

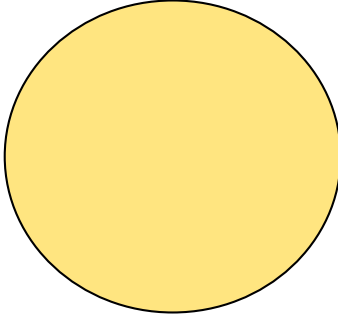
Métis Nation of Ontario Electoral Code: Part A

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Métis Nation of Ontario Electoral Code: Part A

- ARTICLE 1. PURPOSE, SEAL AND NAME**
- Purpose**
- 1.1 The purpose of the *MNO Electoral Code* is to establish fair, open and democratic procedures and rules for the elections of the Métis Nation of Ontario.¹
- Seal**
- 1.2 The seal, an impression whereof is stamped in the margin hereof, is the seal of the Métis Nation of Ontario Secretariat (“MNO”). This seal affirms that this is the official *MNO Electoral Code*.²
- 
- 1.3 This *MNO Electoral Code* is herein established. The rules governing the elections of the MNO are contained within and shall be known as the *MNO Electoral Code*.
- (a) Part A of the *MNO Electoral Code* shall contain the rules governing the elections for the PCMNO, MNOYC³ and the MNOVC.⁴⁵
- (b) Part B shall contain the rules governing the elections for Community Councils.⁶
- ARTICLE 2. DEFINITIONS**
- Definitions**
- 2.1 In this document,
- (a) “**Electoral Code**” or “**Code**” means this *MNO Electoral Code* and includes appendices and endnotes.⁷
- (b) “**candidate**” means a person whose name is posted on the list of candidates for office in the PCMNO, MNOYC⁸ or the MNOVC, pursuant to Article 10.1 of this *Code*. For greater certainty a person is not a candidate until he or she has met all the requirements set out in Article 6 of this *Code*.⁹
- (c) “**chief administrative officer**” means a person appointed by the PCMNO to act as the head of the administration of MNO;¹⁰
- (d) “**chief electoral officer**” means a person appointed by the PCMNO pursuant to this *Code* who is charged with operating elections for the MNO;
- (e) “**bylaws**” means the bylaws of the Métis Nation of Ontario Secretariat as amended from time to time;¹¹

- (f) “**election(s)**” means an election called by the PCMNO;
- (g) “**election officer**” means a chief electoral officer, returning officer or poll clerk as appointed pursuant to this *Electoral Code*;
- (h) “**elector**” means a citizen of the MNO who is entitled to vote pursuant to this *Electoral Code*;
- (i) “**executive**” means the executive council of the PCMNO which is composed of the President, Chair, Co-Chair, Secretary-Treasurer and a Senator;
- (j) “**immediate relative**” means the spouse, child, sibling, or parent of a candidate;
- (k) “**list of electors**” means a list made pursuant to this *Electoral Code* of persons entitled to vote at an election;
- (l) “**MNO**” means the Métis Nation of Ontario;
- (m) “**MNOYC**” means the Métis Nation of Ontario Youth Council¹²;
- (n) “**MNOVC**” means the Métis Nation of Ontario Veterans Council;¹³
- (o) “**ordinarily resident**” means a person who actually lives and has lived continuously in Ontario for at least one (1) full year prior to the date of the election.¹⁴ In making such determination, temporary absences from Ontario for reasons such as travel, education, medical treatment, military service or incarceration shall be considered periods of residence provided the person was ordinarily resident prior to such temporary absences. A person can have only one place of ordinary residence;
- (p) “**PCMNO**” means the Provisional Council of the MNO;
- (q) “**poll book**” means a list of names of persons who have received ballots at an election pursuant to this *Electoral Code*;
- (r) “**poll clerk**” means a person appointed by the chief electoral officer pursuant to this *Electoral Code*;
- (s) “**polling station**” means a place where an elector casts his or her vote and which is set up pursuant to this *Electoral Code*;
- (t) “**region**” means one of the nine (9) regions of the MNO;
- (u) “**regional councilor**” means a person who is nominated as a candidate for councilor of one of the nine MNO regions;¹⁵
- (v) “**Registrar**” means the person with the primary responsibility to manage and administer the MNO Registry.¹⁶
- (w) “**registered citizen**” means a Métis person¹⁷ whose application for MNO citizenship has been received before¹⁸ February 20th in

the year of the election and has been approved by the MNO as of midnight March 31st in the year of the election;¹⁹

- (x) “**returning officer**” means a person appointed by the chief electoral officer pursuant to this *Electoral Code*;
- (y) “**scrutineer**” means an elector who is authorized to represent a candidate at a polling station pursuant to this *Electoral Code*;
- (z) “**verified**” means a registered citizen whose genealogical documentation has been assessed and approved²⁰ by the MNO registrar according to the MNO’s verification process as amended from time to time;²¹
- (aa) “**veteran**” means a person who is defined as such by the MNOVC in its *MNO Charter Agreement*; and²²
- (bb) deleted.²³

ARTICLE 3. DATE OF ELECTION

Date of Election

- 3.1 The date of the election shall be the first Monday of the month of May in the year that the election is required or any other date determined by the PCMNO, Annual Assembly, or Special Meeting according to the bylaws of the MNO.
 - (a) A timetable for the elections that sets out many of the scheduled deadlines is attached, for convenience, as Appendix A. In the event of any conflict between the timetable and a written Article in this *Electoral Code*, the written Article shall prevail.²⁴

ARTICLE 4. CHIEF ELECTORAL OFFICER

Chief Electoral Officer

- 4.1 The PCMNO shall appoint a chief electoral officer who shall:
 - (a) provide guidance and supervision respecting the conduct of the election;
 - (b) ensure that all election officers in the conduct of their duties and in compliance with this *Electoral Code* conduct the election using the guiding principles of fairness and impartiality;
 - (c) issue to election officers any information and guidance he or she considers necessary to ensure the effective carrying out of the provisions of this *Electoral Code*;
 - (d) reconcile all ballots and prepare an official election report to the citizens of the MNO; and
 - (e) perform all duties assigned pursuant to this *Electoral Code*.

ARTICLE 5. ELECTORS

Electors

- 5.1 Any registered citizen of the MNO who is ordinarily resident in Ontario is eligible to be an elector.²⁵

5.2 An elector who is sixteen (16) years of age or older is entitled to cast one (1) vote for the each of the following offices:

- (a) President;
- (b) Chair;
- (c) Co-Chair;
- (d) Secretary-Treasurer;
- (e) the regional councilor in his or her region; and
- (f) post-secondary representative.²⁶

5.3 Only electors who are between the ages of sixteen (16) and twenty-nine (29) years of age may vote for the youth representatives on the PCMNO or for the regional youth representatives on the MNOYC.²⁷

5.4 Deleted.²⁸

5.5 Only veterans may vote for the MNOVC representatives.²⁹ Each veteran shall, before voting affirm as follows:

**Veteran's
Affirmation**

I solemnly affirm that my name is _____. I am Métis, a citizen of MNO and a veteran of the Canadian Armed Forces.³⁰

5.6 The following persons are not eligible to vote at an election.³¹

**Individuals
Not Eligible to
Vote**

- (a) individuals who are registered on the MNO Registry but who are not 16 years of age on election day;³²
- (b) individuals whose rights and privileges as MNO citizens have been suspended pursuant to directions or policies established by the PCMNO and written notice of such suspension has been delivered to the individual prior to March 15th in the year of the election;³³³⁴
- (c) returning officers; and
- (d) chief electoral officer except to break a tie at a recount.

5.7 Each elector shall, before voting affirm as follows:

**Elector's
Affirmation**

I solemnly affirm that my name is _____. I am Métis and I am a descendant of the historic Métis Nation. I affirm that I do not identify as Indian or as Inuit and I am not registered as an Indian under either the *Indian Act* or any band membership code or as an Inuk under an Inuit Registry.³⁵ I am ordinarily resident in the province of Ontario. I pledge my allegiance to the MNO as the only representative political body for the Métis in Ontario. I agree with the aims and objectives of the MNO as stated in the Statement of Prime Purpose.³⁶

ARTICLE 6. NOMINATION OF CANDIDATES

Notice of Nominations

6.1 The chief electoral officer shall, on or before April 1st in the year of the election,³⁷ post in the offices of each Métis community council and in the MNO newspaper, the *Métis Voyageur*, notice of:³⁸

- (a) the place and hours fixed for the nominations of candidates and the date fixed for closing nominations;
- (b) the nomination papers required to be filed with the chief electoral officer; and
- (c) the address and phone number of the chief electoral officer.

