

NISICAWAYASIIHK CREE NATION

COMMUNITY RATIFICATION PROCESS



In accordance with the Framework Agreement on First Nation Land Management

Dated June 19, 2017

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1.0 TITLE AND PURPOSE

Title

1.1 The title of this document is the *NCN Community Ratification Process*.

Purpose

1.2 The purpose of this document is to set out the procedure by which the Nisichawayasihk Cree Nation will decide whether to approve its *Aski Pumenikewin* (Land Code) and the Individual Agreement, as required under the Framework Agreement and the Act.

2.0 DEFINITIONS AND INTERPRETATION

Definitions

2.1 In this Ratification Process:

“Act” means the *First Nations Land Management Act*, S.C. 1999, c. 24;

“Additional Polling Day” means the date which may be established by the Ratification Officer in accordance with section 13 of this Ratification Process for voting following the Regular Voting Days;

“Background Documents” means:

- (a) the Framework Agreement;
- (b) the Act;
- (c) a summary of the Framework Agreement;
- (d) a summary of the Act;
- (e) a summary of the *Nisichawayasi Aski Pumenikewin* (land code); and
- (f) a summary of the Individual Agreement.

“Ballot Question” means the question asked in the Ratification Vote in Form 1.

“Chief and Council” means the chief and councillors elected as the governing body of NCN in accordance with the *Election Law* 1998 E-1, as amended.

“Council Resolution” means a resolution or motion approved by Chief and Council at a duly convened meeting.

“Electronic Registration Process” means the process by which an NCN Citizen may register to vote by Electronic Voting.

“Electronic Voting” means voting using a website in accordance with this Ratification Process.

“Electronic Voting Contractor” means the contractor retained by NCN to provide the means by which Electronic Voting may take place;

“Electronic Voting Platform” means the electronic tool provided by the Electronic Voting Contractor to enable and record Electronic Voting;

“Framework Agreement” means the *Framework Agreement on First Nation Land Management* entered into between Canada and the signatory First Nations on February 12, 1996, as amended.

“Individual Agreement” means the proposed Individual First Nation Agreement between the Nisichawayasihk Cree Nation and Her Majesty in right of Canada in accordance with clause 6.1 of the Framework Agreement.

“Lands Coordinator” means the NCN employee responsible for the co-ordination of the development of the *Nisichawayasi Aski Pumenikewin* (land code).

“Mail-in Ballot” means a ballot in Form 1 which is submitted by mail in accordance with this Ratification Process.

“*Nisichawayasi Aski Pumenikewin*” or “*Aski Pumenikewin*” means the proposed or ratified NCN land code.

“Nisichawayasihk Cree Nation” or “NCN” means the *Nisichawayaski Nehethowuk*, the people whose ancestors were *Asiniskow Ethiniwuk* living near where the Three Rivers meet.

“*Nisichawayasi Nehethowuk Okimawin*” means the NCN government.

“NCN Citizen” means a person who is considered to be *Nisichawayasi Nethethowuk* pursuant to the NCN membership code dated May 24, 1988 including any amendments

thereto.

"NCN Lands" means any reserve lands or any portion of the reserve lands described in the proposed *Aski Pumenikewin* and the Individual Agreement.

"*Onuwosonekew*" (voters) means an NCN Citizen who is at least eighteen (18) years of age on the last voting day established by the Ratification Officer.

"Ratification Documents" means the *Aski Pumenikewin* (land code) and the Individual Agreement;

"Ratification Officer" means the person appointed by Chief and Council as the electoral officer in accordance with section 4 of the *Election Law*, 1998 E1, as amended to conduct votes.

"Ratification Process" means the community ratification process set out in this document approved by Chief and Council;

"Ratification Vote" means a vote by *Onuwosonekew* (voters) on the Ballot Question in Form 1 conducted in accordance with the Ratification Process;

"Registered Voter" means an *Onuwosonekew* (voter) who has registered to vote in accordance with section 12.4;

"Verifier" means the person appointed as verifier under the Framework Agreement and includes any assistant appointed by the Verifier;

"Regular Voting Day" means the days established as the dates for holding in-person voting during the Ratification Vote.

Application of Framework Agreement to Ratification Process

2.2 Unless otherwise provided, words defined in the Framework Agreement have the same meaning in this Ratification Process.

Applicable interpretation principles

2.3 Words in the singular include the plural, words in the plural include the singular and words in the masculine include the feminine, as the context may require.

Applicable Time Zone

2.4 A specified time of day is a reference to Central Standard Time (CST).

Meaning Of “Days”

2.5 A reference to days means calendar days.

3.0 CONFIRMATION BY VERIFIER

Provision Of Documents To Verifier

3.1 At least thirty (30) days before the Ratification Vote begins, Chief and Council will, by Council Resolution in Form 2 authorizing electronic copies of the following documents to be provided to the Verifier:

- (a) the proposed Ratification Process;
- (b) the proposed *Nisichawayasi Aski Pumenikewin*; and
- (c) the initial voter’s list.

Verifier’s Review

3.2 Upon receipt of the documents under section 3.1, the Verifier will review the documents to determine whether they are consistent with the Framework Agreement and the Act.

Verifier’s Certification

3.3 In accordance with Article 8.8 of the Framework Agreement, the Verifier will, within 30 days of receiving the documents, issue a notice in Form 3 to NCN, Canada and the Lands Advisory Board stating whether the *Nisichawayasi Aski Pumenikewin* (land code) and the Ratification Process are consistent with the Framework Agreement and the Act.

4.0 COUNCIL RESOLUTIONS AND INITIAL ACTION

Chief And Council Final Approval Of Documents

4.1 As soon as practicable after the Verifier provides confirmation in accordance with section 3.3, Chief and Council will pass Council Resolutions in Form 4 to approve the appointment of the Ratification Officer and final versions of the *Nisichawayasi Aski Pumenikewin* (land code) and this Community Ratification Process and in Form 5 to approve the Individual Agreement in order to commence the Ratification Vote, which Council Resolution shall be provided to the Ratification Officer and Verifier forthwith.

Initialling Individual Agreement

4.2 The Chief of the Nisichawayasihk Cree Nation will then initial the Individual Agreement and send it to the Regional Director General of Indigenous and Northern Affairs to initial and return back to NCN.

Ratification Officer order

4.3 Upon receipt of the Council Resolution in section 4.1, the Ratification Officer shall immediately accept the appointment in Form 6 and issue a ratification order fixing:

- (a) the period of the Ratification Vote;
- (b) the dates for electronic voting;
- (c) the dates for receipt of mail-in ballots;
- (d) the Regular Voting dates and locations;
- (e) the ballot question;
- (f) procedures for registering to vote; and
- (g) how information including the documents to be voted on can be obtained.

Posting Order And Voters' List

4.4 The Ratification Officer shall post the order and the preliminary voters list without personal identifying information other than name in at least five (5) conspicuous places on reserve at NCN, in at least one location in Thompson, in Winnipeg and other locations in Manitoba where significant numbers of voters reside, as well as on the NCN website.

Provision Ratification Officer Order To Verifier

4.5 Forthwith after posting the order, the Ratification Officer will scan and email or fax a true copy of the order as well as confirmation of the locations the order has been posted to the Verifier.

Notice To Be Published

4.6 In consultation with the Ratification Officer, the Verifier will publish a notice in Form 10 in one or more local newspapers at least twenty-one (21) days prior to the Ratification Vote beginning.

Ballot Preparations

4.7 Following the posting of the order in accordance with section 4.4 of this Ratification Process, the Ratification Officer shall:

- (a) arrange for sufficient ballots to be prepared with such security features as the Ratification Officer considers necessary to ensure a fair, secret ballot vote;
- (b) prepare sufficient copies of the secrecy envelopes, the identification envelopes and the return envelopes;

- (c) work with the Electronic Voting Contractor to establish NCN's Electronic Voting Platform.

5.0 RATIFICATION OFFICER

Powers And Duties Of Ratification Officer

- 5.1 The Ratification Officer shall be responsible for overseeing the conduct of the Ratification Vote and has all the powers necessary to carry out that responsibility and without limiting the generality of the foregoing, the Ratification Officer shall:
- (a) exercise general direction and supervision over the administrative conduct of the Ratification Vote;
 - (b) ensure the voters list is prepared and posted in at least five (5) public locations on reserve at least fourteen (14) days prior to the date of the Ratification Vote;
 - (c) enforce fairness, impartiality and compliance with this Ratification Process on the part of all ratification officers;
 - (d) delegate responsibility to any deputy ratification officers and other officers as may be necessary to ensure the duties in this Ratification Process are carried out;
 - (e) use media, information meetings or other means, to provide NCN Citizens with information about the Ratification Vote process, including the provisions of this Ratification Process;
 - (f) determine the number and location of regular, advance and travelling polling locations, but there must be at least one regular polling location on reserve at NCN;
 - (g) appoint scrutineers for each poll; and
 - (h) perform such other duties outlined in this Ratification Process.

