALIB Security and Deputy Electoral Officer present, confirm that the ballot box is empty;
  - b) the Electoral Officer will complete a written statement, along with signatures from two (2) witnesses, which confirms that the ballot box was empty;
  - c) lock and properly seal the ballot box in a manner preventing it from being opened without breaking the seal;
  - d) place the ballot box in public view for the reception of the ballots;
  - e) at no time will the ballot box(es) or envelopes containing ballots be left unattended.
- 16.8 Each Elector presenting him/herself at the polling station for the purpose of voting will provide to the Electoral Officer their current photo identification; which may include: Valid Driver's License, Valid BC Identification, Valid Status Card or Valid Passport.
- 16.9 Where an Elector does not have photo identification they will provide a signed declaration to the Electoral Officer confirming their identity. (Appendix B)
- 16.10 Where an Elector is properly identified as an eligible Elector, the Electoral Officer will draw a line through the Elector's name in the proper column of the Elector's list to indicate the issuance of a ballot to the Elector.
- 16.11 The Electoral Officer will place his/her initial beside the Elector's name once the ballot has been returned and deposited in the ballot box.
- 16.12 The Electoral Officer or Deputy Electoral Officer will explain the method of voting to the Elector.
- 16.13 No Elector may vote by proxy or authorize another person to vote on his/her behalf.
- 16.14 An Elector who requires assistance may request that the Electoral Officer or Deputy Electoral Officer mark the ballot for them in their presence, this will be noted opposite the name of the elector.
- 16.15 Upon receiving the ballot, each Elector will:
- a) immediately proceed to the voting compartment and clearly place an "X or V" in the appropriate space opposite the name of the Candidate(s) of his or her choice;
  - b) fold the ballot, concealing his or her choice and exposes the initials of the Electoral Officer and deposit the ballot into the ballot box; if "X or V" is marked or is partially marked outside the appropriate space, it is the Electoral Officer's discretion to determine the validity of the vote.
- 16.16 An Elector who inadvertently spoils his/her ballot may return it to the Electoral Officer to obtain

another ballot. The Electoral Officer will write the word “spoiled” on the ballot, deposit the ballot in an envelope marked “Spoiled and Rejected” ballots and provide the Elector with a new ballot.

- 16.17 An Elector who has received a ballot at the polling station and subsequently decides not to vote, the Electoral Officer will mark the word “Rejected” on the ballot and deposit it in an envelope for “Spoiled and Rejected” ballots.
- 16.18 An Elector forfeits his/her right to vote at the Election after being provided a ballot by the Electoral Officer if that Elector leaves the polling station without delivering the ballot to the Electoral Officer. The Electoral Officer must document the reason beside the Elector’s name.
- 16.19 At the Advance poll, at 4 pm sharp, the electoral officer will announce that the polling station is closed for voting. At the election date poll, at 8 pm sharp, the electoral officer will announce that the polling station is closed for voting; Any Elector who is inside the polling station at the time fixed for closing is entitled to vote.
- 16.20 Except for the Electoral Officer, Deputy Electoral Officer, appointed ALIB Security or Scrutineer(s), no Electors or persons are permitted to remain inside the polling station.
- 16.21 The Electoral Officer will ensure the Advance and Election poll station ballot box remains locked and secured with a seal with his/her initials across the seal and the ballot box is kept in a secure location until the official count is conducted.

