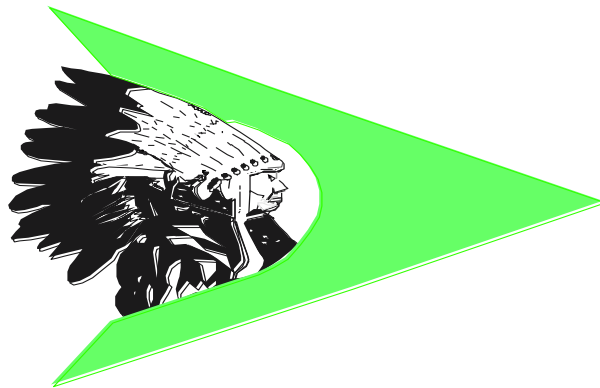


LAC LA RONGE INDIAN BAND

#353



REGULATIONS WITH FORMS

PASSED PURSUANT TO
SECTION 64 OF THE
LAC LA RONGE INDIAN BAND
ELECTION ACT

February 13, 2017

ELECTION REGULATIONS

MADE UNDER THE LAC LA RONGE INDIAN BAND #353

ELECTION ACT

Title

1. These regulations may be referred to as the Lac La Ronge Indian Band Election Regulations.

Interpretation

2. For the purposes of the Act, and these regulations:

- (a) “**Act**” means the *Lac La Ronge Indian Band Election Act*;
- (b) “**corrupt practice**” means an act, including bribery, declared to be or recognized as a corrupt practice by the laws and customs of the Band, or an act of parliament, and includes the giving, by any individual to an elector of any promise of favour, or gift, including cash, liquor, or any other type of goods whatsoever in exchange for his/her vote.
- (c) “**conflict of interest**” means that the candidate has no debt outstanding and remaining unpaid to the Lac La Ronge Indian Band, including Band entities, businesses and corporations to which the Band is the majority shareholder.
- (d) “**criminal free record**” means that the candidate for election, within five years of the date set for nomination, has:
 - (i) no conviction for an indictable offence for offences to the Criminal Code, or *The Controlled Drugs and Substances Act*, or any successor legislation; or
 - (ii) no conviction for a summary conviction offence which could have been prosecuted by indictment; and
 - (iii) that five years has elapsed since the completion of his/her sentence.
- (e) “**criminal record check**” means a criminal record check dated no later than 60 days prior to nomination date.
- (f) “**declaration of voter**” means a document that sets out, or provides for:
 - (i) the name of the Elector, treaty number and Electoral Section;

- (ii) a declaration as to age, band registration, voter qualification; and
 - (iii) that the Elector has not already voted in the Election,
- all of which must be sworn before a Commissioner for Oaths, or declared before the Electoral Officer or his/her designate.
- (g) “**declaration of nominee**” means a document that sets out, or provides for:
 - (i) the name, treaty number and Electoral Section of the nominee;
 - (ii) that the candidate is at least 18 years of age, and for electoral sections 1 to 4 had his/her ordinary place of residence upon his/her nomination, the Electoral Section he/she is seeking to represent.
 - (iii) that the nominee has a criminal free record, and is not otherwise disqualified to run in the Election due to corrupt practice, or otherwise; and
 - (iv) the nominee is not in a conflict of interest.
 - (h) “**immediately after the completion of the counting of the votes**” in Section 56 of the Act means immediately after the official count of the votes.
 - (i) “**indictable offence**” means an offence which may be prosecuted by either indictment, or summary procedure.
 - (j) “**off-reserve Band member**” means any member of the Lac La Ronge Indian Band over the age of 18 years, who does not reside within any of the six Electoral Sections of the Lac La Ronge Indian Band.
 - (k) “**official count**” means the Election night vote count after it has been checked and verified by the Electoral Officer.
 - (l) “**prescribed form**” means the form of ballot prepared pursuant to Section 30(a) of the Act.
 - (m) “**traditional home reserve**” means:
 - (i) for those **off-reserve**, either Electoral Section 5 (Stanley Mission Reserve #157) or Electoral Section 6 (Lac La Ronge Reserve No. 156 and Kitsaki No. 156B), unless the Elector swears a declaration claiming a closeness and affinity to another Reserve within the balance of the four Electoral Sections;
 - (ii) for those on-reserve, means that Reserve for which they are affiliated by way of the Band Membership List.

