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1. Definitions and Interpretation

1.1 In these Guidelines:

“AGA” means the MNO Annual General Assembly with the rights, roles, and responsibilities set out in the Bylaws;

“Ballot” means a Paper Ballot, Electronic Ballot, or Telephone Ballot submitted in accordance with these Guidelines;

“Ballot Question” means the question approved by 2022 MNO AGA Resolution No. AGA220820-02, which is reproduced in Appendix B to these Guidelines;

“Bylaws” means the bylaws of the MNO Secretariat Inc. as amended from time to time;

“Chief Electoral Officer” means the individual appointed by the PCMNO to oversee the Plebiscite in accordance with the roles and responsibilities outlined in these Guidelines;

“Electronic Ballot” means an image of a Ballot on a computer screen;

“Electronic Voting” means voting via the internet;

“Guidelines” means this document titled, “MNO Registry Review Province-Wide Plebiscite Vote Guidelines”;

“MNO” means the Métis Nation of Ontario, which is the democratically-elected government for its citizens and Métis communities through its governance structures at the local, regional, and provincial levels and includes the Métis Nation of Ontario Secretariat Inc. as its legal and administrative arm;

“MNO Region” means the nine (9) administrative regions of the MNO;

“Paper Ballot” means a Ballot on a piece of paper;

“PCMNO” means the Provisional Council of the Métis Nation of Ontario with the rights, roles, and responsibilities set out in the Bylaws;

“PIN” means a unique personal identification number issued to a Voter for use in Telephone or Electronic Voting;

“Plebiscite” means the province-wide vote as directed by 2022 MNO AGA Resolution No. AGA220820-02, which is attached as Appendix A to these Guidelines;

“Plebiscite Resolution” means 2022 MNO AGA Resolution No. AGA220820-02, which is attached as Appendix A to these Guidelines;
“Registry Review” means the review initiated by the PCMNO in 2017 pursuant to PCMNO Resolution PC171022-08 to determine whether all MNO citizenship files meet the current requirements for MNO citizenship as set out in the Bylaws and Registry Policy;

“Registry Policy” means the policy adopted (2014) and subsequently amended (2015 and 2019) by the MNO AGA that sets out the requirements for citizenship within the MNO that the MNO Registrar must apply;

“Telephone Ballot” means an audio set of instructions which describe the choices available to the Voter and instructions to mark the Voter’s selection of an affirmative or negative response by depressing the phone numbered telephone keypad of a telephone or wireless phone;

“Telephone Voting” means voting via telephone or wireless phone;

“Voter” means an MNO citizen who is entitled to vote in the Plebiscite pursuant to these Guidelines;

“Voters List” means the list of Voters described in section 9 of these Guidelines;

“Voting Day” means the day designated as the final day of the Voting Period by the PCMNO or as amended in accordance with these Guidelines;

“Voting Period” means the period of time between the official commencement of the Plebiscite and the Voting Day, as designated by the PCMNO;

1.2 When calculating the number of days between two events, exclude the day on which the first event happens and include the day on which the second event happens. If the second event falls on a weekend or holiday observed by the MNO, the next business day should be used.

(a) A timetable setting out many of the scheduled deadlines is attached, for convenience, as Appendix C. In the event of any conflict between the timetable and a written provision in these Guidelines, the written provision in the Guidelines shall prevail.

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

2. Context and Purpose for the Plebiscite and Guidelines

2.1 Article 14 of the Bylaws provide that “the PCMNO shall make decisions and act in a manner consistent with upholding and advancing the MNO Statement of Prime Purpose and shall take its direction from and shall report to the General Assembly.”
2.2 The 2022 MNO AGA passed the Plebiscite Resolution, which is attached as Appendix A to these Guidelines. This resolution directs that a Plebiscite be conducted based on the Ballot Question.

2.3 The purpose of these Guidelines is to implement the direction set out in the Plebiscite Resolution, including setting out the processes and procedures to be followed to conduct the Plebiscite.