Special Powers Of Ratification Officer

- 5.2 In addition to other powers, duties and functions of the Ratification Officer outlined in section 5.1, the Ratification Officer may:
- (a) where an emergency arises, extend the time or dates for doing anything required under this Ratification Process;
 - (b) increase the number of ratification process officers;
 - (c) increase the number of polling stations;
 - (d) prescribe or modify forms for the purposes of this Ratification Process;
 - (e) generally adapt the provisions of this Ratification Process to existing circumstances;
 - (f) exercise such other powers as are prescribed by or under this Ratification Process,

but the Ratification Officer may not change the dates of the Ratification Vote, or extend the hour for the opening or closing of electronic voting, advance or regular polls unless the Ratification Vote cannot proceed as a result of an emergency which affects NCN, such as a flood, forest fire or a similar type of emergency or other extenuating circumstances.

Appointment Deputy Ratification Officials

5.3 The Ratification Officer shall appoint deputy ratification officers, returning officers and such other officers and employees as are necessary to enable the Ratification Officer to carry out the duties assigned under this Ratification Process and to the extent possible shall appoint a deputy ratification officer for each polling location.

Power Of Deputy To Act In Place Of Ratification Officer

5.4 Where the Ratification Officer is, by reason of absence, incapacity or any other cause, unable to act, the deputy ratification officer shall act as the Ratification Officer until the vacancy is filled, or during the period that the Ratification Officer is unable to act, and when acting as Ratification Officer under this section, a deputy ratification officer is charged with, and shall perform, the duties of, and has all the powers, rights, privileges and authority granted to, or vested in, the Ratification Officer under this Ratification Process.

Voting By Ratification Officer And Other Officials

5.5 The Ratification Officer, and any deputy ratification officers or other officers appointed pursuant to subsection 5.2, shall not engage in, or participate in any activities in favour of or against the questions to be determined during the Ratification Vote, but the Ratification Officer, deputy ratification officers and any other Ratification Vote officials may vote in any Ratification Vote held in accordance with this Ratification Process.

Acceptance of Appointment and Confidentiality

5.6 The Ratification Officer, any deputy ratification officers, returning officer, interpreters and other officials shall accept their appointment in Forms 7,8 or 9 prior to assuming any duties under this Ratification Process.

Report On Ratification Vote

- 5.7 After any Ratification Vote the Ratification Officer shall make a written report within fourteen (14) days, to Chief and Council on the conduct of the Ratification Vote and Chief and Council shall make this report available to NCN Citizens within thirty (30) days of receiving it by posting a notice on the NCN website and at the NCN government office advising where the report can be obtained.

6.0 VOTERS' LIST

Voters' List

- 6.1 The Ratification Officer shall cause a voters' list to be prepared, which list shall contain the names of all voters in alphabetical order, any relevant available contact information, date of birth and NCN registration number, which list without identifying personal information other than name shall be posted in at least five (5) public places on reserve and in the same locations the ratification order is posted at least fourteen (14) days prior to the date the Ratification Vote begins.

Corrections To Voters' List

- 6.2 Any voter may apply to the Ratification Officer up to the time the polls close to have the voter's list revised on the basis that the voter's name is missing from the list, the name of the voter is incorrect or that the list contains names of persons who are not qualified voters.

Ratification Officer May Revise List

- 6.3 If the Ratification Officer is satisfied that the voters' list is in error, the Ratification Officer shall correct the list immediately and the decision of the Ratification Officer to revise or not to revise the voter's list is final and binding on all NCN Citizens.

Provision Of Updated Voters' List To Verifier

- 6.4 As soon as practicable after the order is posted, the Ratification Officer will send the Verifier an updated voters' list.

7.0 METHODS OF VOTING

Registration

7.1 All *Onuwosonekew* (voters) who wish to vote in the Ratification Vote must register to vote either through the electronic registration system or by completing a voter registration document in Form 6 before a witness and returning the voter registration form by mail or in person to the Ratification Officer or another duly appointed ratification official.

Registered Voters' Casting Votes

7.2 A Registered Voter may cast a vote by:

- (a) Electronic Voting;
- (b) Mail-in Ballot; or
- (c) voting on a Regular Voting Day or, if applicable, an Additional Polling Day, in accordance with this Ratification Process.

Unregistered Voters Ballots Will Not Be Counted

7.3 For greater certainty, any *Onuwosolnekew* (voter) who wishes to vote, must register to vote electronically or by completing Form 11 and where applicable, Form 12 or that person's ballot will not be counted.

Prohibited Actions

7.4 No person shall:

- (a) interfere or attempt to interfere with a Registered Voter when the Registered Voter is voting;
- (b) obtain or attempt to obtain information as to how a Registered Voter is about to vote or has voted;
- (c) mark a ballot in a way that identifies the Registered Voter;
- (d) mark the secrecy envelope for a Mail-in Ballot in a way that indicates how the ballot was cast;
- (e) attempt to vote more than once;
- (f) use another person's voter identification code to vote electronically; or
- (g) take, seize, or otherwise deprive a person of their voter identification code for Electronic Voting.

Registration and Voting Packages

7.5 The Ratification Officer will, at least fourteen (14) days before the Ratification Vote begins prepare Ratification Voting package to be included with the information packages the Lands Co-ordinator is required to send to each *Onuwosonekew* (voter) at their last known which Ratification Voting package

shall contain:

- (a) a voter registration document in Form 6 and a prepaid return envelope;
- (b) a Mail-in Voting Package; and
- (c) instructions about the electronic registration and voting process
- (d) a pre-folded, initialed ballot in Form 1;
- (e) a secrecy envelope;
- (f) a registration envelope in Form 7;
- (g) return mailing envelope, with prepaid postage where necessary; and
- (h) voting instructions.

Avoiding Duplicate Votes

7.6 The Ratification Officer and deputy ratification officers shall use their best efforts to ensure that no Registered Voter votes more than once and if they determine that a Registered Voter has cast a paper ballot and an electronic ballot, only the paper ballot shall be counted.

NTD: Make sure this will work in terms of the timing of the various types of votes – electronic, then mail-in followed by in-person in multiple locations. The Electronic Voting Contractor has to confirm that he can remove an electronic vote if there is a paper ballot as this wording says paper ballot prevails.

8.0 ELECTRONIC VOTING

Electronic Voting Contractor

8.1 At least thirty (30) days before the Ratification Vote starts, the Ratification Officer will retain an independent Electronic Voting Contractor to assist the Ratification Officer establish NCN's electronic voting process.

Information Contractor Provides To Voters

8.2 The Ratification Officer shall ensure the Electronic Voting Contractor provides the following information for each Onuwosonekew (voter):

- (a) confirmed registration status;
- (b) date of birth;
- (c) a PIN (Personal Identification Number);
- (d) NCN registry number (status card number).
- (e) a website address which *Onuwosonekew* (voters) can use to vote electronically;
- (f) instructions for registering to vote; and
- (g) instructions for voting electronically.

Information Contractor Provides To Ratification Officer

- 8.3 The Electronic Voting Contractor will provide the Ratification Officer and Verifier with electronic notifications of:
- (a) real-time updates of each electronic vote cast;
 - (b) a daily summary of voting event activities (at approximately 6pm);
 - (c) any unresolved *Onuwosonekew* (voter) use or interface errors; and
 - (d) any system or communication failures, interruptions or lost data.

Information Ratification Officer Provides To Contractor

- 8.4 The Ratification Officer will provide the pre-liminary voter's list to the Electronic Voting Contractor, at least thirty (30) days prior to the start of the Ratification Vote so the Electronic Voting Contractor can upload the list on the Electronic Voting Platform.

Electronic Voting Procedures

- 8.5 To cast an Electronic Vote, *Onuwosonekew* (voters) will:
- (a) enter the website address provided;
 - (b) confirm their name, date of birth, and NCN registration number;
 - (c) update their personal contact information;
 - (d) confirm their desire to be engaged electronically;
 - (e) confirm their eligibility to participate using Electronic Voting;
 - (f) register to vote by entering their PIN (Personal Identification Number), Date of Birth and Registration (Treaty/Status) number;
 - (g) open the link to their electronic ballot sent by email and vote by selecting YES or NO; and
 - (h) confirm their Electronic Vote.