## **PART 17: PROCEDURES FOR CLOSE OF POLLS & COUNT OF BALLOTS**

- 17.1 Once the polling station has been officially closed by the Electoral Officer, he/she will call for a 10-minute break before the official ballot count commences.
- 17.2 The Electoral Officer will appoint two (2) official counters from ALIB Electors and the Deputy Electoral Officer will be the third (3<sup>rd</sup>) official counter.
- 17.3 The Electoral Officer in the presence of witnesses will break the seal to the mail-in ballot envelopes:
  - a) the Electoral Officer will count the number of mail-in ballots.
- 17.4 The Electoral Officer will open the declaration envelope contained within the mail-in ballot package that was received and without unfolding the mail-in ballot:
  - a) The Electoral Officer will set aside any rejected mail-in ballot(s) and explain reason for the rejection of the mail in ballot if:
    - i. it was not accompanied by an Elector’s declaration form or the Elector’s declaration form is not signed by both the Elector and a Witness;
    - ii. the name of the Elector as set out within the Elector’s declaration form is not on the Elector’s List;
    - iii. the Elector’s List shows that the Elector has already voted.
  - b) The Electoral Officer will deposit valid mail-in ballots into the main ballot box and with a different colored pen draw a line through the name of the Elector and place his/her initial beside the Electors name.
- 17.5 When all valid mail-in ballots and advance ballots have been deposited in the main ballot box, the Electoral Officer will open the ballot box and examine the ballots and reject all ballots that:
  - a) have not been initialed by the Electoral Officer;
  - b) contain more votes than are Candidates to be elected;
  - c) are marked in such a way that the Elector can be identified; or
  - d) are marked in such a way that the Elector’s choice is not clear.

- 17.6 The Electoral Officer will report any Rejected, Spoiled, or Forfeited ballots in his report.
- 17.7 The Electoral Officer will:
- a) show the ballots to be counted, to the appointed official counters;
  - b) announce the votes for each Candidate;
  - c) sign and collect all official ballot tally sheets.
- 17.8 Following the completion of the counting of the votes, the Electoral Officer will publicly declare:
- a) the Candidate for Chief with the highest number of votes is duly elected as Chief.
  - b) the Candidate from Sxwetsméłlp 6 who receives the highest number of votes will be duly elected to Band Council, notwithstanding that he/she did not receive the highest number of votes of any Candidate in the Election;
  - c) The Candidates with the highest number of votes will be duly elected to the four (4) remaining Band Council positions.
- 17.9 The Electoral Officer will on Monday following the Election:
- a) post a signed written statement showing the Candidates duly elected to ALIB Band Council and the number of votes they received;
  - b) Post results at ALIB Administration Building IR#4 & #6, Health Centre #4, ALIB Newsletter and Website.

## **PART 18: TIES**

- 18.1 Where an Election results in a tie vote for the Chief position or the last Band Council position:
- a) the Electoral Officer will read out Part 18 -TIES;
  - b) the Tie will be decided on Election night;
  - c) the Electoral Officer will put names of the candidates who are tied in votes into a receptacle to break the tie;
  - d) the candidate(s) whose name is drawn by the Electoral Officer is duly elected to office.

## **PART 19: DISPOSAL OF BALLOTS**

- 19.1 The Electoral Officer will keep all ballots in a sealed envelope and retain until the 3<sup>rd</sup> Thursday in August after the date of the Election. After the allotted time, the Electoral Officer will, unless directed otherwise by Band Council, destroy the ballots in the presence of two witnesses who have signed a disposal of ballot declaration.

## **PART 20: OATH OF OFFICE: "Appendix A"**

- 20.1 The swearing-in ceremony and the signing of the Oath of Office-ALIB Council, Appendix A will be held within 1 week of new Band Council taking office:
- a) Where a Candidate elected as Band Council because of illness or other unforeseen circumstance cannot swear the Oath of Office within the time given he/she can request an extension to the Electoral Officer.

## **PART 21: ELECTION APPEAL**

- 21.1 A Candidate or any Elector may file a written notice of an Election appeal within 10 days of the Election to the Electoral Officer. The Electoral Officer will inform Chief and Council, Executive Director or Council Approved Designate that an appeal has been received. The Election appeal will be based on one or more of the following:
- a) the Candidate declared elected to Band Council was not qualified as outlined in Part 5-;
  - b) the Candidate declared elected did not campaign as outlined in Part 12;
  - c) there was a violation in the conduct of the Election process that effected the result of

the Election; or

- d) there was corrupt or fraudulent practice such as bribery, threats, or intimidation in relation to the Election.

21.2 The Executive Director or Council Approved Designate will ensure and sign off that the Election appeal meets the following Administrative requirements.

- a) The Election appeal will set out facts in an affidavit sworn before a duly appointed commissioner for taking oaths;
- b) Receipt of a non-refundable fee of three hundred (\$300) payable to ALIB.