Nominations close April 15th

6.2 On April 15th in the year of the election, nominations close at 5:00 p.m. central time for candidates who live in Region One and at 5:00 p.m. eastern time for candidates who live in Regions Two – Nine.³⁹

- (a) Nominations shall be received by the chief electoral officer on April 15th prior to the close of nominations in the time zone in which the candidate lives.⁴⁰
- (b) Nominations shall be received by the chief electoral officer at a location specified by the chief electoral officer.
- (c) For greater certainty, nomination of senators to hold office on the executive shall follow the process set out in Article 6.10 of this Code.⁴¹

Eligibility for Nomination

6.3 Any citizen of the MNO is eligible to be nominated as a candidate if on the day his or her nomination papers are filed he or she:

- (a) is sixteen (16) years of age;
- (b) is ordinarily resident in Ontario;
- (c) has no outstanding financial obligations or property belonging to the MNO.

No Financial Obligations to MNO

- (i) For the purposes of this clause, MNO shall send out written notice by registered mail by March 15th in the year of an election to all MNO citizens who have outstanding financial obligations, including unresolved expense claims, or are in possession of property belonging to MNO that MNO has requested be returned.
- (ii) The chief electoral officer shall provide a list of candidates who have filed nomination papers to the MNO chief administrative officer who shall have the sole discretion to determine whether each candidate has outstanding financial obligations or is in possession of property belonging to MNO and shall so notify the chief electoral officer.⁴²

- (d) if seeking to be a candidate for regional councilor, is ordinarily resident in the region for which he or she seeks to be nominated;
- (e) if seeking to be a youth candidate in the PCMNO, MNOYC, is 26 years of age or younger on the day of the elections;⁴³
- (f) if seeking to be a candidate for the MNOVC, is a veteran;⁴⁴
- (g) is verified according to the process set out by the MNO registrar as amended from time to time;⁴⁵
- (h) has not been convicted within the past five years of an indictable offence;⁴⁶
- (i) has not been convicted, within the past five years, in connection with an election, of corrupt practice, accepting a bribe, dishonesty or malfeasance.⁴⁷ or
- (j) has not had his or her rights or privileges as MNO citizens suspended by the PCMNO pursuant to this *Code*, the *MNO Policy - Conditions or Limitations That May Apply to MNO Citizenship*, or the *MNO Bylaws*.⁴⁸ For greater certainty PCMNO may not suspend the rights or privileges of any MNO citizens between March 15th and the first Monday in May in the year of an election.

6.4 Subject to Article 6.10,⁴⁹ all nominations for the executive shall include the following:

**Executive
Nomination
Requirements**

- (a) written acceptance of the nomination by the candidate;
- (b) a statement that the candidate has read the *MNO Electoral Code* and *MNO Bylaws* and is eligible to be nominated as a candidate in the MNO election;⁵⁰
- (c) a minimum of seven (7) signatures of electors in five (5) of the nine (9) regions;⁵¹ and
- (d) a non-refundable deposit in the sum of one-hundred dollars (\$100.00) which shall be deposited into the MNO electoral fund.

6.5 All nominations for regional councilors shall include the following:

**Regional
Nomination
Requirements**

- (a) written acceptance of the nomination by the candidate;
- (b) a statement that the candidate has read the *MNO Electoral Code* and *MNO Bylaws* and is eligible to be nominated as a candidate in the MNO election.⁵²
- (c) a minimum of twenty-one (21) signatures of electors who reside in the region for which the candidate is nominated; and
- (d) a non-refundable deposit in the sum of one-hundred dollars (\$100.00) which shall be deposited into the MNO electoral fund.

- Post-Secondary Nomination Requirements**
- 6.6 All nominations for post-secondary representative shall include the following:
- (a) written acceptance of the nomination by the candidate;
 - (b) a statement that the candidate intends to be a student at a post-secondary institution in Ontario for at least 2/3 of the term of office;
 - (c) a statement that the candidate has read the *MNO Electoral Code* and *MNO Bylaws* and is eligible to be nominated as a candidate in the MNO election.⁵³
 - (d) a minimum of four (4) signatures of electors from each region; and
 - (e) a non-refundable deposit in the sum of fifty dollars (\$50.00) which shall be deposited into the MNO electoral fund.
- 6.7 deleted.⁵⁴
- 6.8 All nominations for youth representative on the PCMNO and MNOYC regional youth representatives shall include the following:⁵⁵
- MNOY Nomination Requirements**
- (a) written acceptance of the nomination by the candidate;
 - (b) a statement that the candidate on the date of election will be between the ages of sixteen (16) and twenty-six (26) years of age;⁵⁶
 - (c) a statement that the candidate has read the *MNO Electoral Code* and *MNO Bylaws* and is eligible to be nominated as a candidate in the MNO election.⁵⁷
 - (d) candidates for youth representative on the PCMNO require a minimum of four (4) signatures of electors who are under the age of twenty-nine (29)⁵⁸ from each region.⁵⁹
 - (e) candidates for regional youth representatives require four (4) signatures from electors who are under the age of 29 from the region in which they are seeking election.⁶⁰⁶¹
- 6.9 All nominations for the MNOVC shall include the following:
- MNOVC Nomination Requirements**
- (a) written acceptance of the nomination by the candidate;
 - (b) a statement that the candidate is a veteran;
 - (c) a statement that the candidate has read the *MNO Electoral Code* and *MNO Bylaws* and is eligible to be nominated as a candidate in the MNO election.⁶²
 - (d) candidates for MNOVC require a minimum of four (4) signatures of electors who are veterans.⁶³

- Selection of Senators**
- 6.10 Each community council may select a senator. Those senators selected by their community councils, together with the senators currently serving on the PCMNO, and any senators who have served in the past on the PCMNO, who are in attendance at a general assembly, shall choose from among themselves four (4) senators to sit on the PCMNO, and from among those four shall also choose a senator who shall sit on the executive committee.⁶⁴
- One Nomination Only**
- 6.11 A candidate may not accept a nomination for more than one position on the PCMNO, MNOYC⁶⁵ or the MNOVC.^{66 67}
- No Conflict with Other Aboriginal Organizations**
- 6.12 No Métis citizen is eligible to be a candidate⁶⁸ on the PCMNO, MNOY, or the MNOVC⁶⁹ if that person is or was, for the one year period prior to the date of the election, a director or officer of another Aboriginal body⁷⁰ whereby being a director or officer, the candidate would be placed in a conflict of interest situation.⁷¹
- ARTICLE 7. LIST OF ELECTORS**
- List of Electors**
- 7.1 The chief electoral officer shall obtain from the MNO a list of registered Métis citizens.⁷²
- 7.2 The chief electoral officer shall then, from the list of registered Métis citizens, prepare a list of electors and satisfy himself or herself as to the accuracy of the list of electors.
- Preliminary List**
- 7.3 The chief electoral officer shall submit to each Métis community council office a preliminary list of electors, which shall be posted by April 1st in each Métis community council office or any other place determined by the chief electoral officer.
- (a) The chief electoral officer may amend this list as necessary.⁷³
- Posting Final List**
- 7.4 The chief electoral officer shall submit to each Métis community council office a final revised list of electors, which shall be posted on or before April 20th in the year of the election⁷⁴ in each Métis community council office, or any other place determined by the chief electoral officer.⁷⁵
- Amending Final List**
- 7.5 Upon provision of evidence to the satisfaction of the chief electoral officer, of a legitimate error or omission, a person can have his or her name added to, or removed from the list of electors at any time on or before April 20th in the year of the election.^{76 77}
- Vote at Closest Polling Station**
- 7.6 Electors shall vote at the polling station closest to where they are ordinarily resident. In the event of any discrepancy, the chief electoral officer shall make the determination as to which polling station is

closest. Electors may request of the chief electoral officer that they be placed on the list of another polling station and such determinations shall be at the discretion of the chief electoral officer.⁷⁸