Voters' List Updated Immediately

- 8.6 Immediately after an Electronic Vote is completed the **electronic Voters List** will be automatically be updated with the exact time, and date that the electronic vote was properly cast and recorded for the *Onuwosonekew* (voter).

NTD: what is the difference between the electronic list and the one prepared by the Ratification Officer? Needs discussion between Ratification Officer and Electronic Voting Contractor and Verifier

Email Confirmation Of Electronic Vote

- 8.7 Immediately after an Electronic Vote is completed an email will be automatically generated by the Electronic Voting Platform and sent to the *Onuwosonekew* (voter), the
-

Ratification Officer and the Verifier confirming the vote was properly received.

Ratification Officer Will Record Vote

8.8 Upon receipt of the email notification, the Ratification Officer will record the date when the electronic vote was received and confirm no mail-in ballot was received for the Onuwosonekew (voter).

Incomplete Or Failed Electronic Vote

8.9 Where the Ratification Officer is notified of an incomplete or failed electronic voter registration or vote, the Ratification Officer will contact the voter immediately with alternative voting solutions, including Mail-in Ballot or voting in person.

Termination Electronic Voting

8.10 Electronic Voting will end automatically before the opening of the polls on the first Regular Voting Day or, if applicable, the Additional Polling Day, after which the Electronic Voting Platform will no longer be accessible by voters and upon completion of Electronic Voting the Ratification Officer shall complete Form 14.

Electronic Voting Results

8.11 Following the close of the final polling locations and once the results are finalized by the Ratification Officer, the Electronic Voting Contractor will provide a complete tabulation of all voting results:

- (a) by location;
- (b) by type; and
- (c) a summary of overall voting results including spoiled ballots.

9.0 MAIL-IN BALLOTS

Mail-In Ballot Procedures

9.1 To cast a Mail-in Ballot, a Voter will

- (a) complete and sign the mail-in ballot registration in Form 7 and the mail-in ballot envelope in Form 8;
- (b) mark the ballot by placing a cross (“X”) in the box marked “YES” or in the box marked “NO”;
- (c) enclose and seal the ballot in the secrecy envelope;
- (d) enclose and seal the secrecy envelope in the registration envelope;
- (e) complete and sign the registration envelope in the presence of a witness who is at least 18 years of age;

- (f) enclose and seal the registration envelope in the mailing envelope; and
- (g) deliver the sealed mailing envelope to the Ratification Officer.

Mail Ballots To Thompson Post Office

9.2 A Mail-in Ballot may be delivered to the Ratification Officer at P.O. Box [redacted] at the Thompson, MB post office located at 103 Selkirk Avenue, Thompson, MB R8N 0M5.

Date Mail-In Ballots Must Be Received

9.3 A Mail-in Ballot must be received at the Thompson post office no later than August [redacted], 2017 or it will not be included in the final vote results.

Spoiled Or Lost Mail-In Ballots

9.4 An *Onuwosonekew* (voter) who inadvertently spoils or loses a Mail-in Ballot may obtain another ballot by immediately contacting the Ratification Officer who shall note in the poll book “spoiled” or “lost” ballot and then a second Mail-in Ballot will be provided to the *Onuwosonekew* (voter).

Procedures Upon Receipt Of Mail-In Ballots

9.5 The Ratification Officer, a deputy ratification officer or a returning officer may contact the *Onuwosonekew* (voter) if a registration envelope is not signed and witnessed in order to allow the *Onuwosonekew* (voter) to correct the registration, to provide confirmation to the Ratification Officer about the identity of the voter or the witness or that the Mail-in Ballot was completed by that voter.

Acceptance Or Rejection Of Mail-In Ballots

9.6 The Ratification Officer will make the determination to accept or reject the Mail-in Ballot and the decision of the Ratification Officer is final and binding.

10.0 POLLING PLACES

Establishment Of Polling Places

10.1 The Ratification Officer shall make arrangements for polling places which are easily accessible for voting during the Ratification Vote.

Voting Arrangements For Secret Ballot

- 10.2 The Ratification Office shall ensure every polling place other than the travelling poll, shall be arranged in a well-lit area so that each Registered Voter is screened from observation and can without interference or interruption mark ballots.

Security To Be Present At Each Polling Location

- 10.3 The Ratification Officer shall arrange for the NCN First Nation Safety Officers or other security to be present at each polling location during the Ratification Vote.

Travelling Poll For Elders, Infirm Or Disabled

- 10.4 The Ratification Officer may make arrangements for travelling polls for elders, and any *Onuwosonekew* (voter) who is ill or disabled, if the Ratification Officer decides such a poll is required.

Facilities In Travelling Polls

- 10.5 Every travelling poll established under section 10.4 shall allow each *Onuwosonekew* (voter) to mark ballots without interference or interruption and to the extent possible, without observation by other people.

Change Of Polling Locations

- 10.6 Where it is impossible to hold a poll in a place designated as a polling place, the Ratification Officer may establish another polling place as close as possible to the original polling place and in that event shall:
- (a) notify the *Onuwosonekew* (voters) of the change in polling place and the reasons for the change;
 - (b) post, at the original polling location or as close as possible to it, a notice which clearly sets out where the poll has been moved;
 - (c) if time permits broadcast the change in location over local radio or television or by other means as the Ratification Officer considers appropriate.

11.0 IN-PERSON VOTING PROCEDURES

Ballot Boxes, Etc.

- 11.1 The Ratification Officer shall arrange for sufficient ballots, ballot boxes and interpreters for

the Ratification Vote and prior to the opening of each polling location shall provide the deputy ratification officer and the Verifier with a list of those persons who voted electronically or by Mail-In Ballot or on a Regular Voting Day.

Directions For Voters

11.2 The Ratification Officer shall provide each deputy ratification officer or returning officer with the ballot boxes and at the same time deliver a sufficient number of printed directions for the guidance of *Onuwosonekew* (voters) for use during the Ratification Vote.

Posting of Directions

11.3 The deputy ratification officer or returning officer shall cause the printed directions for the guidance of *Onuwosonekew* (voters) to be posted in visible locations at the polling place and they shall remain in place while the polls are open.

Opening Polling Location

11.4 The Ratification Officer, the deputy ratification officer, returning officers and other officials shall arrive at the polling location at least thirty (30) minutes before the hour fixed for the opening of the polls.

Handling of Ballot Box When Poll Opens

11.5 The Ratification Officer or deputy ratification officer shall cause each ballot box to be shown to those persons present when the polls open so that they may see that it is empty and then it shall be locked or sealed until the polls close and the Ratification Officer shall execute a Declaration of Ratification Officer in Form 17 and ensure that each deputy ratification officer or returning officer signs a statement in Form 18.

Placement of Ballot Box During Ratification Vote

11.6 All ballot boxes shall be kept on a table or otherwise be raised above the floor so that they are in full view of all present at the polling location throughout the Ratification Vote.

Treatment of Travelling Poll Ballot Box

11.7 The returning officer responsible for the travelling poll established pursuant to section 10.4

shall comply with section 10.5.

Procedures Upon Receipt Mail-In Votes

11.8 All Mail-In Ballots shall be picked up by the Ratification Officer during the Ratification Vote and the Ratification Officer or deputy ratification officer shall:

- (a) open each envelope and verify whether a registration form has been completed;
- (b) record in a separate poll book the name of the voter and whether the voter completed the registration form;
- (c) if a registration form has been provided, place the accompanying ballot in its sealed envelope in a separate ballot box;
- (d) if a registration form has not been provided, place the ballot still in its sealed envelope back in the signed envelope and place the envelope in an envelope marked "No Registration With Ballot";
- (e) after all envelopes have been reviewed, seal the ballot box and the envelope and keep them, without the seals broken, in a safe location until the final day of the Ratification Vote when they shall be opened and counted separately from the in-person ballots cast;
- (f) attempt to reach Onuwosonekew (voters) who sent a Mail-In Ballot but no registration form and if they send a registration form prior to the final Regular Voting Day or any Additional Voting Day, their ballot in the sealed envelope shall be placed in a separate Mail-in Ballot ballot box for this purpose; and
- (g) complete Forms 13 and 15.

Sealing Ballot Boxes At Closing Polls

11.9 At the close of each poll, the Ratification Officer or deputy ratification officer shall seal each ballot box and initial each seal, take possession of the ballot boxes used, and keep them without the seals broken, in a safe location until the final day of the Ratification Vote when they shall be opened and counted and retained by the Ratification Officer until the expiry of any objection period.