21.3 Certified Professionals will oversee an Election Appeal Band Council will post an expression of interest for Certified Professionals, during the last week in January.

21.4 Certified Professionals will be appointed by Band Council Resolution during the second week in February before the Election.

21.5 If the Election appeal has merit then the Certified Professionals will:

- a) Determine the parties involved and decide how they are to be notified and professionally served;
- b) Set the date, time and place for hearing for the Election Appeal;
- c) Take the evidence by sworn declaration or written testimony from all parties involved;
- d) Collaborate with the Executive Director or Council Approved Designate to recommend a budget for approval of a Band Council Resolution;
- e) All parties subject to an appeal against him/her must receive all information of the appeal and be given an opportunity to hear and address the appeal;
- f) After three (3) attempts to professionally contact all parties involved, and without response, the appeal will proceed;
- g) The Certified Professionals will issue a written decision within ten (10) days of receiving the Election appeal.

21.6 The decision of the Certified Professional will be final. The Certified Professionals will provide a copy of the decision to Band Council, Executive Director or Council Approved Designate and to all party's subject to the Election appeal.

- a) If the decision renders a vacancy, the candidate who received the highest number of votes in the election will be invited by the Electoral officer to assume office. If the candidate is no longer interested, then the next successive candidate will receive an invitation. If both candidates decline the invitation the Electoral officer will notify the Band Council to call a By-Election;
- b) if the vacancy results in the removal of a Sxwetsméllp #6 Candidate; 3.1 & 3.2 will be in effect.

21.7 The Certified Professional's decision will be:

- a) Recorded in the Band Council minutes and;
- b) posted at the ALIB Administration Buildings IR #4 & IR#6, Health Centre #4, in the ALIB newsletter and website.

21.8 Election appeal proceedings will be kept secure in the Administration Building at IR#4.

## **PART 22: BAND COUNCIL PETITION**

22.1 An Elector may file a petition for removal of Band Council member(s).

22.2 Proceedings to remove Band Council member(s) will have one (1) petition for each Band Council

member petitioned; the petition will be hand delivered to the Executive Director or Council Approved Designate. Each petition must include the following Administrative requirements:

- a) Signatures of Electors that equals the same number of votes by which they were elected to office;
- b) ALIB Electors who sign a petition, must provide a phone number so the Executive Director or Council Approved Designate can follow up to ensure that there is full understanding and support of the petition;
- c) An affidavit substantiating the facts sworn before a duly appointed commissioner for taking oaths;
- d) A \$400 non-refundable fee for each petition payable to ALIB;
- e) The Executive Director or Council Approved Designate will ensure the petition meets the Administrative requirements before proceeding;
- f) If the Administrative requirements are met and signed off by the Executive Director or Council Approved Designate, he/she will notify Chief and Council;
- g) If the Administrative requirements are not met, then the petition will not be accepted

22.3 Once the Administrative requirements are met; a Regulations Committee will be elected as per Appendix E

- a) The Executive Director or Council Approved Designate must immediately deliver the date stamped Petition to the Regulations Committee who will notify band membership that a petition has been received.

22.4 Upon receipt of a petition, the Regulations Committee will, determine if the petition has merit to proceed with any of the following; Immediate removal, Mediation, Recall Election, or dismissed altogether.

- a) A petition for immediate removal of Band Council will be for a serious violation; examples are but not limited to: criminal convictions, corrupt or fraudulent practice (financial or personal gain), physical or sexual abuse, and any actions of Band Council that puts ALIB in disrepute. ALIB membership will be informed of the Band Council vacancy.
- b) If the petition warrants mediation, then the mediation process will take place as follows:
  - i. the Regulations Committee will appoint an approved Mediator.
  - ii. a budget and contract will be recommended by the Executive Director or Council Approved Designate for approval by Band Council Resolution.
  - iii. the Regulations Committee will collaborate with the Mediator to set the time, place and duration for the mediation.
  - iv. if Mediation does not resolve the dispute the Mediator will recommend the next step a Recall Election.
- c) The Petition proceeds to a Recall Election, the Regulations Committee will:
  - i. determine the parties involved and decide how they are to be notified and professionally served.
  - ii. set the date, time and place for hearing the petition.
  - iii. ensure that a minute taker is available at each hearing to take evidence. Parties involved may also provide sworn declarations signed by a commissioner for taking oaths.
  - iv. adhere to the budget recommended by the Executive Director or Council Approved Designate and approved by Band Council resolution.
  - v. ensure that all parties subject to a petition against him/her will receive



all information of the petition be given an opportunity to hear and address the petition and be allowed to invite support persons.