Application of Regulations

3. These regulations apply to the *Lac La Ronge Indian Band Election Act*.

Residency

4. The following rules apply in respect of the residency of an Elector within each Electoral Section:

- (a) The residency of **on-reserve** Electors shall be determined by where they are on the Band Membership List on December 31st;
- (b) The residency of **off-reserve** Band members shall be Electoral Section 5 (Stanley Mission Reserve #157) or Electoral Section 6 (La Ronge Reserve #156 and Kitsaki Reserve #156B) unless the member swears a Declaration claiming a closeness and affinity to another Reserve within the balance of the four Electoral Sections;
- (c) A person can have one place of residence only;
- (d) A temporary absence from a place of ordinary residence does not cause a loss or change of that ordinary residence;
- (e) The residency of students shall be their home Reserve.

Band Election

5. The Electoral Officer shall be charged with the conduct of the Band Election and the taking of all steps necessary ancillary thereto.

Vacancies on Band Council

6. A special election to be held in accordance with Section 15 of the Act may only be called by the Electoral Officer upon the specific direction of the Band Council.

Delegation of Authority

7. The Electoral Officer shall be authorized to delegate to the Deputy Electoral Office any tasks, or duties imposed upon the Electoral Officer by the Act.

Candidate Eligibility

8. (a) Candidates must meet the following criteria to be eligible to run in Band Elections:

- (i) Be a Band member and be of at least eighteen years of age;
 - (ii) For Sections 1 to 4 have their ordinary place of residence within the Electoral Section that he/she is seeking to represent;
 - (iii) That the candidate have a criminal free record;
 - (iv) That the candidate is not in a conflict of interest, or otherwise disqualified to run for public office.
- (b) Any Candidate, in the opinion of the Chief Electoral Officer, making a false declaration, shall be automatically disqualified to run for public office in that election.

Voters' List

9. The Electoral Officer shall revise the Voters' List where it is demonstrated that:
- (a) The name of an Elector has been omitted from the list;
 - (b) The name of an Elector is incorrectly set out in the list; or
 - (c) The name of a person not qualified to vote is included in the list.

Revision to Voters' List

10. The name of an Elector may be removed from the Voters' List if it is demonstrated that the name of a person not qualified to vote has been included in the Voters' List, by presenting to the Electoral Officer evidence that that person:
- (a) is neither on the Band list nor entitled to have his name entered on the Band list;
 - (b) is not at least 18 years of age; or
 - (c) is not qualified to vote at Band Elections.

Voters' List Corrections

11. Any corrections to the Voters' List shall be duly posted in that Electoral Section.

Voters' List Dispute

12. The Electoral Officer's ruling pursuant to Section 29 of the Act shall be final.

Notice of Nomination

13. Notice of Nomination shall be in Form 17.

Procedure at Nomination Meeting

14. (a) Any nominee for the position of Chief or Councillor must complete a Declaration of Nominee (Form 20);
- (b) Any candidate so nominated must provide his/her Criminal Record Check within 72 hours, otherwise that candidate shall stand disqualified;
- (c) No candidate shall be declared elected until he/she provides his/her criminal record check and his/her eligibility is established;
- (d) If no nominee is declared duly elected, the Electoral Officer shall re-post Notice of Nomination for that electoral section;
- (e) Any candidate swearing a false Declaration shall be disqualified from running for office for three (3) years.