2.4 These Guidelines are subordinate to and shall be implemented in accordance with the Bylaws. In the event of any conflict between the Bylaws and these Guidelines, the Bylaws shall prevail.

3. The Chief Electoral Officer for the Plebiscite

3.1 The PCMNO shall appoint a Chief Electoral Officer responsible for overseeing the conduct of the Plebiscite and has all the powers necessary to carry out that responsibility, including:

(a) providing guidance and supervision respecting the conduct of the Plebiscite;

(b) ensuring that all individuals involved in the Plebiscite conduct their duties in compliance with these Guidelines and in a manner that is fair and impartial;

(c) issue information and guidance they consider necessary to ensure the effective carrying out of the provisions in these Guidelines;

(d) reconciling all Ballots and preparing an official Plebiscite report to the MNO; and

(e) performing all duties assigned under these Guidelines.

3.2 The Chief Electoral Officer will execute an Oath of Office (Appendix D).

3.3 The MNO shall enter into a contract with the Chief Electoral Officer so they can undertake the scope of work set out in these Guidelines and operate independently.

3.4 In any contract contemplated in section 3.3, the MNO shall indemnify the Chief Electoral Officer and others undertaking work under these Guidelines and pursuant to the contract.

3.5 The Chief Electoral Officer may appoint one or more Deputy Electoral Officers and may delegate any of the duties set out herein to ensure compliance and the successful conclusion of the Plebiscite.

(a) Upon appointment, each Deputy Electoral Officer will also execute an Oath of Office (Appendix D).

3.6 The Chief Electoral Officer shall retain independent legal counsel to advise them in the performance of their duties or in relation to issues that emerge as required. The contract
the MNO enters into with the Chief Electoral Officer to undertake their work shall include a provision for this.

3.7 If the Chief Electoral Officer is unable or fails to perform their duties, the PCMNO may appoint a new Chief Electoral Officer.

4. **Voters**

4.1 An individual who meets all of the following criteria, as of the Voting Day, is eligible to be a Voter in the Plebiscite:

   (a) a registered MNO citizen;

   (b) sixteen (16) years of age or older; and

   (c) not subject to any voting limitations pursuant to article 10 of the Bylaws.

4.2 A Voter may only vote once on the Ballot Question by submitting either a Telephone Ballot, Electronic Ballot, or mail-in Paper Ballot.

5. **Calling the Plebiscite**

5.1 At least twenty (20) days prior to the beginning of the Voting Period the PCMNO shall pass a resolution approving/appointing the:

   (a) Guidelines;

   (b) Chief Electoral Officer;

   (c) Voting Period and Voting Day;

   (d) Ballot Question; and

   (e) available voting platforms.

6. **Notice of Vote**

6.1 The Chief Electoral Officer will post the Notice of Vote at least twenty (20) days prior to the beginning of the Voting Period on the MNO website.

   (a) No error or omission in the text or issuance of the Notice of Vote shall prevent the Plebiscite from occurring or invalidate the Plebiscite results. Reasonable steps shall be taken to correct any such errors as soon as possible.

6.2 The Notice of Vote shall contain the following information:

   (a) the Voting Period;
(b) the Voting Day;

(c) available voting platforms (e.g., telephone, electronic, mail), means for accessing such platforms, and relevant dates if different from the Voting Period;

(d) the Ballot Question;

(e) the name of the Chief Electoral Officer;

(f) instructions for how to obtain more information, support, and assistance; and

(g) any other information the Chief Electoral Officer deems necessary.

6.3 Forthwith after posting the Notice of Vote pursuant to this section, the Chief Electoral Officer will provide a true copy of the Notice of Vote to the MNO.

7. Information for Voters

7.1 The Chief Electoral Officer will ensure the MNO sends or causes to be sent the following information to each Voter on the Voters List where sufficient contact information is available:

(a) a voter information card;

(b) a copy of the Notice of Vote;

(c) a mail-in Paper Ballot package;

(d) a PIN to use for Telephone or Electronic Voting;

(e) website links and instructions on how to access additional background information and reports related to the Registry Review; and

(f) any other information as directed by the MNO or deemed necessary by the Chief Electoral Officer.