- vi. professionally contact all parties involved, and without response, the hearing of the petition will proceed.
- vii. issue a written decision within thirty (30) days of receiving the petition.
- d) A Recall Election vote will be a separate vote for each Band Council member.

22.5 A Recall Election is a process by which Electors can remove Band Council member(s) from office through a ballot vote before the end of their term. The Electoral Officer will oversee the Recall Election

- a) a Recall Election will not include Mail-In Ballots Package
- b) The Electoral Officer will publish a notice advising all membership of the Recall Election in the ALIB Administration Buildings IR#4 & IR#6, Health Centre #4, ALIB newsletter and Website
- c) A recall Election is a Yes or No vote in which Electors present at a Recall Election vote by ballot to decide if Band Council member(s) remain in office or are removed from office.
- d) If 60% of Electors present at the Recall Election vote No to remove the Band Council member(s) from office, then the petition is dismissed and Band Council member(s) remain in office.
- e) If 60% of Electors present at the Recall Election Vote Yes to remove Band Council member(s) from office, then Band Council position become vacant.

22.6 When a recall election removes Band Council member(s) and the position(s) become vacant within 6 months of an Election, the candidate who received the next highest number of votes in the Election will be invited by the Electoral officer to assume office. If that candidate is no longer interested, then the next successive candidate with the next highest votes receives an invitation. If both candidates decline the invitation the Electoral Officer will notify Band Council to call a By-Election.

- a) if the vacancy results in the removal of a Sxwetsméllp #6 Candidate; 3.1 & 3.2 will be in effect.

22.7 The outcome of the Recall Election decision will be:

- a) posted at the ALIB Administration Buildings IR #4 & IR#6, Health Centre #4, in the ALIB newsletter and website.

22.8 Following the removal of Band Council member(s) from office, the Regulations Committee will impose a penalty, of 1-2 terms or indefinitely depending on the degree of the violation. Records of all imposed penalties for the removal of Band Council member(s) will be kept in the Executive Director's files and recorded in Band Council minutes.

## **PART 23 VACANCY OF BAND COUNCIL**

23.1 The office of Chief or Councillor will become vacant when the person who holds that office:

- a) dies;
- b) provides written resignation from office;
- c) has been removed from office by the petition process;
- d) has been unable to perform the duties of his or her office for more than 45 days due to illness or other incapacity;
- e) has missed three (3) Band Council meetings within a twelve (12) month period, without valid reason tabled to Chief & Council.

- f) has missed a General Band Meeting, within a twelve (12) month period without valid reason tabled to Chief & Council.

## **PART 24: BY-ELECTIONS**

- 24.1 A By-Election is a special Election held to fill a position on Band Council that has become vacant.
- 24.2 A By-Election will include mail-in ballots to off reserve membership.
- 24.3 A By-Election will be necessary to maintain a quorum of Band Council.
- 24.4 If a vacancy for one or two positions occur within six (6) months of the Election, the following process will take place, possibly eliminating a By-Election.
  - a) The candidate who received the highest number of votes in the Election will be invited by the Electoral officer to assume office.
  - b) If the first candidate is no longer interested, then the second successive candidate will receive an invitation.
  - c) If both candidates decline the invitation, the Electoral Officer will notify Band Council to call a By-Election;
  - d) If the vacancy results in the removal of a Sxwetsméllp #6 Candidate; 3.1 & 3.2 will be in effect.
  - e) In the event that a Band Council position becomes vacant after 6 months of the Election, a By-Election will be held within 60 days on a date set by the Electoral Officer.
- 24.5 If a Councillor wishes to be a Candidate for Chief in a By-Election, he or she must resign from Band Council fourteen (14) days prior to the date of the nomination meeting.
- 24.6 In the event where Band Council position(s) become vacant, a By-Election will include all vacant positions.
- 24.7 Successful Candidate(s) in a By-Election will hold office for the remainder of the original 3-year term.