Withdrawal of Candidate

15. (a) The withdrawal of any candidate pursuant to Section 31 of the Act shall be effective even if there are irregularities pertaining to the witnessing of his withdrawal.
- (b) Any nominee who fails to deliver a criminal record check to the Chief Electoral Officer within 72 hours of his/her nomination, shall be deemed to have withdrawn as a candidate in the election.
- (c) Withdrawal shall be in Form 31.

The Ballots

16. Every ballot paper shall:
 - (a) be printed showing:
 - i) candidates running for Chief;
 - ii) candidates running for Councillor.
 - (b) Each ballot shall be color coded a specific color for the office of Chief, and a specific color for each electoral section.
 - (c) The ballot papers shall set forth, in a single column, the following:
 - i) names of candidates nominated for Chief, in alphabetical order by surname, treaty number, and if requested, by nickname;
 - ii) the names of candidates nominated for Councillor, in alphabetical order by surname, treaty number, and if requested, by nickname.

Ballot Boxes

17. The Electoral Officer shall cause to be procured, separate ballot boxes for the advance polls, if any, and for the Election Day Poll, each to be appropriately marked and identified.

Notice of Poll

18. Notice of Poll shall be Form 24.

The Poll

19. Pursuant to Section 36 of the Act, a poll shall be established at each of the following sites:

- (a) Electoral Section One (1) shall consist of Little Red River Reserve #106C and #106D.
- (b) Electoral Section Two (2) shall consist of Grandmother's Bay Reserve #219;
- (c) Electoral Section Three (3) shall consist of Morin Lake Reserve #217;
- (d) Electoral Section Four (4) shall consist of Nemeiben River Reserve #156C;
- (e) Electoral Section Five (5) shall consist of Stanley Mission Reserve #157;
- (f) Electoral Section Six (6) shall consist of Lac La Ronge Reserve #156 and Kitsaki Reserve #156B;
- (g) The Community of Pinehouse;
- (h) The community of Brabant Lake;
- (i) The Urban Centre of Prince Albert;
- (j) The Urban Centre of Saskatoon.

Advance Polls

20. (a) The Electoral Officer shall be authorized to hold an advance poll for Electors who will either be absent, not available to vote, or required to work on Election Day.
- (b) The setting up of an advance poll shall be deemed to be part of the special instructions given to the Electoral Officer upon his or her appointment by Chief and Council.

- (c) Advance polls shall be set up at each of the locations as identified in Section 19 of the Regulations.
- (d) Notice of Advance Poll shall be in Form 61.
- (e) The time of the Advance Poll shall be from noon to 7:00 p.m.
- (f) A list of all those who voted at the advance polls shall be given to the Chief Electoral Office so that on election day the records of each Electoral Section shall show which Electors have already voted.

Sealing of the Ballot Box

21. Separate ballot boxes shall be utilized at the advance poll and in the Election, and shall be locked, and properly sealed, and the seal shall not be broken, nor the box unlocked until the closing of the Election Day Poll.

Transportation of ballot Boxes – Advance Polls

22. Where an advance poll has been set up for the election, the Electoral Officer/Deputy upon the closing of the poll shall:

- (a) seal the ballot boxes and have two (2) witnesses attest in writing that such ballot boxes have been sealed;
- (b) secure the ballot boxes for transportation;
- (c) deliver the ballot boxes in accordance with the direction of the Chief Electoral Officer for safekeeping;
- (d) on Election Day retrieve the Advance Poll box and count ballots after the close of Poll, and after the counting of the Election Day Ballots;
- (e) the votes from the ballot boxes from the advance polls shall be tallied as “advance poll results”.
- (f) The results of the Poll and the Advance Poll shall be transmitted to the offices of the Chief Electoral Officer by fax and telephone and/or email, with a breakdown as between those votes cast for Chief, and those votes cast for Councillor in each of the Electoral Sections.

Request for Oath or Affirmation

23. The prescribed form for a request for oath or affirmation pursuant to Section 40 of the Act shall be in accordance with Form 40C.