Provision Of Ballots To Onuwosonekew

11.10 Each person requesting a ballot for the purpose of voting shall be given a registration form and upon the completion of the registration form, a ballot, if the Ratification Officer, deputy Ratification officer or the returning officer is satisfied that the person's name is on the voters' list, or if it does not appear on the voters' list, the Ratification Officer, deputy ratification officer or returning officer is satisfied that the person is a voter entitled to vote or has obtained from the person, an oath or affirmation that the person is a voter.

Recording Poll Book

- 11.11 Upon establishing that a person is a *Onuwosonekew* (voter), the Ratification Officer, the deputy ratification officer or the returning officer shall:
- (a) check the voters' list to confirm the person has not already voted in person, by mail or by Electronic Voting;
 - (b) if the person is not registered, provide the *Onuwosonekew* (voter) with a registration document in Form 6 and witness the signature; and
 - (c) if the person has not already voted, provide the Registered Voter with a ballot, on the back of which are affixed the Ratification Officer's initials so that the initials can be seen when the ballot is folded; and
 - (d) place a line through the name of each Registered Voter receiving a ballot at a poll or add the voter's name to the poll book.

Voter's Responsibilities

- 11.12 Except for a Registered Voter requiring special assistance, every Registered Voter receiving a ballot at a poll will:
- (a) proceed immediately to a designated voting area;
 - (b) mark the ballot by placing a cross ("X") in the box marked "YES" or in the box marked "NO";
 - (c) fold the ballot so as to conceal the mark and expose the initials of the Ratification Officer or deputy ratification officer; and
 - (d) present the folded ballot to the Ratification Officer, deputy ratification officer or returning officer for verification that it is an initialed ballot;
 - (e) deposit the ballot into the ballot box or hand the ballot to the Ratification Officer, a deputy ratification officer or returning officer to deposit in the ballot box.

Voter Assistance

- 11.12 When requested, the Ratification Officer, the deputy ratification officer or a returning officer shall explain the voting procedures to a voter or arrange for an interpreter or other person who has signed an acceptance in Form 9 to assist the voter to vote electronically, by mail or in-person.

Disabled Voters

- 11.13 The Ratification Officer, the deputy ratification officer or a returning officer may upon request mark the ballot of a voter who is blind, unable to read or otherwise unable to vote

without assistance, as long as the mark on the ballot occurs in the presence of a scrutineer, who shall observe the proceedings, but make no attempt to interfere or interrupt.

Special Records

11.14 Where assistance is provided pursuant to section 11.12, the Ratification Officer, the deputy ratification officer or the returning officer shall mark in the poll book opposite the voter's name, that assistance was provided and the reason it was provided.

Additional Ballots

11.15 Where a voter spoils a ballot so that it cannot be used, another ballot shall be provided to the voter and the spoiled ballot shall be marked "Spoiled" and be retained in a separate envelope for that purpose.

Voter Leaving Polling Place Without Voting

11.16 If a voter receives a ballot and then leaves the polling place without voting or returning the ballot to the Ratification Officer, deputy ratification officer or returning officer, the details shall be recorded in the poll book opposite the name of that voter and no further ballot shall be provided to that person.

Voters Can Vote If Inside Poll Before Closing Time

11.17 Every voter who is inside the polling location before the poll is closed pursuant to section 11.18 shall be entitled to vote notwithstanding that the vote occurs after the time fixed for closing the poll.

Closing Polls

11.18 At the time established for closing the polls, the Ratification Officer, deputy ratification officer or returning officer shall cause the entrance to the polling place to be closed and no other person shall be allowed to enter the polling location to vote after that time.

Camera

11.19 Following the closing of the polls, the Ratification Officer may authorize the procedures in section 12 to be recorded by camera or other video recording device as long as voter secrecy

is maintained and all recordings are provided to the Ratification Officer or deputy ratification officer immediately following the vote and only the Ratification Officer and Verifier shall have access to the recording unless the Ratification Vote is the subject of an appeal in which case certified copies of the recording shall be made available to Verifier and Chief and Council.

12.0 COUNTING BALLOTS

Spoiled Ballots

12.1 The Ratification Officer, deputy ratification officer or returning officer shall initial each spoiled ballot in the presence of those present at the polling location, and then place such spoiled ballot papers in an envelope marked "Spoiled Ballots", and immediately after the closing of the poll, seal it, and the spoiled ballots shall not be counted in the election.

Counting Names In The Poll Book

12.2 After closing the poll the names of the persons who voted at each poll shall be counted and recorded in the poll book, and the Ratification Officer, deputy ratification officer or returning officer shall sign the poll book to verify its accuracy, along with the scrutineers and the poll book shall be retained by the Ratification Officer, or deputy ratification officer or returning officer so that they can take all reasonable steps to ensure that a person does not cast more than one ballot in the Ratification Vote. For greater certainty, the poll books from a polling location shall not be sealed in the ballot box at the close of the poll but shall be used on the day of the vote and during the count of the ballots.

Count Number Of Ballots In Ballot Box

12.3 Prior to tallying the votes cast in the Ratification Vote, the ballots in each ballot box shall be counted and if the number is more than the number recorded in the poll book, any ballots which do not have the initials of the Ratification Officer, a deputy ratification officer or a returning officer on the back shall be discarded, by placing the ballot in an envelope marked "Discarded Ballots", which envelope shall be sealed at the close of the polls and signed by the Ratification Officer, a deputy ratification officer or returning officer.

Ballots To Be Rejected In Count

12.4 In counting the ballots and Mail-In ballots, the Ratification Officer, a deputy ratification officer and returning officers shall reject a ballot if the ballot:

- (a) was not supplied by them;
- (b) has marks beside both YES and NO;
- (c) has a mark or writing on it which identifies the voter;
- (d) prevents voter intention from being determined;
- (e) appears to have been a duplicate vote.

13.0 ADDITIONAL POLLING DAY

Decision To Add Polling Day

13.1 Notwithstanding other provisions of this Ratification Process, upon the close of the poll on the last voting day the Ratification Officer may, in the Ratification Officer's sole discretion, determine that an Additional Polling Day will be held where less than 25% of all *Onuwosonekew* (voters) actually voted by the close of the poll on the last voting day or as a direct consequence of, but not limited to:

- (a) severe inclement weather;
- (b) death of an NCN Citizen or other community member;
- (c) natural disasters such as fire, earthquake, tornado;
- (d) other disasters such as explosions, power failure, act of sabotage; or
- (e) any other significant community emergency.

Ratification Officer Notifications

13.2 Within 24 hours of the decision under section 13.1, the Ratification Officer will formally notify the Verifier and Chief and Council in writing.

Date Of Additional Polling Day

13.3 The Ratification Officer will, within two (2) days of providing notification under section 13.2, set a date for an Additional Polling Day which shall not be more than twenty-one (21) days after the final voting day.

13.4 The Ratification Officer will publish a notice showing the decision by the Ratification Officer, the reason for an Additional Polling Day, the number of Registered Voters who voted by the last voting day, the date of the Additional Polling Day, and will take reasonable steps to notify *Onuwosonekew* (voters) who have not voted that there will be an Additional Polling Day.

All Methods Of Voting To Be Available

13.5 The Ratification Officer will ensure that the Electronic Voting Platform and Mail-in Voting are re-opened and remain active and available up to the Additional Polling Day.

Same Processes To Apply

13.6 The poll on the Additional Polling Day will be conducted in the same manner as the earlier Ratification Process.

Entitlement To Vote On Additional Polling Day

13.7 Only *Onuwosonekew* (voters) who did not vote by the close of the poll on the last voting day will be entitled to vote on the Additional Polling Day.

Registration For Additional Voting Day

13.8 *Onuwosonekew* (voters) may register and vote up to the close of the poll on the Additional Polling Day.

Counting Ballots If Additional Polling Day

13.9 In the event that an Additional Polling Day is scheduled, the counting of ballots in accordance with section 12 shall occur after the close of polls on the Additional Polling Day.

14.0 RESULTS AND DISPOSAL BALLOTS

Announcing Results

- 14.1 After the number of votes has been determined, recorded in the poll book the Ratification Officer shall tally the totals received from each poll, enter the results into the master poll book and the electronic voting list, certify those were the results received by completing Form 19 and provide copies to Chief and Council, the Verifier and post a copy on the NCN website.

Disposal Of Ballots

- 14.2 The Ratification Officer shall place all unused, spoiled, discarded, ballots received without registrations and rejected ballots received from each polling location in a sealed envelope and shall retain that envelope for thirty (30) days after which arrangements shall be made for the ballots to be destroyed in the presence of a deputy electoral officer, at least one returning officer, and one police or security officer unless there has been a request for a recount or an appeal has been filed, in which case the ballots shall not be disposed of until the conclusion of any appeal proceedings or upon the expiry of the time for filing an appeal, whichever is later.