7.2 In addition to the information provided under subsection 7.1, the MNO may conduct or cause to be conducted any of the following activities, subject to section 8, at any time prior to one (1) clear day before the Voting Day:

(a) visits to the homes of Voters at the Voter’s request;

(b) telephone contact with Voters;

(c) SMS/Text messaging contact with Voters;

(d) email contact with Voters;
(e) information meetings or gatherings; and

(f) such other information activities as may be deemed appropriate.

7.3 All scheduled activities, documentation, notices, or prepared information to be shared with Voters conducted in accordance with subsection 7.2 must also be filed with the Chief Electoral Officer.

7.4 Nothing in this section precludes any form of contact with any Voter during the Voting Period for the purposes of assisting and encouraging such Voters to get out and vote in accordance with section 8.

7.5 Notwithstanding anything in this section, any Voter may, on request, obtain a copy of any and all documentation available to Voters referred to in this section at no cost.

8. Communications on the Plebiscite

8.1 Before the end of the Voting Day, official MNO communications in relation to the Plebiscite shall be non-partisan, consistent with the Plebiscite Resolution, and may be used to:

(a) encourage MNO citizens to vote in the Plebiscite;

(b) provide MNO citizens with information on how to vote in the Plebiscite; and

(c) share information that is based on or set out in the Plebiscite Resolution, including, but not limited to educating MNO citizens about the MNO, providing history and context on the Registry Review and the Plebiscite, discussing feedback received from MNO citizens to date, providing access to the documents referred to in the Plebiscite Resolution, etc.

8.2 This section does not impose any obligation on the MNO to engage with or respond to third parties.

8.3 The MNO shall establish a webpage and develop communication materials that are consistent with the Plebiscite Resolution and section 8.1, which MNO citizens will be directed to in response to any questions they may have.

8.4 Any questions relating to the conduct of the Plebiscite shall be referred to the Chief Electoral Officer.

8.5 This section does not create or impose obligations on MNO elected leadership beyond the obligations contained in the Bylaws.
9. **Voters List**

9.1 The MNO will ensure that a Voters List is provided to the Chief Electoral Officer not later than fifteen (15) days prior to the beginning of the Voting Period that contains the following information for all Voters:

   (a) full name;

   (b) MNO citizenship number;

   (c) birth date; and

   (d) residential mailing address.

9.2 Upon receipt of the Voters List, the Chief Electoral Officer will review the Voters List and satisfy themselves as to its accuracy. The Chief Electoral Officer will certify a final Voters List at least ten (10) days before the beginning of the Voting Period. In alignment with the overarching principle of empowering voter participation by MNO citizens in good standing who are entitled to participate in the voting process, the Chief Electoral Officer may make any necessary adjustments to the Voters List after this time and at their discretion.

9.3 A Voter who wishes to vote, must verify their identity with the Chief Electoral Officer by providing their name and MNO citizenship number as well as completing a voter declaration.

9.4 Unless otherwise authorized according to these Guidelines or in accordance with any duties or responsibilities assigned to or by the Chief Electoral Officer, no eligible Voter will be permitted to have access to the Voters List in any form.

9.5 The Chief Electoral Officer will retain the final authority on determining eligibility for any person to be included on the Voters List. Upon request, the Chief Electoral Officer may also verify the presence of an eligible Voter on the Voters List.

10. **Telephone and Electronic Voting Procedures**

10.1 The MNO will provide all Voters with a PIN to use for Telephone Voting or Electronic Voting.

10.2 A Voter may directly request their PIN from the Chief Electoral Officer not later than ten (10) days prior to the Voting Day if the Voter did not receive or lost their original PIN.

   (a) The Chief Electoral Officer may issue the PIN to the Voter if the Chief Electoral Officer is satisfied that the individual is a Voter who has not already voted in the Plebiscite.
10.3 The Chief Electoral Officer will ensure the Telephone and Electronic Voting platforms are populated by the Voters List at least seven (7) days prior to the beginning of the Voting Period.