## **PART 25: AMENDMENTS OF ALIB CUSTOMS ELECTION REGULATIONS:**

- 25.1 Amendments to the ALIB Customs Election Regulations will be initiated by one of the following:
  - a) specific recommendations for amendments to the ALIB Custom Election Regulations will be accepted from the Electoral Officer;
  - b) a letter requesting and outlining specific amendments, signed by not less than 20 ALIB Electors, submitted to the Executive Director or Council Approved Designate and Band Council;
  - c) Band Council will post an expression of interest to appoint an Elections Committee comprised of 3-5 Electors within 15 days of receiving a request;
  - d) the Elections Committee will begin the amendment process immediately.
- 25.2 The ALIB Custom Election Regulations amendment process will be as follows:
  - a) Election committee reviews and makes revisions to the ALIB Custom Election Regulations;
  - b) If ALIB Electors request amendments to the ALIB Custom Election Regulations, the Election Committee will seek input from Band membership;
  - c) Election Committee will present the amended draft regulations to Band Council to authorize distribution to the community;
  - d) The first presentation of the draft regulations will be presented at a General Band

- Meeting within 45 days after they have been tabled to Band Council;
- e) The Election Committee will review and implement relevant community recommendations after the first presentation;
  - f) The second presentation will be presented at a General Band Meeting within 28 days of the first presentation;
  - g) Band Council will forward Election Regulations amendments for legal review;
  - h) The Election Committee will review and implement relevant legal recommendations after the second presentation;
  - i) The ALIB Custom Elections Regulations final presentation will be endorsed by membership vote by a show of hands at the final in-camera presentation within 14 days of the second presentation and will be ratified by Band Council Resolution at their next duly convened Band Council meeting;
  - j) The Band Council will forward the Final Amended ALIB Custom Election Regulations to INAC as information.



**APPENDIX A: OATH OF OFFICE – ALIB BAND COUNCIL**

I, \_\_\_\_\_, do swear that:

1. I am an Adams Lake Indian Band Cstelnec/Sxwetsméllep/ Sexqeltqín member with Secwepemc Ancestry.
2. I will perform the duties of my office with dignity, respect, and honesty.
3. I will always take into consideration the best interests of all Adams Lake Indian Band members.
4. I will adhere to the ALIB Custom Election Regulations, Chief and Council Responsibilities, and Financial By-law.
5. I will adhere to the Adams Lake Indian Band Community Vision.
6. I will not engage in corrupt, fraudulent or immoral practices.
7. I will promote unity within Cstelnec/ Sxwetsméllep/ Sexqeltqín and throughout the Secwepemc Nation.
8. I will encourage the use of and participate in Secwepemctsin and Secwepemc Traditions.
9. I will maintain confidentiality of information entrusted to me, during my term.
10. I will engage in a mediation process when requested.
11. If there are any conflicts of this Oath of Office the higher values of dignity, respect, honesty, unity, democracy, Secwepemc traditions, and the best interest of the Band will over-rule any ALIB regulations, By-Laws, Policies, and Terms of References that violate Cstelnec/ Sxwetsméllep/ Sexqeltqín values.

SWORN at or near the Adams Lake Indian Band )  
Chase, BC on \_\_\_\_\_, 20\_\_\_\_ )  
 )  
- ) \_\_\_\_\_

Witnessed Tekwemiple:

ALIB Elder

ALIB Elder

ADAMS LAKE SECWEPENC ELECTION RULES

OATH OF OFFICE

Cstélnec. Retséwe7 [Kúkpi7/Tkwemíple7] , Kwéntselp es Kúkpi7 n7élye. Pyin c7ú7tsne – Ke es Kúkpi7 ne stkwemíple7s re Cstélnec. Pyin me7 tsúntelme.