Refusal by Voter

24. Should any person receive a ballot paper and leave the polling place without delivering the same to the Electoral Officer so that it cannot be marked, the Electoral Officers entry on the Voters' List in the column provided for remarks, shall suffice as compliance with Section 51 of the Act.

Voter's Name Not on Voters' List

25. An Elector whose name does not appear on the Voters' List shall be required to complete a Declaration in Form 40C.

Advertising Within the Polling Station

26. The Electoral Officer, or his/her designate, are authorized to remove from any person while they are in the polling station, or within 50 feet thereof, any campaign literature, emblem, sign, badge, label, ribbon, flag, banner, card or device indicating the support of any particular candidate.

Intoxication

27. At any poll, or advance poll, should any elector be clearly intoxicated so as to impair their judgment, or should such elector appear drunk and disorderly, the electoral will not be allowed to vote and shall be escorted from the premises by security if they refuse to leave at their own accord.

Declaration of Election Results

28. The count of the ballots immediately after the closing of the polls on election night, including the advance poll, shall be called the Election night results.

Counting of the Ballot Upon Closing of the Polls:

29. (a) The tabulation of the votes at all polls shall be performed by the Deputy Electoral Officer and his/her agent, who, in the presence of those scrutineers/candidates as may be present, shall on Election night, tabulate all ballots cast for Chief, and each of the Councillors in each of the six Electoral Sections of the Reserve, and shall report the same by telephone and/or fax and/or email to the Chief Electoral Officer.

- (b) The tabulation of the votes for the candidates for Chief and Councillor shall be performed by the Chief Electoral Officer at the Chief Electoral Officer's headquarters.
- (c) The Chief Electoral Officer shall declare as elected the candidate for Chief who secured the majority of the ballots cast in the election, and those Councillors in each Electoral Section, securing the majority of the votes for the number of positions available.

30. Form 57 shall be used upon the destruction of the ballots.

Declaration of Official Results

31. The official results shall be the final tally of votes, which shall be posted as soon as they are available pursuant to Section 56(a) of the Act.

Run-off Election

- 32. (a) In the event that an Electoral Officer is required to conduct a run-off election pursuant to Section 56(b) of the Act, the provisions of the Act will apply *mutatis mutandis* to such run-off Election.
- (b) Only those candidates tied shall be eligible to run.

Employment with the Band

33. Pursuant to Section 62 of the Act, any leave of absence taken shall not exceed three (3) years, after which time the employee on leave shall be deemed to have resigned.

Assumption of Office

- 34. (a) Pursuant to Section 7 of the Act, an Oath of Office shall be taken by each newly elected Chief and Councillor within fifteen (15) days of April 1st.
- (b) A candidate shall not be disqualified from holding office merely because an appeal has been filed pursuant to Section 58 of the Act.

Offences

- 35. Any candidate found guilty on appeal of:
 - i) Corrupt practice;

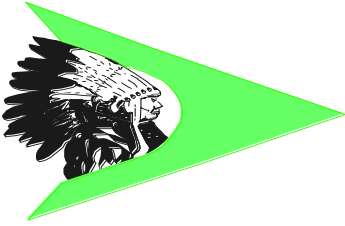
ii) Swearing a false Declaration;
shall be disqualified from being a candidate for three (3) years.

Forms

36. The following forms form part of the Act:
FORM 17 – Notice of Nomination
FORM 20 – Declaration of Nominee – Chief
FORM 20 – Declaration of Nominee - Councillor
FORM 24 – Notice of Poll
FORM 31 – Notice of Withdrawal of Candidacy
FORM 40C – Declaration of Voter
FORM 57 – Disposition of Ballot Paper
FORM 61 – Notice of Advance Polls

Coming Into Force

37. These Regulations come into force on the day the same are declared to be in force by a Band Council Resolution of the Lac La Ronge Indian Band pursuant to Section 64(b) of the Lac La Ronge Indian Band *Election Act*.