ARTICLE 8. ELECTION BY ACCLAMATION

Election by Acclamation

8.1 If only one candidate is nominated for any one office, the chief electoral officer shall declare that candidate acclaimed to office on April 22nd in the year of the election.⁷⁹⁸⁰

ARTICLE 9. VACANCIES FILLED AT SUMMER ASSEMBLY⁸¹

Vacancies filled at AGA

9.1 If, after the close of nominations there are offices that are vacant, the chief electoral officer shall, by May 15th, announce in writing that elections to fill any such vacancies will be held at the next Annual Summer Assembly. The chief electoral officer shall conduct any such Annual Summer Assembly elections to full vacancies and shall follow the rules set out in this *Code* with any necessary practical amendments, including the following:⁸²

- (a) nominations must be presented to the chief electoral officer by 5pm on the 1st day of the Annual Summer Assembly and shall be pursuant to Articles 6.3-6.11 of this *Code*;
- (b) deleted;⁸³
- (c) notwithstanding Article 9.1(a), the Annual Summer Assembly election process for filling vacancies in the MNOYC shall be established by the chief electoral officer in consultation with the MNOYC⁸⁴;
- (d) voting shall be by secret ballot and ballot box;
- (e) only delegates who are registered at the Annual Summer Assembly may vote;
- (f) in an election for regional councilor, only delegates who are ordinarily resident in that region may vote;
- (g) no immediate relatives of candidates shall work as an election officer at an Annual Summer Assembly election;
- (h) voting shall take place on the 4th day of the Annual Summer Assembly with the polls opening at 9am and closing at 5pm;
- (i) election results shall be announced as soon as possible after 5pm on the 4th day of the Annual Summer Assembly.
- (j) individuals who are elected at an Annual Summer Assembly shall hold office until the next regular MNO election pursuant to Article 3.1 of this *Code*.

9.2 deleted⁸⁵

ARTICLE 10. POSTING OF NOTICE OF POLL AND CANDIDATES

**Posting
Candidates
& Poll Locations**

10.1 The chief electoral officer shall, on April 22nd in the year of the election,⁸⁶ post in each regional council office a notice indicating the names of the candidates and the location, date and time when the polling station will be open for voting.

ARTICLE 11. WITHDRAWAL OF CANDIDATE

**Withdrawal
of Candidates**

11.1 A candidate may withdraw at any time by filing with the chief electoral officer a signed and witnessed declaration to that effect.

11.2 When a candidate has withdrawn, the chief electoral officer shall take whatever steps are necessary to ensure that each elector is so advised when receiving a ballot.

ARTICLE 12. DEATH OF CANDIDATE

**Death of
Candidate**

12.1 If a candidate for the executive dies after close of nominations and prior to closing of the polling stations on election day, the election shall be held but the election for that executive office shall be postponed and the chief electoral officer shall establish a new date for closing of nominations and for a new election date for that office.

12.2 If a candidate for regional councilor dies after close of nominations and prior to closing of the polling stations on election day, the election shall be held and the chief electoral officer shall establish a new date for closing of nominations and a new election date for that office.

ARTICLE 13. APPOINTMENT OF ELECTION OFFICERS

**Appointment of
Election
Officers**

13.1 The Chief electoral officer shall appoint a returning officer and a poll clerk to assist the returning officer for each community where a polling station is to be established.⁸⁷

**Offices Held
for 30 Days**

13.2 A person appointed as either a returning officer or poll clerk shall hold office from the time appointed until thirty (30) days after the date of the election.

13.3 Where a vacancy occurs in the office of returning officer or poll clerk, the chief electoral officer shall forthwith appoint another person to fill the vacancy.

**Immediate
Relatives are
not Election
Officers**

14.4 The general rule is that immediate relatives of candidates shall not serve as election officers.⁸⁸ However, in recognition of the fact that the MNO is largely made up of families and that some of the communities are small and a strict adherence to this rule may make it impossible to find election officers at all, the chief electoral officer may use his/her discretion in this regard, with the following provisos:

- (a) immediate relatives of candidates for the PCMNO⁸⁹ shall not be appointed as election officers. However, immediate relatives of candidates for regional councilor may be appointed as election officers in another region;⁹⁰
- (b) immediate relatives of candidates for MNOYC or MNOVC may not be appointed as election officers in the same region;⁹¹
- (c) community councils shall make best efforts to conform with this general rule in making recommendations for election officers; and
- (d) for greater certainty, a violation of this general rule is an irregularity and, without more, is not grounds for invalidating an election.

ARTICLE 14. POLLING HOURS

Polling Hours

- 14.1 On the date of the election, polling shall be from 9:00 a.m. to 8:00 p.m central time in Region One and from 9:00 a.m. to 8:00 p.m. eastern time in Regions Two – Nine.⁹²
 - (a) The hours for voting in the advance poll shall be as set out in Article 25 of this *Code*.⁹³

ARTICLE 15. VOTING LOCATIONS & MAIL-IN BALLOTS

Polling Station Locations

- 15.1 A polling station shall be in a location that in the opinion of the chief electoral officer is convenient for the electors.
- 15.2 Locations of polling stations will be listed on or before April 10th in the year of the election.^{94,95}
- 15.3 Best efforts will be made to ensure that every polling station will be accessible to handicapped persons.
- 15.4 No polling station may be located in the following places:
 - (f) premises where alcohol or spirits are served;⁹⁶
 - (g) premises in which a candidate has an interest.
- 15.5 Mail-in ballots may be provided to electors in isolated communities that do not have a polling station.⁹⁷

Mail-in Ballots

ARTICLE 16. SCRUTINEERS

Scrutineers

- 16.1 Each candidate may appoint scrutineers to represent him or her at each polling station, and to observe the election procedures on his or her behalf.
- 16.2 Only one scrutineer per candidate may be present in the polling area at any one time.⁹⁸

- 16.3 A scrutineer must present a letter of authorization from his or her respective candidate for the purpose of identifying himself or herself to the returning officer.⁹⁹

ARTICLE 17. BALLOT BOXES

**Ballot
Boxes**

- 17.1 The chief electoral officer shall provide each returning officer with a sufficient number of ballot boxes to conduct the election in his or her region. The ballot boxes shall be made of durable non-see-through material and accompanied by a sufficient number of appropriate seals. The ballot boxes shall permit the deposit of ballots but not permit their removal without breaking the seals after they have been attached.

ARTICLE 18. CONTENTS OF BALLOTS

**Content
of Ballots**

- 18.1 There shall be three ballots, one for the PCMNO, one for MNOYC and one for the MNOVC.¹⁰⁰ Every ballot shall contain the name of the candidates which shall be arranged alphabetically in the order of their surnames and if there are two (2) or more candidates with the same surname, then in the order of their given names.

ARTICLE 19: POLLING BOOTHS

Polling Booths

- 19.1 Each polling station shall contain one or more polling booths arranged so that when a voter is in the polling booth he or she is screened from observation and may mark his or her ballot without interference.
- 19.2 In each polling booth there shall be provided for the use of voters marking their ballots a suitable table, desk or shelf and a suitable marking instrument, which shall be properly maintained during polling hours.

ARTICLE 20. MATERIAL AT POLLING STATION

**Material at
Polling Station**

- 20.1 The returning officer shall before the opening of the poll ensure the following are available:
 - (c) Copies of directions for the guidance of voters in voting;
 - (d) A poll book where the names of all electors are to be entered;
 - (e) A copy of the final lists of electors;
 - (f) A ballot box or ballot boxes as required;
 - (g) A sufficient number of ballot papers;
 - (h) The material necessary to enable voters to mark the ballot papers;
 - (i) Such other forms, office stationery and materials as may be required to enable the returning officer to perform his or her duties;
 - (j) A copy of the Oath of Allegiance as stated in Article 5.7 of this Code; and

(k) A copy of the MNO Statement of Prime Purpose.

20.2 The returning officer shall ensure that all campaign materials shall be removed from the polling station prior to the poll opening.¹⁰¹

ARTICLE 21. PERSONS ENTITLED TO REMAIN IN POLLING AREA

Persons
in
Polling Area

21.1 Only the following persons may remain in a polling area during polling hours:

- (b) poll clerk;
- (j) returning officer;
- (k) chief electoral officer;
- (l) one scrutineer per candidate;
- (m) interpreters.