Electronic Voting Data

- 14.3 All electronic voting data will be retained for sixty (60) days after the last day on which voting occurred and after that date the Electronic Voting Platform provider will delete and wipe all electronic voting data and provide the Ratification Officer with written confirmation to this effect within two (2) days unless the Ratification Officer provides written notice to retain the data.

15.0 LANDS CO-ORDINATOR RESPONSIBILITIES

Information Mailings

- 15.1 The Lands Co-ordinator will send or cause to be sent, in one or more mailings by July 13, 2017, the following information to each *Onuwosonekew* (voter) at the address listed on the voters' list prepared by the Ratification Officer:
- (a) a copy of the order issued by the Ratification Officer;
 - (b) a copy of the *Aski Pumenikewin* (land code);
 - (c) explanatory materials authorized by Chief and Council;

- (d) a copy of the Individual Agreement; and
- (e) the registration and voting package prepared by the Ratification Officer in accordance with section 7.5 of this Ratification Process.

Additional Information

15.2 In addition to the information provided under section 13.1 Chief and Council may authorize additional information be prepared and presented to NCN Citizens until the close of the Ratification Vote, encourage participation in the Ratification Vote by conducting or arranging for home visits, community meetings, telephone calls or any other means considered reasonable by Chief and Council.

Information For Third Parties

15.3 At least seven (7) days prior to the start of the Ratification Vote, the Lands Coordinator will send, via regular mail to the address provided by Indigenous and Northern Affairs Canada, the following information to each person who holds an interest in NCN Land but is not an NCN Citizen:

- (a) the date of the Ratification Vote;
- (b) a letter from Chief and Council or its designate explaining the effect of the Ratification Vote;
- (c) a summary of the *Nisichawayasi Aski Pumenikewin*;
- (d) a summary of the Act;
- (e) a summary of the Framework Agreement; and
- (f) the name, office address and telephone number of a person who may be contacted for purposes of obtaining copies of the Background Documents or further information about the management of NCN Lands.

Meetings With Third Parties

15.4 In addition to information provided in accordance with section 13.3, Chief and Council may meet with or authorize the Lands Co-ordinator or other persons to meet with or otherwise provide information directly to, persons who hold an interest in NCN Lands but are not NCN Citizens.

No Prohibition On Forms Of Information Provided

- 15.5 Nothing in this Ratification Process precludes Chief and Council or its designate from providing information in any form it considers appropriate to a municipal corporation, regional district, First Nation or other entity with an interest in land in the vicinity of NCN Lands.

Document Availability

- 15.6 The Lands Co-ordinator will ensure sufficient copies of the Ratification Documents, Background Documents and Ratification Process are available at the *Nisichawayasi Nehethowuk Okimawin* administrative offices and any other location identified in the ratification order issued by the Ratification Officer under section 4.3 of this Ratification Process.

Electronic Copies Documents

- 15.7 The Lands Co-ordinator shall provide electronic copies of the documents referred to in section 13.6 upon request of an NCN Citizen, third party or Canada.

Record Of Information Provided

- 15.8 The Lands Co-ordinator shall maintain written records or copies of correspondence related to all information provided to NCN Citizens, third parties and Canada.

16.0 PROCEDURAL AMENDMENTS

Variations

- 16.1 In order to give effect to and carry out the objectives and purpose of the Ratification Vote, the Ratification Officer, Chief and Council and the Verifier may agree upon a variation of the procedural requirements of this Ratification Process if they consider them necessary to conduct a fair Ratification Vote and reasonably believe the variation will not result in any substantive change to the procedural requirements in the Ratification Process.

Notice Of Variations

- 16.2 The Ratification Officer will state in writing the nature and basis of a variation under section 16.1 and make a copy of the statement publicly available.

17.0 OBJECTIONS

Who Is Entitled To Object

17.1 An *Onuwosonekew* (voter) or the representative of Canada appointed under Article 8.2 of the Framework Agreement may file an objection with the Verifier if the person has reasonable grounds for believing there was a violation of, or irregularity in, the Ratification Process which may have affected the outcome of the vote.

Timelimit For Objection

17.2 A written objection must be received by the Verifier within five (5) days of the last day on which voting occurred and must:

- (a) identify the name, address and telephone number of the *Onuwosonekew* (voter) or representative of Canada making the objection;
- (b) summarize the grounds for the objection; and
- (c) be accompanied by a statutory declaration setting out the grounds for the objection.

Further Investigations

17.3 The Verifier may, if the material provided under section 17.2 is insufficient to decide the validity of the objection, conduct such further investigations as the Verifier considers necessary.

Timelimit For Decision

17.4 If an objection is filed under this section 17, the Verifier will, within fifteen (15) days of the last day on which voting occurred, determine whether the objection is valid.

Verifier's Decision

17.5 If the Verifier determines the objection is valid and affected the outcome of the vote, the Verifier will request the Ratification Officer to conduct another Ratification Vote but if the Verifier determines that there was neither a violation of, nor an irregularity in, this Ratification Process or there was a violation of, or an irregularity in, this Ratification Process but the final result of the Ratification Vote was not affected the Verifier shall dismiss the objection.

18.0 REPORTS AND APPROVALS

Verifier's Report

18.1 Within fifteen (15) days of the last day on which voting occurred, the Verifier will send a written report in Form 20 on the conduct of the Ratification Vote to Chief and Council and the Minister of Indigenous and Northern Affairs and provide a copy to the Ratification Officer.

Ratification Approval

18.2 The Land Code and the Individual Agreement will be approved if:

- (a) a majority of Registered Voters vote in favour; and
- (b) the total number of "yes" votes is at least 25 % plus 1 of the total number of all *Onuwosonekew* (voters).

Council Approval

18.3 If the *Nisichawayasi Aski Pumenikewin* (land) and the Individual Agreement are approved by the Registered Voters in accordance with section 18.2, Chief and Council will, as soon as reasonably practicable after receiving the report of the Verifier under section 18.1, pass a Council Resolution in Form 21 and send a copy of the approved *Nisichawayasi Aski Pumenikewin* to the Verifier.

Verifier Certification

18.4 Upon receiving the *Nisichawayasi Aski Pumenikewin* and the resolution in Form 22, the Verifier will certify the *Nisichawayasi Aski Pumenikewin* and forward a signed copy of Form 16 and a copy of the certified *Nisichawayasi Aski Pumenikewin* to Chief and Council, the Minister of Indigenous and Northern Affairs and the Chair of the Lands Advisory Board.

**Form 1
Ratification Process**

BALLOT QUESTION

Do you approve:

1. The *Nisichawayasi Aski Pumenikewin* (land code), dated June 19, 2017 for reference; and
2. The Individual Agreement between Nisichawayasihk Cree Nation and Her Majesty the Queen in right of Canada?

EXPLANATION

A “**YES**” vote means that Nisichawayasihk Cree Nation will manage its own reserve lands under the *Nisichawayasi Aski Pumenikewin* (land code).

A “**NO**” vote means that NCN reserve lands will continue to be managed by Indigenous and Northern Affairs Canada (INAC) under the *Indian Act*.

YES

NO

Mark this Ballot by placing a mark (“X”) in one of the above boxes.

Form 2
Ratification Process

NISICHAWAYASIIHK CREE NATION
COUNCIL RESOLUTION
(Information to Verifier)

The Chief and Council of Nisichawayasihk Cree Nation, in accordance with the clause 8.3 of the Framework Agreement on First Nation Land Management and section 4.1 of the Nisichawayasihk Cree Nation Community Ratification Process, do hereby resolve to submit the following information to the verifier:

1. the proposed *Nisichawayasi Aski Pumenikewin* (land code), dated June 19, 2017 for reference;
2. the proposed Nisichawayasihk Cree Nation Community Ratification Process, dated June 19, 2017 for reference; and
3. the initial list of *Onuwosonekew* (voters) who, according to the records of Nisichawayasihk Cree Nation, would be eligible to vote on whether to approve the proposed *Nisichawayasi Aski Pumenikewin*.

This resolution was approved at a duly convened meeting of Chief and Council on June 19, 2017.