[FORM 17]

NOTICE OF NOMINATIONS

LAC LA RONGE INDIAN BAND #353

NOTICE IS HEREBY SERVED TO THE ELECTORS OF
ELECTORAL SECTION # _____

LAC LA RONGE INDIAN BAND

THAT A MEETING WILL BE CONVENED ON

THE _____ DAY OF _____, 20__

STARTING AT: _____

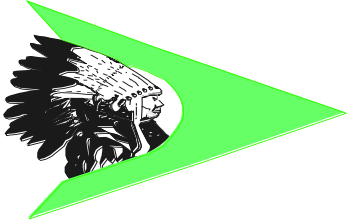
FOR THE PURPOSE OF NOMINATING CANDIDATES FOR THE POSITION OF
CHIEF AND COUNCILLORS(S) FOR THE LAC LA RONGE INDIAN BAND
ELECTORAL SECTION # _____

THERE ARE 1 CHIEF AND ____ COUNCILLOR VACANCIES

TAKE FURTHER NOTICE THAT EACH NOMINEE WILL BE REQUIRED TO
PROVIDE TO THE CHIEF ELECTORAL OFFICER A CRIMINAL RECORD CHECK
WITHIN 72 HOURS OF NOMINATION.

DATED at La Ronge, in the Province of Saskatchewan, this _____ day of
_____, 20__

ELECTORAL OFFICER



DECLARATION OF NOMINEE – CHIEF

LAC LA RONGE INDIAN BAND #353

I, _____, Treaty Number 353 _____
of Electoral Section # _____ - _____
(Address)

DECLARE:

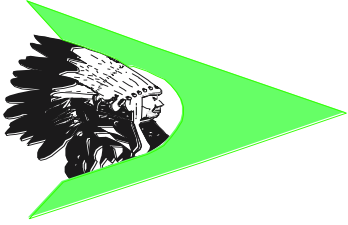
1. That I am the full age of eighteen (18) years.
2. That I am registered on the Membership List for the Lac La Ronge Indian Band.
3. That I have a criminal free record for the last five years, which includes the following:
 - (i) no conviction for an indictable offence for offences to the Criminal Code, or *The Controlled Drugs and Substances Act*, or any successor legislation;
 - (ii) no conviction for summary conviction offence which could have been prosecuted by indictment.
4. That I am not in conflict of interest (indebted to Band).
5. That I am not for any other reason disqualified to run in this election.
6. I am aware that I will be disqualified if my Criminal Record Check is not filed with the Electoral Officer within 72 hours.

DECLARED before me at _____)
in the Province of Saskatchewan,)
this ____ day of _____, 201__)
)

(Signature of Nominee)

*Electoral Officer, Justice of the Peace,
Notary Public/Commissioner for
Oaths for Saskatchewan.*
My appt. expires: _____

****NOTE: ANY CANDIDATE, IN THE OPINION OF THE CHIEF ELECTORAL OFFICER, MAKING A FALSE DECLARATION SHALL BE AUTOMATICALLY DISENTITLED TO RUN FOR PUBLIC OFFICE, AND THE CHIEF ELECTORAL OFFICER SHALL NOT BE REQUIRED TO PLACE THAT CANDIDATE’S NAME FORWARD FOR ELECTION.**



DECLARATION OF NOMINEE – COUNCILLOR

LAC LA RONGE INDIAN BAND #353

I, _____, Treaty Number 353 _____
of Electoral Section # _____ - _____
(Present address of Voter)

DECLARE:

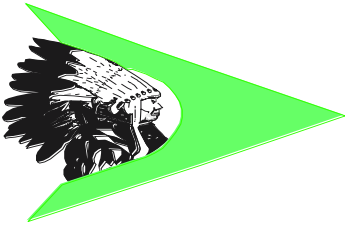
1. That I am the full age of eighteen (18) years.
2. That I am registered on the Membership List for the Lac La Ronge Indian Band.
3. That I reside in the Electoral Section to which I have been nominated.
4. That I have a criminal free record for the last five years, which includes the following:
 - (ii) no conviction for an indictable offence for offences to the Criminal Code, or *The Controlled Drugs and Substances Act*, or any successor legislation;
 - (ii) no conviction for summary conviction offence which could have been prosecuted by indictment.
5. That I am not in conflict of interest (indebted to Band).
6. That I am not for any other reason disqualified to run in this election.
7. I am aware that I will be disqualified if my Criminal Record Check is not filed with the Electoral Officer within 72 hours.

DECLARED before me at _____)
in the Province of Saskatchewan,)
this ___ day of _____, 201__)
_____)

(Signature of Nominee)

*Electoral Officer, Justice of the Peace,
Notary Public/Commissioner for
Oaths for Saskatchewan.*
My appt. expires: _____

****NOTE: ANY CANDIDATE, IN THE OPINION OF THE CHIEF ELECTORAL OFFICER, MAKING A FALSE DECLARATION SHALL BE AUTOMATICALLY DISENTITLED TO RUN FOR PUBLIC OFFICE, AND THE CHIEF ELECTORAL OFFICER SHALL NOT BE REQUIRED TO PLACE THAT CANDIDATE’S NAME FORWARD FOR ELECTION.**



[FORM 24]

NOTICE OF POLL

LAC LA RONGE INDIAN BAND #353

NOTICE IS HEREBY SERVED TO THE ELECTORS OF
ELECTORAL SECTION # _____

LAC LA RONGE INDIAN BAND

THAT A POLL WILL BE HELD FOR THE ELECTION

FOR CHIEF AND ____ COUNCILLORS

AND THAT SUCH POLL WILL BE OPENED ON

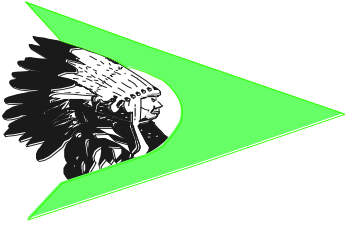
THE _____ DAY OF _____, 20__

FROM 9:00 A.M. TO 6:00 P.M. LOCAL TIME

AT _____

AND THAT THE DEPUTY ELECTORAL OFFICER WILL COUNT THE BALLOTS FOR CHIEF AND FOR COUNCILLOR(S) IMMEDIATELY AFTER THE CLOSE OF THE POLL, AND THE NUMBER FAXED AND TELEPHONED TO THE ELECTORAL OFFICER IN LA RONGE. ONCE ALL THE BALLOTS ARE TABULATED FROM ALL ELECTORAL SECTIONS AND ADVANCE POLLS THE RESULTS FOR THE ELECTION OF CHIEF AND COUNCILLORS SHALL BE DECLARED BY THE CHIEF ELECTORAL OFFICER.

ELECTORAL OFFICER



[FORM 31]

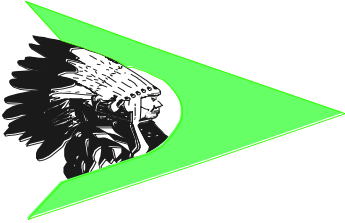
NOTICE OF WITHDRAWAL OF CANDIDACY
LAC LA RONGE INDIAN BAND #353

Notice is hereby given that the undersigned, _____,
by these presents does hereby withdraw as a candidate for the position of _____
in Electoral Section ____ in the elections of the Lac La Ronge Indian Band to be
conducted the _____, 201__.

DECLARED before me at La Ronge,
in the Province of Saskatchewan, this
____ day of _____, 201__.