21.2 Candidates shall not campaign at or within 50 meters of the polling station during polling hours.¹⁰²

ARTICLE 22. SECRECY OF VOTING

Secrecy
of Voting

22.1 No person shall interfere or attempt to interfere with an elector who is marking his or her ballot or casting his or her vote or otherwise attempt to obtain at the polling station information as to the candidate or candidates for whom an elector at that polling station is about to vote or has voted.

22.2 Each returning officer, poll clerk, candidate and scrutineer in attendance at a polling station or at the counting of the ballots shall assist in maintaining the secrecy of the voting and he or she shall not communicate or attempt to communicate any information obtained at the polling place regarding which candidate an elector has voted for or is about to vote for.

ARTICLE 23. SECRET BALLOT

Secret
Ballot

23.6 Voting in the election shall be by secret ballot.

ARTICLE 24. OPENING OF POLLING STATION

24.1 Each returning officer shall attend at the polling station at least thirty (30) minutes prior to the opening of his or her polling station.

24.2 During the 30 minutes immediately prior to the opening of the polling station the returning officer shall show the ballot box to candidates, scrutineers and other persons entitled to be present so that they may see that the ballot box is empty.

Display of Ballot
Box

24.3 After the ballot box has been shown it shall be locked and sealed for receipt of ballots and at all times during the hours of voting.

ARTICLE 25. ADVANCE POLLS

**Advance
Polls**

25.1 An advance poll shall be held on the Saturday immediately preceding the date of elections to enable the following persons to vote:

- (b) electors who are disabled;
- (f) electors who believe that they will be absent from their ordinary place of residence on polling day; and
- (g) poll clerks, scrutineers and candidates who believe that because of their official duties on polling day they will be unable to attend at the polling station to cast their votes.¹⁰³

25.2 Advance polling stations shall be in locations that, in opinion of the chief electoral officer, are convenient for the electors.

25.3 deleted.¹⁰⁴

28.4 The rules in this *Electoral Code* regarding the conduct of an election on election day apply with all necessary modifications to the advance poll.

28.5 Notwithstanding 25.4, advance polls shall be open for voting from 3pm – 7pm in each relevant time zone.¹⁰⁵

25.6 At the close of every advance poll, the returning officer shall:

- c) not sort or unfold the ballots;
- d) count the total number of ballots cast and place them into the marked envelope(s) provided by the chief electoral officer;
- e) seal and sign along the sealed edge of the envelope(s); and
- f) deliver the envelope(s) immediately to a place designated by the chief electoral officer.¹⁰⁶

ARTICLE 26. POLL BOOKS

**Poll
Books**

26.1 Each returning officer shall have available a suitable poll book in which the returning officer or the poll clerk shall enter the names of all electors applying to vote unless those names are previously printed therein. The returning officer or poll clerk shall record whether those electors are objected to or vouched for and by whom and if objected to whether the elector voted or not.

ARTICLE 27. GENERAL PROCEDURE AT POLLING STATION

**Only Listed
Electors Vote**

27.1 Where an elector presents himself or herself at the polling station for the purpose of voting the returning officer shall proceed as follows:

Photo Identification

- (b) The returning officer shall ascertain whether the name of the elector is on the list of electors and if it is not, the returning officer shall not permit the elector to vote.
- (d) The elector shall present photo identification for the purpose of proving their identity to the returning officer.¹⁰⁷ For greater certainty the elector is not required to present an MNO citizenship card as identification.¹⁰⁸
- (e) The returning officer shall record or cause to be recorded in the proper column of the poll book the name, the address and membership number of the MNO citizen.

Scrutineer Objections to Eligibility

- (f) Any candidate or his or her scrutineer may object to the eligibility of any MNO citizen requesting a ballot. If in the opinion of the returning officer such objection is reasonable, it shall be noted in the poll book and shall include the reason for the objection along with the name of the candidate on whose behalf the objection is being made. The returning officer may then give the elector a ballot paper so that the elector may cast his or her ballot. In the event of an objection to the elector, the returning officer shall follow the procedure under Article 34.7 of this *Code*.¹⁰⁹

ARTICLE 28. EXPLANATION OF VOTING

28.1 The returning officer may and upon request shall, either personally or through his Poll clerk explain to the elector as concisely as possible the way in which voting is to be done.

Interpreters

ARTICLE 29. APPOINTMENT OF INTERPRETER

29.1 Where the returning officer has reason to believe that any polling station electors unable to speak or read the English language are likely to present themselves, there shall be provided an interpreter for the purpose of explaining to the electors, questions and answers concerning voting.

Ballots Not Removed

ARTICLE 30. REMOVAL OF BALLOT FROM POLLING STATION

30.1 An elector who has received a ballot paper shall not take it out of the polling station.

Forfeiture of Voting Rights

ARTICLE 31. FORFEITURE OF VOTING RIGHTS

31.1 Where an elector leaves the polling station without first delivering his or her ballot paper to the returning officer or returns it after declining to vote he or she forfeits his or her rights to vote and the returning officer shall make an entry in the poll book in the column for remarks to the effect that the elector received the ballot paper, but took it out of the polling station or returned it declining to vote.

Declining to Vote

31.2 Where an elector returns his or her ballot paper declining to vote, the returning officer shall immediately write the word “declined” upon it and preserve the ballot paper.

Spoiled Ballots

ARTICLE 32. SPOILED BALLOT

32.1 An elector voting who has inadvertently spoiled his or her ballot paper may on returning it to the returning officer obtain another ballot paper and the returning officer shall immediately write the word “spoiled” upon the returned ballot paper and preserve it.

Assistance for Disabled

ARTICLE 33. VOTING BY A DISABLED PERSON

33.1 The returning officer, at the request of an elector who makes a declaration that he or she is unable to read or who is incapacitated by a physical cause from voting in the usual manner shall:

- (a) assist the voter by marking his or her ballot in the manner directed by the voter in the presence of any scrutineers of the candidates and shall place the ballot paper in the ballot box;
- (b) if an elector is accompanied by a friend or relative, permit the friend or relative to accompany the elector into the polling booth and mark the elector’s ballot paper for him or her.

33.2 The returning officer shall not act under subsection (1) until the elector has taken the prescribed oath.

33.3 When a ballot has been marked according to this section, the returning officer or poll clerk shall enter in the poll book opposite the name of the elector and in the appropriate column “voter assistance.”

33.4 Seniors, disabled electors, electors in hospitals may request voting privileges and shall be allowed to vote at their place of residence or hospital in the presence of the returning officer and any scrutineer of a candidate who may be present.

Counting Spoiled & Declined Ballots

ARTICLE 34. PROCEDURE ON CLOSE OF POLL

34.1 After the closing of the poll, the returning officer shall, in the presence of the poll clerk, candidate and scrutineers, immediately count the number of spoiled and declined ballots and record the total on the outside of the envelope containing these ballots and then seal it.

34.2 On complying with subsection 34.1, the returning officer shall count the number of electors whose name appears on the list of electors and the number of electors recorded in the poll book as having voted and shall draw a line immediately under the last name in the poll book and affix his or her initials to the list.

Counting the Vote

34.3 On complying with subsection 34.2, the returning officer shall open the ballot box and proceed with a count of vote and record the result.

Ballots Not Initialed

34.4 The returning officer shall endorse with the words “not initialed” any ballot paper that does not have his or her initials or the initials of such person acting on his or her behalf on the back thereof and any such ballot shall be counted with the other ballots but immediately upon the conclusion of the count, the returning officer shall:

- (a) count the number of “not initialed” ballots, and
- (b) record the total on the outside of the envelope containing these ballots and seal it.

Ballots to be Rejected

34.5 In counting votes the returning officer shall reject any ballot that:

- (a) was not supplied by him or her;
- (b) does not indicate any vote for any candidate;
- (c) contains votes for more candidates than are to be elected;
- (d) is so marked that it is uncertain for which candidate the vote was cast; and
- (e) contains any writing or mark enabling the voter to be readily identified.