10.4 Telephone and Electronic Voting will be available between 8:30am and 6:00pm (ET) throughout the Voting Period.

10.5 The Telephone and Electronic Voting platforms must:

(a) be able to be electronically sealed;

(b) be secure and encrypted;

(c) comply with all Canadian laws and rules governing electronic communication, documentation and transmission;

(d) comply with all Canadian laws governing protection of privacy;

(e) permit Electronic and Telephone Ballots to be recorded, but not deleted;

(f) not be opened unless the electronic seal is clearly indicated as having been broken by the Chief Electoral Officer;

(g) have systems to verify and authenticate Voter identification using industry standard multi-factor verification protocols;

(h) prohibit a Voter who has cast an Electronic Ballot from casting another Electronic Ballot;

(i) generate automatic notifications in real-time to the Voter and Chief Electoral Officer of the following activity associated with a Voter using the Telephone or Electronic Voting platforms, including:

   (i) failed registration or voting attempts;

   (ii) completed registration;

   (iii) completed voting;

   (iv) system or communication failures, interruptions, or lost data; and

   (v) support requests.

10.6 To cast a Telephone Ballot, a Voter will:

(a) call the designated number;
(b) provide their PIN and at least one other piece of information unique to the Voter to verify their identity and eligibility to vote;

(c) declare their intent and desire to vote by Telephone Ballot;

(d) verify that they have not already voted in the Plebiscite by other means; and

(e) mark the Telephone Ballot by depressing the keypad number applicable to the desired option stated in the set of audio instructions;

(f) confirm their Telephone Ballot.

10.7 To cast an Electronic Ballot, a Voter will:

(a) provide their PIN and at least one other piece of information unique to the Voter to verify their identity and eligibility to vote;

(b) declare their intent and desire to vote by Electronic Ballot;

(c) verify that they have not already voted in the Plebiscite by other means;

(d) mark the Electronic Ballot by selecting the applicable option on the computer screen; and

(e) confirm their Electronic Ballot.

10.8 Where a Voter is unable to vote by Telephone or Electronic Voting due to a physical disability, the Voter may enlist the assistance of another individual to do so.

10.9 The Chief Electoral Officer may suspend Telephone and/or Electronic Voting if they determine that the applicable voting platform places the integrity of the Plebiscite at risk.

10.10 Voting may be suspended under subsection 10.9:

(a) until a later time on the same day; or

(b) to a day and time to be set by the Chief Electoral Officer.

10.11 The Chief Electoral Officer will have administrative access to the Telephone and Electronic Voting platforms to view and download daily reports and detailed activity reports, as needed.

(a) For clarity, the Chief Electoral Officer must have access to the Telephone and Electronic Voting platforms beyond the access necessary to vote by Telephone or Electronic Ballot.

10.12 The Chief Electoral Officer will tabulate the results of the Ballots cast by Telephone and Electronic Voting in accordance with section 14.
10.13 Without contravening any part of this section, the PCMNO in consultation and with the consent of the Chief Electoral Officer may alter or make additional regulations governing Telephone and Electronic Voting procedures.

11. Mail-in Paper Ballot Voting Procedures

11.1 The MNO will ensure it sends or causes to be sent out a mail-in Paper Ballot package to all Voters on the Voters List with a current residential address on file.

11.2 A Voter may request a mail-in Paper Ballot from the Chief Electoral Officer not later than ten (10) days prior to the Voting Day. Upon receipt of such request, the Chief Electoral Officer will send or cause to be sent via regular mail all documents, envelopes, instructions, and Paper Ballot necessary to vote by mail-in Paper Ballot.

11.3 To cast a mail-in Paper Ballot, a Voter will:

(a) mark the Paper Ballot by placing an “X” in the box marked “Yes” or the box marked “No” depending on their voting preference;

(b) enclose and seal the Paper Ballot in the secrecy envelope;

(c) enclose and seal the secrecy envelope in the identification envelope;

(d) sign the outside of the identification envelope;

(e) enclose and seal the identification envelope in the prepaid mailing envelope; and

(f) cause to have delivered the sealed mailing envelope to the Chief Electoral Officer.