1. Secwépenc – ke, Cstélnec-ke.
2. Me7 élkst-ke fek yegwyúgw7 es xyésten re Cstélnec ell re stkwemíple7s.
3. Me7 xetégsten re stkwemíple7s re Cstélnec ell me7 tskekínsten es tá7us nerí7 es cstséwse re tsuwet7úy.
4. Me7 tselxésten ell me7 élkst-ke ne stkwemíple7s re Cstélnec.
5. Me7 xwtšílcme es Secwépenc – kt wel me7 yews, wel me7 yews.
6. Me7 wi7 es kúkpi7 e wí7stseses re 'Community Panel' fe tsóle te stkwemíple7s re Cstélnec.
7. Me7 tá7a es fekwe7sten re yegwyúgwétkwe ell re kíst fe meláme.
8. Me7 tá7a es cíke fekqúte7 kells fe ewetentwécw fe sqweléllcws re tkwemíple7. E cíknes re sqwel fekqúte7 me7 tá7a k skwen re sts7éys re tkwemíple7.
9. Me7 t7élkstme es nekúses re Cstélnec ne le7 fe sw7ec. Ell me7 t7élkstme es nekúses re Secwépenc ne le7 fe sw7ecs.

Sworn at or near the Village of Chase,  
B.C. on [Date]

\_\_\_\_\_  
[Name of Commissioner]

Commission for Taking Affidavits  
for British Columbia

No. \_\_\_\_\_ Expiry Date \_\_\_\_\_

)  
)  
)  
)  
)

\_\_\_\_\_  
Kúkpi7/Tkwemíple7

**APPENDIX "B": VOTERS DECLARATION FOR: MAIL-IN BALLOT OR ADVANCE POLL OR  
ELECTION DATE POLL**

I, \_\_\_\_\_, print name), of (address) \_\_\_\_\_ do  
swear that:

1. I am a registered Adams Lake Indian Band member.
2. I am 18 years of age as of the upcoming Election day.

Sworn on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ in the city or town of  
\_\_\_\_\_, Province of \_\_\_\_\_.

\_\_\_\_\_  
Print Name of Elector

\_\_\_\_\_  
Signature of Elector

\_\_\_\_\_  
ALIB Membership #

\_\_\_\_\_  
Elector's Address

\_\_\_\_\_  
Elector's Phone Number

\_\_\_\_\_  
Print Witness Name

\_\_\_\_\_  
Signature of witness (18 years of age or older)

\_\_\_\_\_  
Print name of Membership Clerk

\_\_\_\_\_  
Signature of Membership Clerk

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

\_\_\_\_\_  
Signature of Electoral Officer

**APPENDIX "C": RCMP Detachment: Police information Check**

**SAMPLE COPY ONLY. PAGE 1/3**

# Chase RCMP Detachment Police Information Check

Chase RCMP Use Only

Log:

Receipt:

Received at:

**IDENTIFICATION – one form must be photo ID (office use only).**

Type of ID Produced:	Number:		
Type of ID Produced:	Number:		
<b>INSTRUCTIONS FOR COMPLETION</b>			
(PERSONAL INFORMATION ON THIS FORM IS COLLECTED UNDER THE AUTHORITY OF THE BC FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT & FEDERAL PRIVACY ACT)			
<u>Please complete clearly in ink</u>			
You must apply in person at the Police Agency in the jurisdiction you reside. At the time of application you must present: Any applicable fee (see website for costs and payment options). One piece of current, government-issued photo identification and one piece of identification verifying name and date of birth. If you are unable to provide proper identification the police agency cannot complete your check. <b>Your Police Information Check will review all available law enforcement systems, including any local police records.</b> <b>This check will <u>NOT</u> include: overseas or US records, traffic tickets, Motor Vehicle Act offences or municipal bylaw offences.</b>			
<b>The results of this check will not be forwarded to a third party</b> (with the exception of confirmed positive Vulnerable Sector responses).			
<b>PART I – PERSONAL INFORMATION (COMPLETED BY APPLICANT)</b>			
LAST NAME	FIRST NAME	MIDDLE NAME(S)	
PREVIOUS NAMES (including name changes and birth/maiden name)			SEX (circle one) M F
DATE OF BIRTH (YYYY/MM/DD)	PLACE OF BIRTH:		
ADDRESS (Apartment, street # and name)	CITY	PROV	POSTAL CODE
PHONE NUMBER (residence)	PHONE NUMBER (cell)		
<b>PREVIOUS ADDRESS (LIST ALL ADDRESSES WITHIN THE LAST FIVE YEARS)</b>			<b>*Check Completed (office use only)</b>
STREET NAME: _____	CITY: _____	PROVINCE: _____	<input type="checkbox"/> yes <input type="checkbox"/> no
STREET NAME: _____	CITY: _____	PROVINCE: _____	<input type="checkbox"/> yes <input type="checkbox"/> no
STREET NAME: _____	CITY: _____	PROVINCE: _____	<input type="checkbox"/> yes <input type="checkbox"/> no
STREET NAME: _____	CITY: _____	PROVINCE: _____	<input type="checkbox"/> yes <input type="checkbox"/> no
STREET NAME: _____	CITY: _____	PROVINCE: _____	<input type="checkbox"/> yes <input type="checkbox"/> no