Quorum of Council: 4

_____	_____
Chief	Councillor
_____	_____
Councillor	Councillor
_____	_____
Councillor	Councillor

Form 3
Ratification Process

CONFIRMATION BY VERIFIER

(*Nisichawayasi Aski Pumenikewin* and Individual Agreement Ratification Process)

I, _____, of _____, in the Province of _____
DO SOLEMNLY DECLARE THAT:

1 I was appointed as the Verifier for Nisichawayasihk Cree Nation by Chief and Council on _____ and by Canada on _____ for the purpose of verifying the community approval of the *Nisichawayasi Aski Pumenikewin* (land code) and the Individual Agreement between the parties, in accordance with the Framework Agreement on First Nation Land Management and the *First Nations Land Management Act (Canada)*

2 In accordance with clause 8.3 of the Framework Agreement, I received the following information from Nisichawayasihk Cree Nation on June 19, 2017:

- a. a copy of the *Nisichawayasi Aski Pumenikewin* (land code);
- b. a list of the names of every NCN Citizen who, according to NCN records at that time, are *Onuwosonekew* (voters) entitled to vote on whether to approve the *Nisichawayasi Aski Pumenikewin* (land code) and the Individual Agreement; and
- c. a detailed description of the community ratification process that NCN proposes to use.

3 A true copy of the *Nisichawayasi Aski Pumenikewin* (land code) dated June 19, 2017 for reference is attached as Exhibit “1” to this Declaration.

4 A true copy of the community ratification process, entitled Nisichawayasihk Cree Nation Community Ratification Process, dated June 19, 2017 for reference is attached as Exhibit “2” to this Declaration.

5 In accordance with clause 8.4 of the Framework Agreement and section 8 of the Act, I reviewed the *Nisichawayasi Aski Pumenikewin* and the Nisichawayasihk Cree Nation

Community Ratification Process to decide whether:

- a. the *Nisichawayasi Aski Pumenikewin* conforms with the requirements of Article 5 of the Framework Agreement and section 6 of the Act; and
- b. the Nisichawayasihk Cree Nation Community Ratification Process conforms with clause 7 of the Framework Agreement and section 8 of the Act.

6 In accordance with Article 8.8 of the Framework Agreement and section 8.1(a) of the Act, the *Nisichawayasi Aski Pumenikewin* and the Nisichawayasihk Cree Nation Community Ratification Process are hereby confirmed/not confirmed as being consistent with the Framework Agreement.

7 My reasons for not confirming the *Nisichawayasi Aski Pumenikewin* or Nisichawayasihk Cree Nation Community Ratification Process are as follows:

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the)
 _____ of _____ in the)
 Province of _____,)
 this)
 ____ day of _____, 20__ .)
)
 _____)
 A Commissioner for Oaths in and for)
 the Province of British Columbia)
)

 Verifier

Form 4
Ratification Process

NISICHAWAYASIIHK CREE NATION
COUNCIL RESOLUTION
(Commencement of Vote)

The Chief and Council of Nisichawayasihk Cree Nation, at a duly convened meeting held on _____, 2017 and in accordance with the Framework Agreement on First Nation Land Management and section 5.1 of the Nisichawayasihk Cree Nation Community Ratification Process, do hereby resolve to:

1. Confirm NCN Electoral Officer, Joyce Yetman, as the Ratification Officer;
2. Confirm the initial list of *Onuwosonekew* (voters) prepared by Joyce Yetman;
3. Confirm the Nisichawayasihk Cree Nation Community Ratification Process, dated June 19, 2017 for reference, including all processes, procedures and forms contained therein;
4. Approve the Nisichawayasi Aski Pumenikewin dated June 19, 2017 for reference as confirmed by the Verifier be submitted to a community ratification vote from July 30, 2017 to August 30, 2017;
5. Set the Regular Voting Days to be; and
6. Appoint Joyce Yetman, as Ratification Officer to deal with procedural amendments under section 16 of the Nisichawayasihk Cree Nation Community Ratification Process.

DATED this ____ day of _____, 2017

Quorum of Council: 4

Chief

Councillor

Councillor

Councillor

**Form 5
Ratification Process**

**NISICHAWAYASIIHK CREE NATION
COUNCIL RESOLUTION**
(Approval of Individual Agreement for Vote)

The Chief and Council of Nisichawayasihk Cree Nation, at a duly convened meeting held on _____, 2017 in accordance with the Framework Agreement on First Nation Land Management and section 5 of the Nisichawayasihk Cree Nation Community Ratification Process, do hereby resolve to approve for community ratification the Individual Agreement, which includes a process for amendment;

DATED this _____ day of _____, 2017

Quorum of Council: 4

Chief

Councillor

Councillor

Councillor

Form 6
Ratification Process

ACCEPTANCE OF APPOINTMENT BY RATIFICATION OFFICER

Date:

I,____, agree to act as Ratification Officer for the Ratification Vote to determine if the voters of the Nisichawayasihk Cree Nation approve the Ratification Documents, and I faithfully and to the best of my knowledge and ability discharge my duties in accordance with the Nisichawayasihk Cree Nation Community Ratification Process and I will maintain the requirements of confidentiality to ensure a secret ballot vote is properly and fairly conducted.

Ratification Officer

Form 7

Ratification Process

APPOINTMENT OF DEPUTY RATIFICATION OFFICER

Date:

I, _____, Ratification Officer, appoint _____ to act as my deputy in carrying out my duties in accordance with the Nisichawayasihk Cree Nation Community Ratification Process for the purpose of the Ratification Vote.

Ratification Officer

ACCEPTANCE TO ACT AS DEPUTY RATIFICATION OFFICER

I, ____, agree to act as a deputy to the Ratification Officer for the purpose of the Ratification Vote and I will faithfully and to the best of my knowledge and ability discharge my duties in accordance with the Nisichawayasihk Cree Nation Community Ratification Process and I will maintain the requirements of confidentiality to ensure a secret ballot vote is properly and fairly conducted.

Deputy Ratification Officer

Ratification Process

APPOINTMENT OF RETURNING OFFICER

Date:

I, _____, Ratification Officer, appoint _____ to act as a returning officer to assist me and my deputy in carrying out my duties in accordance with the Nisichawayasihk Cree Nation Community Ratification Process for the purpose of the Ratification Vote.

Ratification Officer

ACCEPTANCE OF APPOINTMENT AS RETURNING OFFICER

I, ____, agree to act as a returning officer for the purpose of assisting Ratification Officer and deputy ratification officer carry out the Ratification Vote and and I promise to faithfully and to the best of my knowledge and ability discharge my duties in accordance with the Nisichawayasihk Cree Nation Community Ratification Process and I will maintain the requirements of confidentiality to ensure a secret ballot vote is properly and fairly conducted.

Returning Officer

Ratification Process

APPOINTMENT OF INTERPRETER/VOTER ASSISTANT

Date:

I, _____, Ratification Officer, appoint _____ to act as an interpreter/voter assistant to assist voters participate in the Ratification Vote electronically or by mail in accordance with the Nisichawayasihk Cree Nation Community Ratification Process

Ratification Officer

ACCEPTANCE OF INTERPRETER/VOTER ASSISTANT

I, _____, agree to act as interpreter/voter assistant for the purpose of assisting voters participate in the Ratification Vote electronically or by mail and I acknowledge that all instructions related to this task shall be provided to me only by the Ratification Officer or deputy ratification officer and I promise I will faithfully and to the best of my knowledge and ability discharge my duties in accordance with the Nisichawayasihk Cree Nation Community Ratification Process and I will maintain the requirements of confidentiality to ensure a secret ballot vote is properly and fairly conducted.

Interpreter/Voter Assistant

Form 10

Ratification Process

**NOTICE OF NISICHAWAYASIIHK CREE NATION
COMMUNITY RATIFICATION VOTE**

TAKE NOTICE that a Ratification Vote will be held in accordance with the Nisichawayasihk Cree Nation Community Ratification Process from _____, 2017 to _____, 2017 _____ in order to determine if *Onuwosonekew* (voters) approve the *Nisichawayasi Aski Pumenikewin* (land code) and the Individual Agreement.

The Ratification Vote will include:

1. Electronic voting from _____ to _____;
2. Mail-in voting from _____ to _____;
3. In-person voting in Winnipeg, Thompson and Nelson as set out below.

NCN *Onuwosonekew* (voters) will be asked the following question on the ballot:

“Do you approve the Nisichawayasi Aski Pumenikewin (land code), dated June 19, 2017 for reference and the Individual Agreement with Her Majesty the Queen in Right of Canada?” YES or NO

_____, 20__ 9:00 am until 8:00 pm REGULAR VOTING DAY (location)	_____, 20__ 9:00 am until 8:00 pm REGULAR VOTING DAY (location)	_____, 20__ 9:00 am until 8:00 pm REGULAR VOTING DAY (location)	_____, 20__ 9:00 am until 8:00 pm REGULAR VOTING DAY (location)
Copies of the Individual Agreement, Nisichawayasi Aski Pumenikewin (land code), and related documents are being mailed to all <i>Onuwosonekew</i> (voters) whose address is on record with the Nisichawayasihk Cree Nation. Information including the Community Ratification Process is available online at www.ncncree.com and from Nisichawayasihk Cree Nation, at the (address), (telephone)			

AND FURTHER TAKE NOTICE that all NCN Citizens 18 years of age or older as of the date of the Ratification Vote are eligible to vote, provided that such NCN Citizens have submitted a complete, signed and witnessed voter registration document to the Ratification Officer prior to the close of polls in the case of in-person voting and voting by mail, while in

the case of electronic voting voters will complete registration through the electronic registration system prior to the close of the polls.