11.4 Where a Voter is unable to vote by mail-in Paper Ballot due to a physical disability, the Voter may enlist the assistance of another individual to do so.

11.5 A mail-in Paper Ballot may be delivered to the Chief Electoral Officer by mail, courier, or hand delivery.

11.6 A mail-in Paper Ballot must be received by the Chief Electoral Officer no later than 6:00pm (ET) on Voting Day.

11.7 After the Chief Electoral Officer has received a mail-in Paper Ballot, they will:

(a) confirm the sender is a Voter;

(b) confirm the Voter has not voted already;

(c) mark the Voter as having voted by mail-in Paper Ballot; and

(d) place the sealed secrecy envelope containing the Paper Ballot in a designated mail-in Paper Ballot box.
11.8 In the event the Voter voting by mail-in Paper Ballot has already voted by other means, the identification envelope seal will not be broken and the submission will be set aside in a designated envelope.

11.9 The Chief Electoral Officer will ensure that the designated post office box for mail-in Paper Ballots is empty as of 6:00pm (ET) on the Voting Day, and that all mail-in Paper Ballots properly received and recorded are counted.

11.10 The Chief Electoral Officer will tabulate the results of the mail-in Paper Ballots cast in accordance with section 14 and complete a Mail-in Paper Ballot Declaration (Appendix E).

11.11 Without contravening any part of this section, the PCMNO in consultation and with the consent of the Chief Electoral Officer may alter or make additional regulations governing mail-in Paper Ballot voting procedures.

12. Orderly Voting

12.1 The Chief Electoral Officer will ensure that peace and good order are maintained throughout the Plebiscite.

12.2 No person will, regardless of whether voting by telephone, electronically, or mail:

   (a) interfere or attempt to interfere with a Voter completing their vote;

   (b) obtain or attempt to obtain information as to how the Voter is about to or has voted; or

   (c) mark a Ballot in a way that identifies the Voter.

13. Security of Ballots

13.1 Voting in the Plebiscite shall be by secret Ballot, whether by Telephone Ballot, Electronic Ballot, or mail-in Paper Ballot. A chain of custody of physical Paper Ballots will be documented. Any relevant protocols for the security of Ballots will be provided to the Chief Electoral Officer by the MNO.

14. Counting of Ballots

14.1 A spoiled Ballot will be any Ballot that has:

   (a) no options marked on the Ballot;

   (b) both options marked on the Ballot;

   (c) a mark identifying the Voter on the Ballot;
(d) been defaced or otherwise marked inappropriately;

(e) been marked in such a way that the Voter’s choice is not clear or discernable; or

(f) has been torn or ripped in such a way that the Ballot is not in its original form.

14.2 All Ballots will be counted at the end of the Voting Day, in accordance with the following protocols:

(a) For Telephone and Electronic Ballots, the Chief Electoral Officer shall cause the applicable voting platform to generate a report that contains:

(i) a list of all Voters who voted by Telephone and Electronic Ballot;

(ii) a count of the total number of Voters who voted by Telephone or Electronic Ballot;

(iii) the number of votes cast for each Ballot measure (i.e., “Yes” or “No”) as well as any spoiled Ballots; and

(iv) any other information that the Chief Electoral Officer considers as being required and which the Telephone or Electronic Voting platform is able to generate.

(b) For mail-in Paper Ballots:

(i) all materials will be received, assembled, reconciled, and prepared for counting as directed by the Chief Electoral Officer;

(ii) the appointed individuals responsible for counting will open the sealed Ballot boxes and count the Paper Ballots;

(iii) the appointed individuals will record the number of votes for the Paper Ballot measure (i.e., “Yes” or “No”) on an Official Count Declaration (Appendix F) as well as record any spoiled Paper Ballots;

(iv) the Paper Ballots will then be re-sealed in the Ballot box and securely stored.

