

Referendum Process
Indian Referendum Regulations

KEY MILESTONES

Preparation Period
Preparing Mail-out Packages
Post “Notice of Vote”
Mail-in Voting
Information Meeting
Vote Day

TIME FRAMES

72 days required leading up to Vote Day

30 day period of “lead time” before Posting

- BCRs, dates for Information Meetings, Appointment of Electoral Officer and Deputies, printing, mail-out ballot packages;

42 day period after “Posting”

- Information Meetings
- Correct addresses, return to sender, resend packages
- Vote Day at least 42 days after posting

Before the 30 Day Period

The following documents must be provided prior to the start of the 30 day period:

- BCR approving in principle the terms of the Agreement and calling for a ratification vote;
- Initialled copy of the Settlement Agreement;
- Information Document (Summary of Agreement)
- Trust Agreement and summary of trust agreement
- First Nation provides a electronic copy of the Voter's List (For Section 10 Bands); (49 Days prior to vote)
- First Nation provides electronic accurate and current voter addresses for mail out (49 Days prior to vote).

During the 30 Days Pre-Posting

- Step 1 – Select Key Dates
- Step 2 – FN communication to members
- Step 3 – Electoral Officer, Deputy, Assistant
- Step 4 – Appoint Electoral Officer, Deputy
- Step 5 – Prepare “Notice of Vote”
- Step 6 – Print Voter Mail-out Material
- Step 7 – Mail-out to voters
- Step 8 – Post “Notice of Vote”

Step 1 – Selection of Dates

- **Vote Day** – at least 42 days after posting the “Notice of Vote”
- **Information Meeting** – at least 14 days after posting and at least 1 day prior to Vote Day
- Determine cut-off date for re-mailing returned packages (allow time for Canada Post)

Step 2 – Communication

- First Nation informs members about the Agreement and encourages voter turnout;
- Communication between First Nations and Electoral Officer
- Communication is key for voter turnout
- Informed consent is provided through communication at Information Meetings and the mail out package

Step 3 – Appointments

- By BCR, the First Nation requests INAC appoint an Electoral Officer;
- Regional Director General appoints Electoral Officer, an INAC employee, who is responsible for the vote process;
- Electoral Officer appoints Deputy Electoral Officer;
- Electoral Officer and First Nation consult and Electoral Officer appoints First Nation Deputy Electoral Officer.

Step 4 – Required Documents

- Documents developed during the 30 days prior to posting “Notice of Vote”
 - BCR approving in principle the terms of the Agreement and associated instruments;
 - BCR calling for Ratification Vote and requesting INAC appoint Electoral Officer, approve Voter’s List, etc.
 - Summary from First Nation’s legal counsel for Settlement Agreement and Trust Agreement;
 - Voter’s Address List (electronic)

Step 5 – Notice of Vote

At or near the beginning of the 30 day preparation period:

- Electoral Officer consults with First Nation on the following:
 - Contents of “Notice of Vote” include the ballot question, date of vote, location and hours of poll, vote in person or mail-in ballot, name and phone number of Electoral Officer, dates/times for Information Meeting and instructions for obtaining more information. First Nation could provide a 1-800 phone number for voter inquiries.
 - Posting locations(s): Band Administration Building, Friendship Centres, etc. At least 1 posting on reserve.
 - Must be posted at least 42 days prior to vote day.

Step 6 – Printing of Documents

Mail out to Off-Reserve Voters:

- INAC will pay for mailout packages (printing & postage) for off-reserve voters to vote by mail;
- Option available for hand-delivery of mailout packages for on reserve members (information only);
- At least 10 days required (after all required documentation received) to arrange printing.

VOTING BY MAIL

Mail-in ballot package contains the following documentation:

- Notice of Vote
- Settlement Agreement
- Letter from Chief supporting the agreement
- Summary from First Nation's legal counsel and financial advisor;
- Instructions on completing mail-in ballot
- Ballot
- Voter Declaration Form/Ballot Envelope
- Postage paid return envelope addressed to Electoral Officer

Step 7 – Mail-out to Off Reserve Members

- Mail-out completed before posting “Notice of Vote”;
- Electoral Officer and team prepare mail-out packages for off-reserve voters;
- 2 to 3 days required to prepare mail-in ballot packages, affix address labels and mail - Packages sent “Priority Courier”.
- Undeliverable packages re-mailed when new address received.

Step 8 – Post “Notice of Vote”

- Electoral Officer posts “Notice of Vote” at locations specified by the First Nation (one posting must be on reserve);
- Posting must be 42 days prior to Vote Day and 14 days prior to Information meeting.

Activity in the 42 Days After Posting “Notice of Vote”

- Possible amendments to Voter’s List (transfers, deaths);
- New addresses and new mail-outs
- On reserve voters may request mail-in packages
- Arrangements for translator to be available at Information Meetings and Vote Day
- Details for Information Meetings and Vote Day
- Attend Information Meetings

Ratification Levels

- Majority of a Majority required
- 50% + 1 of all eligible voters must vote and 50% + 1 of those who vote must vote in favour;
- If second vote is required, Simple Majority.