Voter registration documents will be sent to all Onuwosonekew (voters) whose address is on record with the Nisichawayasihk Cree Nation. Voter Registration documents are also available from Joyce Yetman Ratification Officer at the address and telephone number appearing below.

Please Note: Any Registered Voter may vote in person or by Mail-in Ballot or by Electronic Voting. If an *Onuwosonekew* (voter) has not received a Voter Registration Document by _____, please contact _____, Ratification Officer so that the necessary form can be provided to you or you may also obtain a Voter Registration Document at the polling locations indicated above.

DATED at Nisichawayasihk Cree Nation, Manitoba this _____ day of _____ 20 .

Ratification Officer

For more information please contact _____, Ratification Officer

Ph/Txt: _____ Fax: _____ Email: _____

Mailing Address: _____

VOTER REGISTRATION DOCUMENT

To Vote in the Nisichawayasihk Cree Nation Ratification Vote

If you choose the option to vote electronically, and complete your vote you are deemed to have registered and are not required to complete and return this form

I, _____, am registering to be a Registered Voter and:
(Print full name)

<p>(Check one only)</p> <p><input type="checkbox"/> I will be able to attend a polling station in person</p> <p>OR</p> <p><input type="checkbox"/> I will be voting by mail-in ballot.</p>	
<p>My mailing address is:</p> <p>Number: _____ Street: _____</p> <p>City/Town: _____</p> <p>Province/State: _____</p> <p>Country: _____ Postal/Zip: _____</p>	<p>My phone number is:</p> <p>Home #: () - _____</p> <p>Mobile #: () - _____</p> <p>Messages #: () - _____</p>
<p>I confirm that I am at least 18 years of age, or will be 18 years of age by _____ and I am an NCN Citizen, and that:</p> <p>My NCN Registration Number is _____ and my Date of Birth is _____; And that I have signed this Voter Registration Form, together with a witness to my signature. I understand that it is an offence to make a false statement in this voter registration document. Signature of <i>Onuwosonekew</i> (voter)</p> <p style="text-align: center;">Date</p> <p>_____</p>	
<p>Signature of Witness</p> <p>_____</p> <p>Address of Witness</p> <p>_____</p>	<p>Print Name of Witness</p> <p>_____</p> <p>Phone Number of Witness</p> <p>_____</p>
<p>For Ratification Officer's Use Only</p> <p>This is to certify that this <i>Onuwosonekew</i> (voter) has been registered and his or her registration has been recorded on the list of Registered Voters.</p> <p>_____</p> <p>Ratification Officer Date</p>	

Form 12
Ratification Process

REGISTRATION ENVELOPE

VOTER REGISTRATION AND IDENTIFICATION ENVELOPE FOR
THE MAIL-IN BALLOT

I, _____ am registering as a Registered Voter, and;
(Print Full Legal Name)

1. I will be voting by mail.	4. My NCN Registration Number is:
2. My Date of Birth is:	5. My Full Mailing Address is:
3. My Phone Number is:	

I make this solemn declaration believing it to be true and know that it has the same force and effect as if made under oath. I understand that it is an offence to make a false statement in this declaration.

Signature of Voter

Date

WITNESS DECLARATION

Declared before me _____
(Print name of Witness)
at _____ this ____ day
(city, town, village, province)
of _____, 2017.

) _____
) (Signature of Witness)
) _____
) Address of Witness

DECLARATION OF RATIFICATION OFFICER
(Mail-in Ballots)

I, _____, Ratification Officer, of _____, in the Province of Manitoba, DO SOLEMNLY DECLARE THAT:

- 1. I was personally responsible for receiving all mail-in ballots received from NCN Citizens who voted in the Ratification Vote concerning the Ratification Documents.
2. In preparation for depositing mail-in ballots and receiving electronic votes, I opened ballot box number # _____.
3. I saw that the ballot box was empty and I asked my deputy ratification officers who were present to witness that the ballot box was empty.
4. I then properly sealed the ballot box, in front of my deputy ratification officers who were present, and prepared it for the reception of ballot papers.
5. I personally opened each registration envelope, and then deposited all of the mail-in ballot secrecy envelopes received by me into ballot box # _____, and kept the ballot box sealed when not in my custody until the ballots were counted.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the Canada Evidence Act.

DECLARED BEFORE me at the _____ of _____ in the Province of Manitoba, this _____ day of _____, 20____.
A Commissioner for Oaths in and for the Province of Manitoba

Ratification Officer

Form 14
Ratification Process

DECLARATION OF RATIFICATION OFFICER
(Electronic Votes)

I, _____, Ratification Officer, of _____, in the Province of Manitoba,
DO SOLEMNLY DECLARE THAT:

- 1. I was personally responsible for receiving all electronic votes cast by Registered Voters of Nisichawayasihk Cree Nation who voted electronically in the Ratification Vote concerning the Ratification Documents.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the _____)
_____ of _____ in the)
Province of Manitoba, this)
_____ day of _____, 20__.

_____)
A Commissioner for Oaths in and for)
the Province of Manitoba)
)

Ratification Officer

Form 15
Ratification Process

STATEMENT OF DEPUTY RATIFICATION OFFICER
(Deposit of Mail-In Ballots)

Date:

I, _____ was personally present at _____ on the _____ day
of _____, 20__ when the Ratification Officer deposited the mail-in ballots in ballot box
_____; and

1. I am a deputy ratification officer
2. I witnessed that ballot box # _____ was empty before any mail-in ballots were deposited.
3. I witnessed the Ratification Officer seal the ballot box and sign the seal.
4. I signed the seal, as requested by the Ratification Officer.

Deputy Ratification Officer

Telephone Number or email address

Form 16
Ratification Process

STATEMENT OF DEPUTY RATIFICATION OFFICER
(Opening of Mail-In Ballots)

Date:

I, _____ was personally present at _____ on the _____ day
of _____, 20____ when the Ratification Officer opened the mail-in ballot packages; and

1. I am a deputy ratification officer.
2. The mail-in ballot packages were unopened immediately prior to the time the Ratification Officer opened them.
3. The Ratification Officer confirmed that the signatures that appeared on the identification envelopes were the same as the signatures that appeared on the voter registration documents.
4. The Ratification Officer checked the Voters list and ensured that the Registered Voter whose name appeared on the mail-in ballot package had not previously voted in person or by mail-in ballot or electronic voting.
5. The Ratification Officer placed a line through the name of each Registered Voter on the the Voters list after she opened each secrecy envelope, initialed each ballot without checking the selection on the ballot and then deposited the ballot of that Registered Voter in the separate ballot box kept for that purpose.

Deputy Ratification Officer

Telephone number or email address

Form 17
Ratification Process

DECLARATION OF RATIFICATION OFFICER
(In-person Polls)

I, _____, Ratification Officer, of _____, in the Province of Manitoba,
DO SOLEMNLY DECLARE THAT:

1. I was personally present at _____ on the ____ day of _____, 20__ when Registered Voters of Nisichawayasihk Cree Nation voted in a Ratification Vote concerning the Ratification Documents.
2. Immediately before the Ratification Vote began, I opened ballot box number # ____.
3. I saw that the ballot box was empty and I asked the deputy ratification officer who was present to witness that the ballot box was empty.
4. I then properly sealed the ballot box, in front of those persons who were present, and kept it in view for the reception of ballot papers.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the _____)
 _____ of _____ in the)
 Province of Manitoba, this)
 _____ day of _____, 20__ .)
)
)
 _____)
 A Commissioner for Oaths in and for)
 the Province of Manitoba)
)

Ratification Officer

Form 18
Ratification Process

STATEMENT OF DEPUTY RATIFICATION OFFICER
(Regular Polls)

Date:

I, _____ was personally present at the polling place at _____ on the _____ day of _____, 20__ when Registered Voters of the Nisichawayasihk Cree Nation were to vote in a Ratification Vote concerning the Ratification Documents, and

1. I am a deputy ratification officer.
2. I witnessed that the ballot box # _____ was empty before any votes were cast in the Ratification Vote.
3. I witnessed the Ratification Officer seal the ballot box and sign the seal.
4. I signed the seal, as requested by the Ratification Officer.