14.3 When the results of the Plebiscite have been determined, the Chief Electoral Officer will execute a Certification (Appendix G).

14.4 Following the conclusion of the objection period or a concluded objection procedure under section 18, the Chief Electoral Officer will destroy or cause to be destroyed all voting materials, including Ballots, the Voter List, and all confidential Voter information in physical or electronic form, pursuant to section 21. Certification to this effect will be provided by the Chief Electoral Officer.
15. Observers

15.1 MNO citizens are entitled to observe counting proceedings in accordance with the following protocols:

(a) observers may be temporarily present at the final count voting location, at the discretion of the Chief Electoral Officer;

(b) observers must not interfere with the counting of the vote (e.g., by placing themselves in physical proximity to the counting team(s));

(c) observers must sign an observer code of conduct prepared by the Chief Electoral Officer, outlining appropriate conduct by observers at the count; and

(d) observers will be issued a badge that identifies their role.

16. Procedural Amendments

16.1 In order to give effect to and carry out the objectives and purpose of the Plebiscite, the Chief Electoral Officer and the MNO or its designate may agree upon a variation of the procedural requirements, including timelines, outlined in these Guidelines if they:

(a) deem it necessary to do so; and

(b) reasonably believe the variation will not result in any substantive change to those procedural requirements.

16.2 The Chief Electoral Officer will state in writing the nature and basis of a variation under this section and make a copy of the statement publicly available.

16.3 The Chief Electoral Officer may modify a form appended to these Guidelines to add or update, but not remove, material detail.

17. Chief Electoral Officer Special Powers

17.1 In the event of an extraordinary occurrence, the Chief Electoral Officer will have authority to shift any date, alter any requirement, or change any activity within the processes set out in these Guidelines as they deem necessary and appropriate in order to ensure the timely and safe delivery and conclusion of the Plebiscite.

(a) For clarity, an extraordinary occurrence is an external event such as a pandemic, force majeure, civil disobedience, death in the community, strike (disruption of relied upon service), or natural event which reasonably limits or otherwise restricts the Chief Electoral Officer from conducting the Plebiscite.

17.2 If, in the opinion of the Chief Electoral Officer, the Plebiscite will not meet a sufficient threshold for participation, they will have the authority to pause the voting event at the
normally scheduled Voting Day, and will, in consultation with the PCMNO, determine additional dates, the extension of the voting event, and/or other actions necessary and appropriate in order to ensure the timely and safe delivery and conclusion of the Plebiscite.

(a) For additional clarity, the Chief Electoral Officer may only exercise this section prior to the Voting Day and will ensure that all necessary steps are taken to ensure the security and secrecy of all Ballots cast, and will provide a notice of vote extension within twenty-four (24) hours of determining such extension is necessary.

18. Objections

18.1 A Voter may file an objection with the Chief Electoral Officer if the Voter has reasonable grounds for believing that:

(a) there was a material violation of, or material irregularity in, the Plebiscite; and

(b) on a balance of probabilities, the final result of the Plebiscite might have been different but for the violation or irregularity.

18.2 The following are non-objectionable, and may not be considered as grounds for review or objection consideration:

(a) administrative error or deficiency, including spelling or grammar errors on Notices, advertising, notifications, information packages, or the Ballot;

(b) voting event procedures amended or altered due to a force majeure, terrorism, civil unrest, or any other event which in the opinion of the Chief Electoral Officer required the voting event to be altered, including dates and voting methods, in order to ensure the sanctity of the voting process; or

(c) general disagreement with the Registry Review or Plebiscite.

18.3 An objection must be received by the Chief Electoral Officer within seven (7) days of the deadline for the Chief Electoral Officer’s written report under subsection 19.1.

18.4 An objection must be in writing and must:

(a) identify the name, MNO citizenship number, address, and telephone number of the Voter making the objection; and

(b) be accompanied by a declaration setting out the grounds for the objection that clearly satisfy the requirements set out in subsections 18.1 and 18.2.
18.5 The Chief Electoral Officer may, if the material provided under subsection 18.4 is insufficient to decide the validity of the objection, conduct such further investigations as they deem necessary.