**REASON FOR APPLICATION (check appropriate):** ☐ Volunteer (attach letter) ☐ - Employment ☐ Other (specify below)

Key Contact Name: \_\_\_\_\_

Volunteer Agency/Employer Name: \_\_\_\_\_

Volunteer Agency/Employer Address and Phone Number: \_\_\_\_\_

**IS YOUR REQUEST RELATED TO WORK/VOLUNTEERING WITH VULNERABLE PERSONS:** ☐ YES ☐ NO

(If yes – please complete Vulnerable Sector Search Consent FORM 1 on page 2)

## APPENDIX D: OATH OF ELECTORAL OFFICER; DEPUTY ELECTORAL OFFICER;

I, \_\_\_\_\_ Electoral Officer/Deputy Electoral Officer, do solemnly swear that



I will fulfill my duties in a professional manner and I will adhere to the Adams Lake Band Custom Election Regulations.

SWORN before me at Adams Lake Indian Band )

Chase, British Columbia on \_\_\_\_\_, 20\_\_\_\_ )

)

)

\_\_\_\_\_) )

\_\_\_\_\_  
[Name] Electoral/Deputy Officer

A Commissioner for taking Affidavits )

Within British Columbia )



## APPENDIX E: REGULATIONS COMMITTEE TERMS OF REFERENCE

The Regulations Committee is a committee of 5 members who will oversee a Band Council petition.

1. Regulation Committee will consist of two (2) non-staff ALIB Elders, one (1) non-ALIB Certified

Professional and two (2) non-staff ALIB Electors.

- a) Band Council and Executive Director or Council Approved Designate will appoint the Certified Professionals at a duly convened Band Council meeting;
2. The Regulations Committee will be voted by a show of hands by ALIB Electors at a General Band meeting within 60 days following the Election of Band Council and
  - a) Executive Director or Council Approved Designate will send an expression of interest to ALIB Electors;
  - b) The Regulations Committee criteria will consider: geographical representation IR#1 - #7, education, work experience and declaration of Conflict of Interest to elected Band Council;
  - c) **A letter of endorsement of the Regulations Committee will be provided by the Executive Director or Council Approved Designate.**
3. Eligibility of Regulations Committee:
  - a) Must be registered on the ALIB Elector's list, or a Certified Professional;
  - b) Must be familiar with all ALIB Custom Election Regulations, By-laws and Policies;
  - c) Must be a resident within 65-kilometer radius of any ALIB reserve IR#1-7;
  - d) Must provide a letter stating no outstanding financial debt owing to ALIB, signed by the ALIB Financial Supervisor;
  - e) Will not assume duty until he/she has sworn an Oath of Office for Regulations Committee (Appendix F)
  - f) Be committed to attend all hearings in person;
4. The Regulations Committee will sign an Oath of Office (Appendix F) and Oath of Confidentiality (Appendix G) as per Committee policy:
  - a) Keep confidential, during their term, any matter or information which is considered confidential;
  - b) File with the Executive Director the Oath of Office and Oath of Confidentiality in the Administration office IR#4.
5. Regulations Committee member vacancy occurs when a Committee member:
  - a) Breaches the Oath of Office for Regulations Committee (Appendix F);
  - b) Is absent from a committee meeting without reason as determined by the Regulations Committee;
  - c) Is ineligible as per Regulations Committee Terms of Reference
  - d) Dies;
  - e) Has committed a serious violation; examples are but not limited to: criminal convictions, corrupt or fraudulent practice (financial or personal gain), physical or sexual abuse.
6. Vacanc(ies) on the Regulations Committee will be determined by the Certified Professional and the Executive Director or Council Approved Designate and they will inform the band membership.
7. **A Certified Professional must be a part of the Regulations Committee at all times; If the Certified Professional resigns, a new Certified Professional will be appointed by Band Council and the Executive Director or Council Approved Designate.**
8. If a quorum of 3 members of the Regulations Committee ceases to exist a vote by membership to replace the members will commence.
9. A new Regulations Committee will address the petition(s) in its entirety which includes a new