Ballots Not to be Rejected

34.6 Notwithstanding subsection 34.5 a ballot shall not be rejected:

- (a) by reason of any writing, numbering or mark omitted by the returning officer; or
- (b) when the vote, though incorrectly made on the ballot, clearly indicates the voters intention to vote for one particular candidate.

Procedure for Disputed Ballots

39.7 In the event the returning officer determines that an elector’s right to vote has been reasonably disputed pursuant to Article 27, the returning officer shall make a note in the poll book of every objection and the name of any candidate on whose behalf such objection was made.

- (b) The returning officer shall place such ballot in a special envelope, which shall, on its cover, contain the name of the elector, his or her MNO registration number, the name of the polling station and the returning officer initials. Such envelopes shall be preserved by the returning officer and forwarded to the chief electoral officer.
- (c) The returning officer shall also forward the specific objection to such elector, as noted in the poll book.

**Statement
of Poll**

- (d) The chief electoral officer shall investigate the objection of such elector and in the event the chief electoral officer determines that the objection is valid, the ballot shall be destroyed sight unseen.
 - (e) If the chief electoral officer determines that the objection is without merit, the envelope shall be opened and the vote(s) shall be counted by the chief electoral officer.¹¹⁰
- 34.8 The returning officer at the conclusion of the count shall complete a statement of poll, indicating the number of votes for each candidate, which shall be signed by the returning officer and poll clerk. The returning officer shall then immediately inform the chief electoral officer, by phone or by fax, as to the number of votes for each candidate, the number of spoiled ballots and any disputed electors.¹¹¹
- 34.9 A copy of the statement of poll shall be attached to the poll book and one page shall be retained by the returning officer to be sent to the chief electoral officer.
- 34.10 Upon completion of the statement of poll the returning officer shall in presence of the persons authorized to be present, place into separate packets:
- (d) the statement of poll;
 - (e) the ballots objected to but counted;
 - (f) the ballots objected to but not counted;
 - (g) the rejected ballots not objected to;
 - (h) the rejected ballots objected to;
 - (i) the spoiled and declined ballots;
 - (j) the discarded ballots;
 - (k) the unused ballots;
 - (l) the poll book with the declaration of the returning officer therein;
 - (m) the list of electors used at the poll;
 - (n) the declarations of electors;
 - (o) the statement of the number of electors as marked by the returning officer as “voter assistance”;
 - (p) the notes taken of objections to ballot papers found in the ballot box; and
 - (q) all other documents that were completed, prepared or used at the election.

- 34.11 The returning officer shall seal each of the envelopes mentioned in section 34.10 with his or her own seal and initial the outside of the envelopes.
- 34.12 The returning officer shall mark on the outside of each of the envelopes a short statement of the contents of the envelopes, the date and name of the election and his or her name.
- 34.13 The returning officer shall then return all envelopes and relevant documents to the chief electoral officer.

ARTICLE 35. ANNOUNCEMENT OF VOTE

Announcing Results

- 35.1 The chief electoral officer shall publicly announce the results of the election and declare elected the candidates who received the largest number of votes.

ARTICLE 36. RECOUNT

Recounts

- 36.1 The chief electoral officer shall recount the ballots where applicable if the chief electoral officer decides that there is a need for a recount or if he or she receives a written request to recount from a candidate on or before May 15th in the year of the election.¹¹²

ARTICLE 37. RECOUNT PROCEDURE AND TIE BREAKING VOTE

Recount Procedure

- 37.1 The chief electoral officer shall give written notice to each candidate of the place, date and hour of the recount.
- 37.2 No person may be allowed in the room where the recount is being conducted except:
 - (b) the chief electoral officer;
 - (c) the returning officer;
 - (d) poll clerk;
 - (e) the candidates or an elector appointed in writing to be present on behalf of the candidates.
- 37.3 In recounting the ballots the chief electoral officer shall follow the same counting rules that a returning officer is required to follow under this electoral code.

Tie Breaking Vote

- 37.4 If, after the recount, no candidate can be declared elected because of a tied vote, the chief electoral officer shall:¹¹³
 - (b) cast an additional vote by marking a ballot for one of the tied candidates;
 - (e) include that vote in the official count; and

- (f) seal the ballot in an envelope marked with the words “chief electoral officer’s vote” and keep it separate from other ballots.

ARTICLE 38. ANNOUNCEMENT OF RECOUNT RESULTS

Announcing
Recount
Results

- 38.1 Upon conclusion of any recounts the chief electoral officer shall publicly announce the results of the recount and declare elected the candidate who received the largest number of votes.

ARTICLE 39. BALLOTS TO BE DESTROYED

Ballots
to be Destroyed

- 39.1 The chief electoral officer shall destroy all ballots on August 1st in the year of the election¹¹⁴ unless:
- (b) directed by an order of a Court;
 - (d) directed by an order of the PCMNO;
 - (e) a request for a recount is received in which case the ballots shall be destroyed ninety days after the results of the recount are announced; or
 - (f) an objection or appeal has been filed pursuant to Article 42 in which case the ballots shall be destroyed October 30th.¹¹⁵

ARTICLE 40: GENERAL

Election
Not Void for
Irregularities

- 40.1 If it is shown that the election was conducted in accordance with this *Code* and that the irregularity, failure, non-compliance or mistake did not materially affect the result of the election, no election is void by reason of:¹¹⁶
- (b) failure to publish, late distribution or non-receipt of the Métis Voyageur;¹¹⁷
 - (e) an irregularity on the part of an election officer or in any of the proceedings preliminary to the poll;
 - (f) a failure to hold a poll at any place appointed for holding a poll;
 - (g) non-compliance with the provisions of this *Electoral Code* relating to the taking of the poll or the counting of the votes or with regard to limitations of time, or
 - (h) any mistake in the use of the prescribed forms.¹¹⁸
- 40.2 This *Code* may not be substantially changed after approval by the last General Assembly before the election.¹¹⁹

ARTICLE 41. INTERPRETATION

Interpretation

- 41.2 Unless the context otherwise requires, words imparting the singular number or the masculine gender shall include the plural number or feminine gender, as the case may be, and vice-versa.

ARTICLE 42. OBJECTIONS & APPEALS¹²⁰

**Objection
by
Candidate**

42.2 A candidate may object to the announced results respecting his or her election in writing to the chief electoral officer on or before May 25th in the year of the election.¹²¹ Such objection shall include the reasons for the candidate's objection and may include evidence and letters in support from other MNO citizens.

(o) For greater certainty no individual candidate may object to or¹²² appeal:

- i. an election in which he or she was not a candidate; or
- ii. the entire MNO election in general.

42.3 On receipt of an objection pursuant to Article 42.1, the chief electoral officer will investigate the question or issue and for those purposes may interview any persons or review any materials necessary and shall issue a decision in writing on or before June 1st in the year of the election.¹²³ The chief electoral officer's decision shall include his or her reasons for decision and shall inform the candidate of the availability of a further appeal pursuant to Article 42.3.

Appeal

42.4 A candidate may apply to appeal the decision of the chief electoral officer pursuant to Article 42.2. The application for appeal shall be in writing to the PCMNO on or before June 10th in the year of the election.¹²⁴ The application for appeal shall state the reasons for the appeal and may include argument, evidence and letters of support.

42.5 Upon receipt of an application for appeal pursuant to Article 42.3, the PCMNO shall ask the chief electoral officer to provide a full written report on all relevant aspects of the election for the position the candidate is appealing. Such report shall be delivered on or before June 20th in the year of the election and shall include but is not limited to the following:¹²⁵

- a) the facts with respect to the appellant's election;
- b) any documents necessary, including voters lists, advertisements, correspondence, etc.,
- c) any irregularities in the election;
- d) if irregularities occurred, the opinion of the chief electoral officer as to whether such irregularities substantially affected the outcome of the election;
- e) the opinion of the chief electoral officer as to whether the appeal is frivolous or vexatious; and
- f) recommendations.

