



MÉTIS NATION-SASKATCHEWAN (MN-S)

RESOLUTION

MÉTIS NATION LEGISLATIVE ASSEMBLY

DATE: FEBRUARY 20, 2021

RESOLUTION NO. 02-2021-08

TITLE: SASKATCHEWAN MÉTIS ELECTIONS ACT 2007 - AMENDMENTS

SUBJECT: Amendments to the *Saskatchewan Métis Elections Act 2007*

MOVED BY: Marg Friesen, Minister

OFFICE: Eastern Region 3

SECONDED BY: Earl Cook, Minister

OFFICE: Northern Region 1

DECISION: **CARRIED** (52 in favour; 28 opposed; 0 abstentions)

RESOLUTION:

WHEREAS the Métis Nation Legislative Assembly (MNLA) has adopted the *Saskatchewan Métis Elections Act, 2007* ("the *Act*") to provide for a process of conducting the election of Executive Members and Regional Representatives to the Provincial Métis Council (PMC);

WHEREAS it is necessary and expedient to amend the said *Act* to provide for the MNLA to fix the date of the election, to require persons who wish to vote or run for election to be registered Métis citizens, to provide protection for voters lists and voter information, and to extend the hours for voting to increase accessibility for Métis citizens to vote;

THEREFORE BE IT RESOLVED THAT the MNLA adopt the proposed amendments to the *Act*, which are dated December 11, 2020, and are set out in the attached "Schedule A".

Certified copy of this resolution adopted on February 20, 2021 in Saskatoon, Saskatchewan

Richard Quintal
Clerk of the Métis Nation Legislative Assembly



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SCHEDULE A to RESOLUTION No. 02-2021-08 of the MÉTIS NATION LEGISLATIVE ASSEMBLY, February 20 and 21, 2021

Métis Nation – Saskatchewan

Amendments to the *Saskatchewan Métis Elections Act 2007*

Existing	Approved Amendments	Explanation
<p>INTERPRETATION Definitions 2. In this <i>Act</i>, “election day” means (a) the day fixed by the Chief Electoral officer in a declaration of election; or (b) in respect of a general election after 2007, the day fixed in the constitution for the holding of an election.</p>	<p>INTERPRETATION Definitions 2 In this <i>Act</i>: “election day” means the day determined in accordance with section 28;</p>	<p>The Constitution requires an election to be held within four years of the last election but does not fix a day.</p> <p>Section 28 will provide that election day is to be set by resolution of the MNLA.</p>
<p>"Métis citizen" means, as described in Article 10 of the Constitution, a person who (a) self identifies as Métis, (b) is distinct from other Aboriginal peoples, (c) is of Historic Métis Nation ancestry, and (d) is accepted by the Métis Nation;</p>	<p>"Métis citizen" means a person who meets the criteria described in Article 10 of the Constitution and is registered in accordance with the <i>Citizenship Act</i>;</p>	<p>The <i>Act</i> should not repeat the criteria that are contained in the Constitution. Note that a person must not only be eligible but must in fact be registered as a Métis citizen.</p>
<p>PART II DEMOCRATIC RIGHTS Voting Rights Right to vote for Executive Member 6. (1) Every person has a right to vote in an election for an Executive Member if, on election day, the person is (a) a Métis citizen; (b) at least 16 years of age; (c) not registered as a member of a First Nation or other group of Aboriginal peoples; and (d) a resident of Saskatchewan.</p>	<p>PART II DEMOCRATIC RIGHTS Voters Right to vote 6. An individual who: (a) is registered as a Métis citizen under the <i>Citizenship Act</i> and has received a Métis citizenship card issued by the Registrar appointed by the Métis Nation Legislative Assembly to administer the Central Registry under the <i>Citizenship Act</i>; or (b) has submitted an application for registration to the Registrar</p>	<p>MNLA Resolution No. 11-2019-07 re Proof of Citizenship of Voters, dated November 23, 2019, amended subsection 12(2) to require proof of citizenship for registration to vote but did not specifically amend section 6, which describes who is entitled to vote. These amendments do that.</p> <p>Proof of registration as a Métis citizen is proof that a person is Métis as defined in the Constitution, so the criteria are not listed again here.</p>