30-day deadline.

10. The Regulation Committee will receive an honorarium during their term; they will be paid according to the ALIB Committee Policy.
11. Certified Professional rate: to be negotiated by the Executive Director or Council Approved Designate and approved by Band Council Resolution.



## **APPENDIX F: OATH OF OFFICE FOR REGULATIONS COMMITTEE, RECORDING SECRETARY AND CERTIFIED PROFESSIONAL**

I \_\_\_\_\_, as a Regulations Committee member, Recording Secretary or Certified Professional do swear that:

2017 ADAMS LAKE CUSTOM ELECTION REGULATIONS

- a) I am a registered Adams Lake Indian Band Elector/Certified Professional
- b) I will comply with the ALIB Custom Election Regulations in a professional manner.
- c) I will carry out my duties diligently, honestly and with fairness.
- d) I will maintain confidentiality of information entrusted to me, during my term
- e) I will always act in the best interests of all ALIB membership in carrying out my duties.
- f) I will undertake a unified approach within the Regulations Committee.
- g) I will disclose all Conflict of Interests, both personal or business interests.

Regulation Committee /Recording Secretary Member Name \_\_\_\_\_

Regulation Committee /Recording Secretary Member Signature \_\_\_\_\_

Witness by Certified Professional \_\_\_\_\_

Date: \_\_\_\_\_

Certified Professional Name \_\_\_\_\_

Witness by Executive Director/Council Approved Designate \_\_\_\_\_



**APPENDIX G COMMITTEE MEMBER OATH OF CONFIDENTIALITY**

Confidential information is defined as information disclosed to, used by, developed by, or known to the committee member as a result of committee participation within the Adams Lake Indian Band.

1. "Personal Information" includes any information and materials personal to band members and clients of the Adams Lake Indian Band.
2. I hereby acknowledge and agree that:
  - a) I may have access to and be entrusted with Confidential Information and Personal Information;
  - b) The right to maintain absolute confidentiality of its Confidential Information is a propriety right which the Adams Lake Indian Band is entitled to protect. Further, the Adams Lake Indian Band could be irreparably harmed if Confidential Information was disclosed in violation of this.
  - c) Any Personal Information which I create or collect should be maintained in a secure location as designated by the Adams Lake Indian Band and shall be considered and exclusive property by the individual person. All Rights, Title, and Interest in and to Personal Information shall remain the property of that person.
3. I hereby declare and affirm that:
  - a) I will not, at any time, directly or indirectly by any means whatsoever, divulge, furnish, provide access to, or use for any purpose other than, what is required for committee participation;
  - b) I will not, at any time, directly or indirectly by any means whatsoever, divulge, furnish, provide access to, or use for any purpose other than the purposes permitted by the "Personal Information Protection and Electronic Documents Act" (PIPEDA-Federal) or the Personal Information & Privacy Act" (PIPA-B.C.) as applicable, and any Personal Information.
4. I further acknowledge and agree that:
  - a) If a Breach of any of the above covenants occurred, it may result in disciplinary action or termination of all committee participation;
  - b) I will notify the Adams Lake Indian Band immediately should I become aware of an actual Breach of Confidentiality or a situation which potentially could result in a Breach, whether this is on my part or the part of another person.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Witness