Appeal Process

- 42.6 On or before July 1st in the year of the election,¹²⁶ the PCMNO shall appoint an independent investigator to hear the appeal.
- b) The appeal shall be conducted consistent with the rules of natural justice.
 - c) The hearing of the appeal is not an oral hearing. The investigator shall hear the appeal in writing.
 - d) The investigator will review the facts of the specific election at issue and for those purposes may interview any persons, invite written submissions, or review any materials necessary.
 - e) The investigator shall prepare a written report and shall make a decision in writing on or before July 30th in the year of the election.¹²⁷ The investigator's report and the appeal decision shall be delivered to the chief electoral officer, the appellant and the PCMNO.
- 42.7 The investigator in making his or her decision shall take into account the report and recommendations of the chief electoral officer, any submissions or evidence provided by the appellant and any other materials necessary. The investigator may consult MNO's legal counsel for advice.
- 42.7 The investigator:
- (a) shall determine whether the election was conducted pursuant to this *Code* and the *MNO By-Laws*;
 - (b) shall determine, subject to article 40.1, whether any irregularities which may have occurred materially affected the outcome of the election;
 - (c) shall either make a decision to uphold or overrule the decision of the chief electoral officer;
 - (d) may make recommendations to the PCMNO with a view to improving future MNO election procedures; and
 - (e) may determine if the appeal is frivolous or vexatious, based on a consideration of whether:
 - i. it is plain and obvious that there were no irregularities in the election process; or
 - ii. there is sufficient evidence that the candidate is challenging the election with the intention of bringing the reputation of MNO or a particular candidate into disrepute.
- 42.8 Unless and until the election result is overturned by the investigator pursuant to article 42.7, the candidate declared elected by the chief electoral officer shall be considered elected and shall hold office.¹²⁸

Candidate Holds Office Pending Appeal Results

Results
of
Appeal

- 42.9 The decision of the investigator pursuant to article 42.7(a), (b), (c) or (e) is final and binding.
- 42.10 If the investigator determined that the election was not conducted pursuant to this *Code* or the *MNO By-Laws*, or that irregularities occurred that materially affected the outcome of the election, a by-election will be held.¹²⁹
- 42.11 After the investigator's decision, the chief electoral officer shall immediately and publicly announce the results of the appeal process and either announce a person elected or announce a by-election.¹³⁰
- 42.12 In the event that a by-election is to be held, the chief electoral officer shall announce a date for the by-election, which shall be on or before October 30th in the year of the election;¹³¹ and
 - (b) the by-election shall, with necessary modifications,¹³² follow the processes and rules set out for elections pursuant to this *Code*, bearing in mind any procedural recommendations made by the investigator pursuant to article 42.7(c).

Note by Legal Counsel:

Amendments, which are duly noted in the endnotes, to Part A of the *MNO Electoral Code* were approved by the MNO-AGA in Parry Sound on **July 20th 2011.**

Part A of the *MNO Electoral Code* was officially registered by legal counsel on **September 21st 2011. This version of the *MNO Electoral Code* replaces all previous versions. It governs and may not be amended prior to the MNO 2012 elections.**

APPENDIX A. ELECTION TIMETABLE

The following timetable is set out for convenience only.

	Event	Article	Date in year of Election
1.	Application for MNO citizenship	2.1(y)	February 20 th
2.	Approval of MNO citizenship application	2.1(y)	March 31 st
3.	Written notice of suspension of privileges	5.5(b)	March 15 th
4.	Notice of outstanding financial obligations	6.3(c)	March 15 th
5.	Nominations Information Notice Posted	6.1	April 1 st
6.	Preliminary List of Electors Posted	7.3	April 1 st
7.	Polling Stations Listed	15.1	April 10 th
8.	Close of Nominations	6.2	April 15 th
9.	Amendments to List of Electors closes	7.5	April 20 th
10.	Final List of Electors Posted	7.4	April 20 th
11.	Acclamations Announced	8.1	April 22 nd
12.	Candidates Posted	10.1	April 22 nd
13.	Advance Poll	25.1	Saturday before date of election
14.	Date of election	3.1	First Monday in May
15.	Deadline to request a recount	36.1	May 15 th
16.	Objections deadline	42.1	May 25 th
17.	Chief Electoral Officer's decision on objection	42.2	June 1 st
18.	Application for Appeal	42.3	June 10 th
19.	Report of chief electoral officer for use in appeal	42.4	June 20 th
20.	PCMNO to appoint investigator to hear appeal	42.5	July 1 st
21.	Appeal decision	42.5(d)	July 30 th
22.	Ballots Destroyed where no objection or appeal	39.1	August 1 st
23.	Ballots Destroyed after an objection or appeal	39(1)(d)	October 30 th

ENDNOTES

- ¹ Added by legal counsel in January 2002 to make consistent with Part B.
- ² Added by legal counsel in January 2002 to assist in keeping track of official versions of the *Code*.
- ³ Amended by the PCMNO March 9, 1999 to include MNOY. MNOY changed to MNOYC by AGA, July 20, 2011.
- ⁴ Amended by the PCMNO July 4, 2004 to include the MNOVC.
- ⁵ Amended by PCMNO June 2007 and approved by AGA July 2007 to remove WMNO.
- ⁶ The division into two parts was approved by PCMNO June 7-8, 2001.
- ⁷ Amended by PCMNO July 4, 2004 to include appendices and endnotes.
- ⁸ MNOY changed to MNOYC by AGA resolution, July 20, 2011.
- ⁹ Amended by PCMNO July 4, 2004 to include MNOVC and to clarify the distinction between a person who is nominated and one who is a candidate. (previously read "... means a person who is nominated for office in the PCMNO, WMNO or the MNOY"). Subsequently amended in June 2007 by the PCMNO and approved by AGA July 2007 to remove WMNO.
- ¹⁰ Added by PCMNO June 7-8, 2001.
- ¹¹ Amended by PCMNO July 4, 2004 by adding the phrase "as amended from time to time".
- ¹² MNOY changed to MNOYC by AGA resolution, July 20, 2011.
- ¹³ Added by PCMNO July 4, 2004. The MNOVC did not become an MNO Charter entity until 2003. This addition adds MNOVC elections to the *Code*.
- ¹⁴ Amended by the PCMNO April 12, 1996 (previously read "who lived or has lived"). Subsequently amended by the MNO Annual Assembly July 1998 in Kenora (previously read "a person who lives or has lived the majority of the past year...")
- ¹⁵ Amended by PCMNO February 1999 (previously read "regional representative")
- ¹⁶ Added by PCMNO June 7-8, 2001
- ¹⁷ Added by PCMNO July 4, 2004 for clarity.
- ¹⁸ Amended by PCMNO July 4, 2004 (previously read "... as of February 20th ...")
- ¹⁹ Amended by PCMNO February 1999 (previously read "registered citizen" means a Metis whose application for MNO citizenship has been registered at the head office of the MNO as of midnight March 31st in the year of the election.")
- ²⁰ Amended by PCMNO July 4, 2004 (previously read "...whose genealogical documentation and proof of Aboriginal ancestry has been verified by the MNO registrar...")
- ²¹ Added by PCMNO February 1999.
- ²² Added by PCMNO July 4, 2004.
- ²³ Amended by the PCMNO February 20, 1999 (previously read "MWO"). Subsequently deleted by PCMNO June 2007 and approved by AGA July 2007. Previously read "WMNO" means the Women of the Métis Nation of Ontario."
- ²⁴ Added by PCMNO July 4, 2004. Previously there was no timetable set out in this *Code*.
- ²⁵ Section 5.1 was redrafted on March 9, 1999 to remove the redundancy which resulted from an amendment (by resolution of the MNO Assembly, Kenora 1998) to the definition of "ordinarily resident". The new wording of "ordinarily resident" specifies that the residency is for at least one year prior to the date of the election. Article 5.1 previously read "Any Registered Citizen of the MNO is eligible to be an Elector if that person has been Ordinarily Resident in Ontario for at least one (1) year prior to the date of Election."
- ²⁶ Added by PCMNO July 4, 2004.
- ²⁷ Amended by the General Assembly - July 18, 1997, Motion #2 (previously read "24 years of age or younger"). Subsequently amended by the MNO Special Assembly, Toronto, November 1998 to "between the ages of sixteen (16) and twenty-four (24) years of age". Amended again by PCMNO February 1999 to present wording. Youth regional councilors were added by PCMNO March 9, 1999. MNOY changed to MNOYC by AGA resolution, July 20, 2011.
- ²⁸ Added by PCMNO June 7-8, 2001. Deleted by PCMNO June 2007 and approved by AGA July 2007. Previously read, "Only female electors may vote for the WMNO representatives." "Regional Youth Councilors" changed to "Regional Youth Representatives" by AGA Resolution, July 20, 2011.
- ²⁹ Added by PCMNO July 4, 2004.
- ³⁰ Amended by PCMNO June 2007 and approved by AGA July 2007 to add the affirmation.