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<p>Right to vote for Regional Representative</p> <p>(2) Every person has a right to vote in an election for a Regional Representative if, on election day, the person is</p> <p>(a) a Métis citizen;</p> <p>(b) at least 16 years of age;</p> <p>(c) not registered as a member of a First Nation or other group of Aboriginal peoples; and</p> <p>(d) a resident of the Region for which the Regional Representative is a candidate.</p>	<p>appointed by the Métis Nation Legislative Assembly to administer the Central Registry under the <i>Citizenship Act</i> at least 60 days before the date of the election and has received a letter from the Registrar stating that a preliminary review indicates the person is eligible to be registered as a Métis citizen under that <i>Act</i>:</p> <p>is an eligible voter and entitled to vote during an election, if on election day, the person is:</p> <p>(c) at least 16 years of age;</p> <p>(d) a resident of Saskatchewan for at least six months prior to election day; and</p> <p>(e) in the case of an election for a Regional Representative, ordinarily resident in the Region.</p>	<p>Persons whose application for registration is pending will be entitled to vote if they provide a letter from the Registrar of the Registry stating that they have a pending application and are likely eligible. Only those who have submitted an application at least 60 days prior to the election date will be eligible as this will allow the Registry the time necessary to make a preliminary review of the application and issue the required letter.</p> <p>Reference is made to being “an eligible voter” to link with subsection 12(1) which permits an eligible voter to register to vote.</p> <p>Age 16 and residence are additional criteria that must be met in addition to citizenship and must therefore also be specified.</p>
<p>Election day</p> <p>28(1) Election day shall be the day fixed by the Constitution for election to the Provincial Métis Council, but if that day is a holiday, election day shall be the following day that is not a holiday.</p>	<p>Election day</p> <p>28(1) Election day shall be the day fixed by resolution of the Métis Nation Legislative Assembly.</p>	<p>The Constitution requires an election to be held within four years of the last election but does not fix a day.</p> <p>Section 28 provides that election day is to be set by resolution of the MNLA.</p>
<p>None</p>	<p>Offences Related to Voters Lists or Information</p> <p>Voters lists or information</p> <p>124.1 A person is guilty of an offence if he or she:</p> <p>(a) contravenes section 16;</p> <p>(b) fails to comply with any directions of the Chief Electoral</p>	<p>Section 16 of the <i>Election Act</i> prohibits the use of voters lists for any purpose other than the election but does not state that a contravention of this provision is an offence. The Complaints Officer can only investigate “offences” pursuant to section</p>



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	Officer relating to the use of voters lists or voter information; or (c) is in breach of a confidentiality agreement relating to the use of voters lists or voter information.	118. The <i>Act</i> contains a long list of activities that are described as offences but contains no general provision to state that any contravention of the <i>Act</i> is an offence. It is therefore necessary to include a specific provision to make the misuse of voters lists or information an offence that can be investigated.
Time for voting in office of returning officer 43(4) A person may vote at the office of the Regional Returning Officer only between the hours of 10:00 am to 2:00 pm and 4:00 pm and 6:00 pm commencing the 15 th day before election day, and ending the 8 th day before election day, but not including Sunday.	Time for voting in office of returning officer 43(4) A person may vote at the office of the Regional Returning Officer between the hours of 10:00 am and 6:00 pm commencing on the 15 th day before election day, and ending on the 8 th day before election day, but not including Sunday.	An extension of hours for voting will increase accessibility for citizens to vote.
Schedule 44(2) The polling station for an advance vote must be open from 12:00 noon to 7:00 p.m.	Time for voting at advance vote 44(2) The polling station for an advance vote must be open from 12:00 noon to 8:00 p.m.	An extension of hours for voting will increase accessibility for citizens to vote.
Hours of the polling station 52(1) On election day, the polling stations shall be open from 9:00 a.m. to 7:00 p.m.	Hours of the polling station 52(1) On election day, the polling stations shall be open from 9:00 a.m. to 8:00 p.m.	An extension of hours for voting will increase accessibility for citizens to vote.
<i>[the text of Form 1 is not reproduced here because it doesn't fit into the three-column format]</i>	Form 1 is amended by adding after "Date of Birth Confirmed", the following: " _____ Métis Registration Confirmed".	The resolution 11-2019-07 also calls for the Voter Declaration in Form 1 to be revised to include a section documenting the voter's proof of citizenship but does not prescribe the text. The proposed text here would be added at the end of the form, just before the signature of the election official.

"Schedule A" to Resolution 02-2021-08, dated December 11, 2020