Deputy Ratification Officer

Telephone number or email address

Form 19
Ratification Process

CERTIFICATION BY RATIFICATION OFFICER
(Conclusion of Vote)

I, _____, Ratification Officer for Nisichawayasihk Cree Nation in the Province of Manitoba, DO SOLEMNLY DECLARE THAT:

1. I was present at _____ on the ___ day of _____, 20__ when Registered Voters of Nisichawayasihk Cree Nation voted concerning approval of the *Nisichawayasi Aski Pumenikewin* (land code) and Individual Agreement in accordance with the *Nisichawayasihk Cree Nation Community Ratification Process*.
2. A true copy of my Ratification Order is attached as Exhibit “1” to this Declaration.
3. In accordance with section 4.4 of the Nisichawayasihk Cree Nation Community Ratification Process I posted the Ratification Order and it was posted for at least ___ days prior to the date voting began.
4. The voting procedure, including the handling of mail-in ballots and the counting of results, was conducted in accordance with the procedures in the Nisichawayasihk Cree Nation Community Ratification Process dated June 19, 2017.
5. The names of _____ *Onuwosonekew* (voters) appeared on the Voters list.
6. The number of *Onuwosonekew* (voters) who registered to vote was _____ and their registration was recorded on the Voters list.
7. The number of Registered Voters who constituted a majority was _____.
8. The number of *Onuwosonekew* (voters) who constituted the minimum percentage required for approval under section 7.4 of the *Framework Agreement on First Nation Land Management* and section 12(2) of the *First Nations Land Management Act* was _____.
9. The results of the Ratification Vote are as follows:
 - a. _____ mail-in ballots were cast in the Ratification Vote in accordance with section 9 of the Nisichawayasihk Cree Nation Community Ratification Process;

- b. _____ In-person ballots were cast in the Ratification Vote in accordance with section 11 of the Nisichawayasihk Cree Nation Community Ratification Process;
- c. _____electronic ballots were cast in the Ratification Vote in accordance with section 8 of the Nisichawayasihk Cree Nation Community Ratification Process;
- d. _____spoiled ballots were marked as spoiled as provided in section 12.1 of the Nisichawayasihk Cree Nation Community Ratification Process;
- e. _____rejected ballots were rejected in accordance with section 12.4 of the Nisichawayasihk Cree Nation Community Ratification Process;
- f. _____ballots in favour of the Ballot Question were marked “YES” and counted;
- g. _____ballots against the Ballot Question were marked “NO” and counted.

10. Based on the need to meet or exceed the number of Registered Voters in paragraph 7, the number of *Onuwosonekew* (voters) in paragraph 8, above, and the number of YES ballots in favour of the Ballot Question, the Ratification Documents were approved/not approved by the Registered Voters.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the)
 _____of_____in the)
 Province of Manitoba, this)
 _____day of_____, 20____.)
)
)
 _____)
 A Commissioner for Oaths in and for)
 the Province of Manitoba)

 Ratification Officer

Form 20
Ratification Process

REPORT BY VERIFIER
(Conclusion of Vote)

CANADA)
)
Province of _____)

I, _____ of _____, in the Province of _____, DO
SOLEMNLY DECLARE THAT:

1. I was present at the Nisichawayasihk Cree Nation on the _____ day of __, 20__ when Registered Voters of the Nisichawayasihk Cree Nation voted concerning approval of the *Nisichawayasi Aski Pumenikewin* (land code) and Individual Agreement in accordance with the Nisichawayasihk Cree Nation Community Ratification Process.
2. A true copy of the Ratification Order is attached as Exhibit “1” to this Declaration.
3. In accordance with section 4.4 of the Nisichawayasihk Cree Nation Community Ratification Process the Ratification Officer posted the Ratification Order at least _____ days prior to voting starting.
4. In accordance with section 4.6 of the Nisichawayasihk Cree Nation Community Ratification Process, in consultation with the Ratification Officer, I arranged for the Ratification Order to be published in _____ at least 21 days prior to the beginning of the Ratification Vote.
5. In accordance with section 9.2 of the *Nisichawayasihk Cree Nation Community Ratification Process*, a copy of the Ratification Order and the documents listed in sections 7.5 and 15.1 were sent to each person on the Voters list at their last known address at least 15 days prior to the start of the Ratification Vote.
6. In accordance with section 15.2 of the Nisichawayasihk Cree Nation Community Ratification Process, the following community information

processes were carried out: door-to-door visits, community information meetings and telephone contacts were made in the community.

7. In accordance with section 15.3 of the Nisichawayasihk Cree Nation Community Ratification Process, the information package was sent to any persons who are not NCN Citizens who hold an interest in NCN Lands at least 7 days prior to the Ratification Vote beginning.
8. The names of _____ *Onuwosonekew* (voters) appeared on the Voter's list.
9. The number of *Onuwosonekew* (voters) who registered was _____ and their registration was recorded on the Voter's list.
10. The number of Registered Voters who constituted a majority was _____.
11. The number of *Onuwosonekew* (voters) who constituted the minimum percentage required for approval under Article 7.4 of the Framework Agreement on First Nation Land Management and section 12(2) of the First Nations Land Management Act was _____.
12. The results of the Ratification Vote are as follows:
 - a. _____ mail-in ballots were cast in the Ratification Vote in accordance with section 9 of the Nisichawayasihk Cree Nation Community Ratification Process;
 - b. _____ In-person ballots were cast in the Ratification Vote in accordance with section 11 of the Nisichawayasihk Cree Nation Community Ratification Process;
 - c. _____ electronic ballots were cast in the Ratification Vote in accordance with section 8 of the Nisichawayasihk Cree Nation Community Ratification Process;
 - d. _____ ballots were spoiled as provided in section 12.1 of the Nisichawayasihk Cree Nation Community Ratification Process;

- e. _____ballots were rejected in accordance with section 12.4 of the Nisichawayasihk Cree Nation Community Ratification Process and not opened or deposited into the ballot box;
- f. _____ballots were marked “YES” for the Ballot Question;
- g. _____ballots were marked “NO” for the Ballot Question.

13. Based on the need to meet or exceed the number of number of Registered Voters in paragraph 10, the number *Onuwosonekew* (voters) in paragraph11, and the number of ballots marked “YES” in item 12(h) above, the Ratification Documents were approved/not approved by the Registered Voters.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the _____)
 _____of_____in the)
 Province of _____, this)
 ____day of _____, 20___.)
)
)
 _____)
 A Commissioner for Oaths in and for)
 the Province of _____)
)

 Verifier

Ratification Process

Ratification Process

NISICHAWYASIIHK CREE NATION

COUNCIL RESOLUTION

(Submission to Verifier at Conclusion of Vote)

WHEREAS the *Nisichawayasi Aski Pumenikewin* (land code) and the Individual Agreement were submitted to a Ratification Vote at Nisichawayasihk Cree Nation from _____ to _____ 2017.

AND WHEREAS the Verifier has reported that the Ratification Vote was conducted in accordance with the Nisichawayasihk Cree Nation Community Ratification Process confirmed by the Verifier;

AND WHEREAS the Registered Voters approved these documents during the Ratification Vote;

NOW THEREFORE the Chief and Council of Nisichawayasihk Cree Nation, in accordance with the *Framework Agreement on First Nation Land Management* and section 26.2 of the Nisichawayasihk Cree Nation Community Ratification Process, do hereby resolve to send to the Verifier the approved *Nisichawayasi Aski Pumenikewin* (land code) , attached hereto as Annex #1, for certification by the Verifier.

This resolution was approved at a duly convened meeting of Chief and Council on _____ 2017.

Quorum of Council: 4

Chief

Councillor

Councillor

Councillor

CERTIFICATION OF *NISICHAWAYASI ASKI PUMENIKWIN*

WHEREAS the *Nisichawayasi Aski Pumenikewin* and the Individual Agreement were submitted to a Ratification Vote from _____ to _____ 2017;

AND WHEREAS I have reported that the Ratification Vote was conducted in accordance with the Nisichawayasihk Cree Nation Community Ratification Process confirmed by me as the Verifier;

AND WHEREAS the *Nisichawayasi Aski Pumenikewin* (land code) and the Individual Agreement were approved by the Registered Voters at the Ratification Vote.

THEREFORE, I hereby certify the *Nisichawayasi Aski Pumenikewin*, attached as Annex #1 hereto.

Dated at _____ this ___ day of _____, 20__.

_____, Verifier