(Signature of Candidate)

*Electoral Officer, Justice of the Peace,
Notary Public or Commissioner for
Oaths for Saskatchewan.*
My appt. expires: _____



[FORM 40C]

DECLARATION OF VOTER

LAC LA RONGE INDIAN BAND #353

I, _____ of _____
(Present address of Voter)

DECLARE:

1. That I am the full age of eighteen (18) years or will attain the full age of eighteen (18) years on or before polling day.
2. That I am registered on the Membership List for the Lac La Ronge Indian Band.

3(a) That I reside in the Band Community of _____
OR

(b) That I reside off-Reserve and my traditional or home reserve is: _____

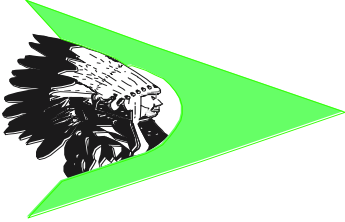
and that I understand that I can only vote for the Councillor that represents my traditional or home reserve.

4. That I am not disqualified from voting at Band elections.
5. That I have not already voted at this election.

DECLARED before me at _____)
in the Province of Saskatchewan,)
this ___ day of _____, 201__)
)

(Signature of Voter)

*Electoral Officer, Justice of the Peace,
Notary Public/Commissioner for
Oaths for Saskatchewan.
My appt. expires: _____*



[FORM 57]

DISPOSITION OF BALLOT PAPER
LAC LA RONGE INDIAN BAND #353

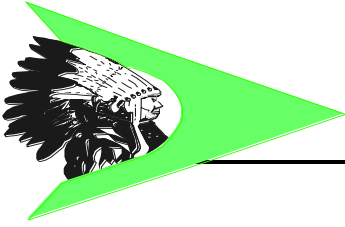
We, the undersigned, by these presents, do hereby declare that we have witnessed the destruction by the Electoral Officer of the ballots duly cast in the election for Chief and Councillors for the Lac La Ronge Indian Band held the ____ day of _____, 201__.

SEVERALLY DECLARED before me at
La Ronge, in the Province of Saskatchewan,
this ____ day of _____, 201__.

(Signature of Witness)

(Signature of Witness)

*Electoral Officer, Justice of the Peace,
Notary Public/Commissioner for
Oaths for Saskatchewan.
My appt. expires: _____*



NOTICE OF ADVANCE POLLS
LAC LA RONGE INDIAN BAND #353

NOTICE
TO THE ELECTORS OF THE LAC LA RONGE INDIAN BAND
THAT AN ADVANCE POLL WILL BE HELD FOR THE ELECTION

FOR CHIEF AND COUNCILLORS

AND THAT SUCH ADVANCE POLL WILL BE OPENED ON

_____, THE ____ DAY OF MARCH, 2017

FROM 12:00 P.M. TO 7:00 P.M. LOCAL TIME

AT THE FOLLOWING LOCATIONS:

- (a) Electoral Section One (Little Red River Reserve #106C and #106D)
Location: _____
- (b) Electoral Section Two (Grandmother's Bay Reserve #219)
Location: _____
- (c) Electoral Section Three (Morin Lake Reserve #217)
Location: _____
- (d) Electoral Section Four (Nemeiben River Reserve #156C)
Location: _____
- (e) Electoral Section Five (Stanley Mission Reserve #157)
Location: _____
- (f) Electoral Section Six (Lac La Ronge Reserve #156 and Kitsaki #156B)
Location: _____
- (g) The Community of Pinehouse
Location: _____
- (h) The Community of Brabant Lake
Location: _____
- (i) The Urban Centre of Prince Albert
Location: _____
- (j) The Urban Centre of Saskatoon
Location: _____

AND THAT THE BALLOTS CAST FOR THE POSITION OF CHIEF AND
COUNCILLOR(S) SHALL BE SECURED AND RETAINED UNTIL THE
COMPLETION OF VOTING ON THE ____ DAY OF _____, 20__ , AT
WHICH TIME THEY SHALL BE COUNTED.

DATED the ____ day of _____, 20__

ELECTORAL OFFICER