³¹ Amended by PCMNO March 9, 1999 as a consequence of deleting the role of “deputy returning officer”. Since there are no regional returning officers, all ties will be broken by the chief electoral officer. The following was deleted from (a) “except to break a tie between regional councilors at the recount” and from (b) “between executive candidates, post-secondary representative or youth representative.”

³² Added by PCMNO June 7-8, 2001

³³ Added by PCMNO June 7-8, 2001

³⁴ Amended by General Assembly, July 12, 2001, Resolution #6. Previously read “individuals whose rights and privileges as MNO citizens have been suspended by notice in writing and have not to the satisfaction of the Chief Administrative Officer complied with the requirements for reinstatement by March 15th in the year of the election.”

³⁵ Amended by PCMNO July 4, 2004 to reflect the new definition of Métis in the MNO bylaws. (previously read “... I am a Métis and identify as such. I have at least one grandparent who is an Aboriginal person. I am ordinarily resident in the province of Ontario. I affirm that I am not registered as an Aboriginal person under either the Indian Act or the Inuit Registry...”)

³⁶ Amended by PCMNO February 1999 by adding “I pledge my allegiance to the MNO as the only representative political body for the Métis in Ontario. I agree with the aims and objectives of the MNO as stated in the Statement of Prime Purpose.”³⁶

³⁷ Amended by PCMNO July 4, 2004 (previously read “... 31 days before the date of elections ...”)

³⁸ Amended by PCMNO March 89, 1999 (previously read “... in the offices of each regional council and in newspapers that have a general distribution in each region notice of.”)

³⁹ Added “eastern time” by PCMNO July 4, 2004. Amended by PCMNO June 2007 and approved by AGA July 2007 in recognition of the fact that the MNO election is in two separate time zones.

⁴⁰ Amended by the PCMNO April 12, 1996 to “17 days prior to the date of elections” for the 1996 election only. Amended by PCMNO March 9, 1999 to include “MNOY”. Added “MNOVC” by PCMNO July 4, 2004. PCMNO, June 2007 and approved by AGA July 2007, deleted “Nominations of candidates for the offices of executive, post-secondary representative, MNOVC, WMNO, youth representative, MNOY and regional councilors shall be received by the chief electoral officer at a location specified by the chief electoral officer prior to on April 15th.”

⁴¹ Added by PCMNO July 4, 2004.

⁴² Amended by PCMNO June 7-8, 2001. Previously read “has no financial debt owing to MNO that is more than thirty (30) days in arrears.”

⁴³ Amended by the PCMNO April 12, 1996. Amended by PCMNO February 1999 (previously read “21 years”). The intention is that the youth representative will remain a youth for the entire term of office, hence the requirement that they be at least 3 years younger than the maximum age for youth which is 29 years old.) Amended March 9, 1999 to include “MNOY”. Amended June 2007 to delete “WMNO”. MNOY changed to MNOYC by AGA resolution, July 20, 2011.

⁴⁴ Added by PCMNO July 4, 2004

⁴⁵ Added by PCMNO February 1999.

⁴⁶ Added by PCMNO July 2001.

⁴⁷ Added by PCMNO July 2001.

⁴⁸ Added by PCMNO June 2007 and approved by AGA July 2007 the phrase “the MNO Citizenship Policy.”

⁴⁹ Added by PCMNO, July 4, 2004. Deleted the phrase “rights and...” by PCMNO June 2007.

⁵⁰ Added by PCMNO June 2007 and approved by AGA July 2007.

⁵¹ Number of elector signatures required changed from seven (7) in “each region” to seven (7) in “five of the nine regions” by AGA resolution, July 20, 2011.

⁵² Added by PCMNO June 2007 and approved by AGA July 2007.

⁵³ Added by PCMNO June 2007 and approved by AGA July 2007.

⁵⁴ Amended by PCMNO February 1999 by deleting the one hundred dollar (\$100.00) deposit for WMNO regional councilors and the WMNO post secondary representative and also deleting the twenty-five (\$25.00) deposit for the WMNO youth representative. Deleted by PCMNO June 2007 and approved by AGA July 2007. Previously read “All nominations for Provisional Council of the WMNO shall include the following: (a) written acceptance of the nomination by the candidate; (b) for positions on the WMNO executive, a minimum of seven (7) signatures of women electors from each region; (c) for WMNO regional councilors, a minimum of eleven (11) signatures of women electors from that region; (d) for WMNO post secondary representative, a minimum of four (4) signatures of women electors from each region; (e) for WMNO youth representative, a minimum of four (4) signatures of female youth electors from each region; and (f) a non-refundable deposit which shall be deposited into the MNO electoral fund in the sum of one hundred dollars (\$100.00) for WMNO President.”

- ⁵⁵ Amended by PCMNO March 9, 1999 to include the MNOY regional councilors. MNOY and “regional youth councilor” changed to MNOYC and “Regional Youth Representative” by AGA resolution, July 20, 2011.
- ⁵⁶ Amended subsequently by PCMNO March 9, 1999. Previously amended by MNO Special Assembly November 1998 from “21” years to “twenty-four (24) years of age or younger”.
- ⁵⁷ Added by PCMNO June 2007 and approved by AGA July 2007.
- ⁵⁸ Amended by PCMNO March 9, 1999 (previously read “under the age of twenty-four (24)”).
- ⁵⁹ The following was deleted by PCMNO February 1999:
“(d) a non-refundable deposit in the sum of twenty-five dollars (\$25.00) which shall be deposited into the MNO electoral fund.”
- ⁶⁰ Added by PCMNO June 7-8, 2001. Required signatures changed from seven (7) to four (4) and “youth regional councilors” changed to “regional youth representatives” by AGA resolution, July 20, 2011.
- ⁶¹ Added the phrase “who are under the age of 29” by General Assembly July 12, 2001, Resolution #6.
- ⁶² Added by PCMNO June 2007 and approved by AGA July 2007.
- ⁶³ Added by PCMNO July 4, 2004
- ⁶⁴ Amended by PCMNO July 4, 2004 (previously read “Each community may select a Senator to sit on their community council. At the Annual Assembly these Senators shall select four (4) Senators to sit on the PCMNO. These four shall select one (1) Senator to sit on the Executive.”)
- ⁶⁵ Added by PCMNO June 7-8, 2001. MNOY changed to MNOYC by AGA resolution, July 20, 2011.
- ⁶⁶ Added by PCMNO July 4, 2004
- ⁶⁷ Amended by PCMNO June 2007 and approved by AGA July 2007 to remove “WMNO”.
- ⁶⁸ Amended by PCMNO July 4, 2004 (previously read “... may accept or place a nomination for a position...”)
- ⁶⁹ Amended by PCMNO July 4, 2004 to add MNOY and MNOVC.
- ⁷⁰ Amended by PCMNO July 4, 2004 to remove the word “provincial”. (previously read “... another provincial Aboriginal body...”)
- ⁷¹ Amended by the PCMNO Nov. 12, 1998. Amended by PCMNO June 2007 and approved by AGA July 2007 to remove “WMNO.”
- ⁷² Amended for clarity March 9, 1999 by adding “registered”.
- ⁷³ Amended by the PCMNO Nov. 12, 1998. (previously read April 6th) Amended by PCMNO March 9, 1999 from “regional office” to “Métis community council office”.
- ⁷⁴ Amended by PCMNO July 4, 2004 (previously read “... 14 days before the date of election”)
- ⁷⁵ Amended by the PCMNO Nov. 12, 1998. (previously read 31 days) Amended by PCMNO March 9, 1999 from “regional office” to “Métis community council office”.
- ⁷⁶ Amended by the PCMNO April 12, 1996 to “17 days before the date of elections” for the 1996 election only.
- ⁷⁷ Amended by PCMNO July 4, 2004 (previously read “up to 14 days before the date of election”)
- ⁷⁸ Added by PCMNO March 9, 1999.
- ⁷⁹ Amended by PCMNO June 7-8, 2001. Phrase added is “...within seven (7) days of...”
- ⁸⁰ Amended by PCMNO July 4, 2004 (previously read “within seven (7) days of the time nominations close”)
- ⁸¹ The addition of a second round of elections to fill vacancies and to be held at the Annual Summer Assembly was added by PCMNO, July, 2002.
- ⁸² Amended by PCMNO June 7-8, 2001. Further amended by PCMNO July, 2002. Previously read “If, after the close of nominations there are offices that remain without candidates or without persons elected by acclamation, the chief electoral officer shall set another day for the receipt of nominations for the remaining offices. Nominations shall be six months from the date of the election and shall follow the processes and rules set out in this *MNO Electoral Code*.”
- ⁸³ Deleted by PCMNO June 2007 and approved by AGA July 2007. Previously read “notwithstanding Article 9.1(a), the Annual Summer Assembly election process for filling vacancies in the WMNO shall be established by the chief electoral officer in consultation with the WMNO;”
- ⁸⁴ MNOY changed to MNOYC by AGA resolution, July 20, 2011.
- ⁸⁵ Deleted by PCMNO June 7-8, 2001. Previously read “If there are more than four (4) candidates nominated for any office the chief electoral officer shall declare a preferential ballot whereby electors will select their preferred three (3) candidates.
- ⁸⁶ Amended by PCMNO July 4, 2004 (previously read “within seven (7) days after the close of nominations”)
- ⁸⁷ Electoral Code amended by PCMNO March 9, 1999 to delete all references to “deputy returning officer”.
- ⁸⁸ Amended by PCMNO July 2002. Previously read “A person who is the spouse, child, brother, sister, mother or father of any candidate shall be ineligible to be appointed returning officer or poll clerk.”
- ⁸⁹ Amended by PCMNO July 4, 2004 (previously read “executive”)

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- ⁹⁰ Amended by PCMNO June 2007 and approved by AGA July 2007.
- ⁹¹ Added by PCMNO June 2007 and approved by AGA July 2007. MNOY changed to MNOYC by AGA resolution, July 20, 2011.
- ⁹² The references to Eastern time were added by the General Assembly, July 12, 2001, Resolution #6. Amended by PCMNO June 2007 and approved by AGA July 2007 in recognition of the fact that the MNO election covers two time zones – Eastern and Central.
- ⁹³ Added by PCMNO July 4, 2004.
- ⁹⁴ Amended by the PCMNO April 12, 1996 to “17 days prior to the date of elections” for the 1996 election only.
- ⁹⁵ Amended by PCMNO July 4, 2004 (previously read “21 days prior to the date of elections”)
- ⁹⁶ Added by PCMNO June 7-8, 2001
- ⁹⁷ Added by PCMNO March 9, 1999.
- ⁹⁸ “per candidate” added by PCMNO June 7-8, 2001
- ⁹⁹ Amended by PCMNO March 9, 1999 (previously read “Each candidate may appoint not more than one elector as a scrutineer to represent him or her at each polling station, and to observe the election procedures on his or her behalf.”)
- ¹⁰⁰ Added by PCMNO June 7-8, 2001. Amended by PCMNO July 4, 2004 to add another ballot for MNOVC. Amended by PCMNO June 2007 and approved by AGA July 2007 to remove the WMNO ballot. MNOY changed to MNOYC by AGA resolution, July 20, 2011.
- ¹⁰¹ Added by PCMNO June 2007 and approved by AGA July 2007.
- ¹⁰² Amended by PCMNO June 2007 and approved by AGA July 2007 to replace the sentence “Nothing in this *Electoral Code* restricts a candidate from briefly visiting a polling station during polling hours.”
- ¹⁰³ “returning officers” removed from this list by PCMNO June 7-8, 2001
- ¹⁰⁴ Deleted by PCMNO June 2007 and approved by AGA July 2007. Previously read, “The returning officer shall obtain from each elector prior to voting at the advance poll, a signed statement indicating that the elector is unable to vote at his or her polling station on election day and will not vote on election day.”
- ¹⁰⁵ Amended by PCMNO July 4, 2003. (previously the hours for the advance poll were the same as the hours for polls on election day). Amended by PCMNO June 2007 and approved by AGA July 2007 to clarify that the MNO election covers two time zones – Eastern and Central.
- ¹⁰⁶ Amended by PCMNO, June 2007 and approved by AGA July 2007, previously read, “At the close of every advance poll, the returning officer shall remove the ballot box and ensure that the number of ballots in the box when combined with the number of unused ballots, equals the number of ballots which the returning officer was given at the commencement of voting. The ballots shall not be sorted or unfolded, but shall be counted to determine that there is no discrepancy between the number of ballots cast and left over when compared with the number of ballots with which the polling station opened. All ballots shall then be placed into marked envelopes provided by the chief electoral officer, signed and sealed, along with the unused ballots and delivered immediately to a place designated by the chief electoral officer.”
- ¹⁰⁷ Amended by PCMNO March 9, 1999 by adding the requirement of presenting photo identification to the returning officer.
- ¹⁰⁸ Added by PCMNO June 2007 and approved by AGA July 2007.
- ¹⁰⁹ Amended by PCMNO March 9, 1999 to include requirement that the objection must be reasonable in the opinion of the returning officer and following the procedure for disputed electors in Article 32.
- ¹¹⁰ Amended by PCMNO March 9, 1999 to add the process of isolating, investigating and counting the disputed elector’s ballot.
- ¹¹¹ Added by PCMNO March 9, 1999 the instruction to the returning officer to inform the chief electoral officer of the results of the count.
- ¹¹² Amended by PCMNO July 4, 2004 (previously read “within fourteen (14) days from the date of the election”)
- ¹¹³ Amended by PCMNO March 9, 1999 to reflect the removal of the regional & deputy returning officers. The chief electoral officer casts all tie breaking votes.
- ¹¹⁴ Amended by PCMNO July 4, 2004 (previously read “ninety (90) days from the date of the election”)
- ¹¹⁵ Added by PCMNO July 4, 2004
- ¹¹⁶ Amended by legal counsel January 2002 for clarity.
- ¹¹⁷ Added by PCMNO June 7-8, 2001
- ¹¹⁸ References to the “Métis electoral appeal council” in the definitions and in this section were deleted by the General Assembly, July 12, 2001, Resolution #6.
- ¹¹⁹ Added by PCMNO June 7-8, 2001
- ¹²⁰ The entire appeals section was added by PCMNO in June 2002.

¹²¹ Amended by PCMNO July 4, 2004 (previously read “within ten (10) days after the chief electoral officer has made his or her announcement”)

¹²² Added by July 4, 2004.

¹²³ Amended by PCMNO July 4, 2004. (previously read “within ten (10) days after receiving such objection”)

¹²⁴ Amended by PCMNO July 4, 2004 (previously read “within ten (10) days of the date of the chief electoral officer’s decision”)

¹²⁵ Amended by PCMNO July 4, 2004 (previously read “within ten (10) days of the receipt of the application for appeal”)

¹²⁶ Amended by PCMNO July 4 2004 (previously read “Within fifteen (15) days of receipt of an application for appeal”)

¹²⁷ Amended by PCMNO July 4 2004 (previously read “within thirty (30) days after being appointed by the PCMNO”)

¹²⁸ Amended by PCMNO July 4, 2004 (previously read “Unless and until the election result is overturned by the investigator pursuant to article 42.7, the decision of the chief electoral officer shall stand, and the candidate shall be considered elected and shall hold office.”)

¹²⁹ Amended by PCMNO July 4, 2004 (previously read “If the decision of the investigator overrules the decision of the chief electoral officer a by-election will be held.”)

¹³⁰ Amended by PCMNO July 4, 2004 (previously read “If, after the investigator’s decision pursuant to article 42.7, the candidate previously declared elected by the chief electoral officer is affirmed, the chief electoral officer shall publicly announce the results of the appeal process and confirm the candidate elected.”)

¹³¹ Amended by PCMNO July 4, 2004 to set a fixed date for the by-election. (previously read “The chief electoral officer shall set another day for the receipt of nominations for the by-election. Nominations shall be within six (6) months of the date of the investigator’s decision”)

¹³² Added by PCMNO July 4, 2004.