18.6 If an objection is filed under this section, the Chief Electoral Officer will, within five (5) days of the deadline for receiving objections under subsection 18.3, determine whether the objection is valid.

(a) The Chief Electoral Officer’s decision shall be in writing and include reasons for the decision.

18.7 The Chief Electoral Officer will dismiss the objection as invalid if they determine that:

(a) there was neither a violation of these Guidelines nor an irregularity in the Plebiscite; or

(b) there was a violation of these Guidelines or an irregularity in the Plebiscite, but the final result of the Plebiscite was not affected by it.

18.8 If the Chief Electoral Officer determines the objection is valid, they may allow the objection and set the results of the Plebiscite aside.

(a) In the event the results of the Plebiscite are set aside pursuant to this section, the MNO will determine as it deems appropriate any next steps, including whether or not to hold another Plebiscite.

18.9 The Chief Electoral Officer’s decision is final and binding.

19. Reporting

19.1 Within three (3) days after the Voting Day, the Chief Electoral Officer will send a written report on the conduct of the Plebiscite to the MNO detailing:

(a) the total number of eligible Voters from the Voters List;

(b) details on the Notice of Vote, including when it was posted and where as well as the number mailed to Voters;

(c) details on the various voting platforms, including for:

(i) Telephone Ballots: total number registered, received, spoiled, and not completed;

(ii) Electronic Ballots: total number registered, received, spoiled, and not completed;
(iii) mail-in Paper Ballots: total number sent, returned as undeliverable, received, spoiled, and not returned;

(d) Ballot reconciliation, including:

(i) number of valid Ballots cast;

(ii) number of rejected Ballots cast;

(iii) number of spoiled Ballots;

(iv) number of unused Ballots; and

(v) voting results.

20. **Certification of Results**

20.1 The Plebiscite will be approved if over fifty (50) percent of all Voters who participate in the Plebiscite vote “Yes” to the Ballot Question.

20.2 The MNO will publicly post and make available to MNO citizens the results of the Plebiscite in a manner it deems appropriate.

21. **Destruction of Materials**

21.1 The Chief Electoral Officer will ensure the destruction of all voting related information, including: Ballots, Voters List, Electronic Voting and Telephone Voting information, and any materials of a confidential nature no later than ninety (90) days following the conclusion of the objection period or a concluded objection procedure provided for under section 18.
WHEREAS:

A. Distinct Métis communities emerged in various areas surrounding the Upper Great Lakes as well as along the waterways and fur trade routes of what is now known as Ontario as well as throughout the historic North-West prior to Canada becoming Canada;

B. These Métis communities, along with other Métis communities that emerged in the historic North-West (collectively known as the “Métis Nation”), developed their own shared customs, traditions, and collective identities that are rooted in kinship, their special aboriginal relationship to the land, and a distinctive culture and way of life;

C. Métis communities within Ontario have a long history of asserting their rights, interests, and claims through petitions, collective action, and maintaining their own self-government structures and institutions over successive generations;

D. Prior to 1993, these Ontario Métis communities participated in pan-Aboriginal organizations at the provincial and national levels that led to the inclusion section 35 in the Constitution Act, 1982, including, the express inclusion of the Métis;

E. Ontario Métis communities also participated in the development of the Métis Nation Accord in the early 1990s, which was advanced by the Métis National Council, as a part of the Charlottetown Accord constitutional process;

F. The distinct aspirations, rights, and self-government of these Métis communities were often compromised and frustrated by their participation in pan-Aboriginal organizations because the agendas of these entities did not allow them to solely focus on Métis rights and issues;

G. In 1993, the MNO was created to allow these Métis communities to come together, along with other Métis Nation citizens from western Canada who now live in Ontario to form a Métis-specific government whose fundamental purpose is to advance Métis rights and self-government, as outlined in the MNO Statement of Prime Purpose;

H. In order to secure government funding, the MNO was required to incorporate a not-for-profit corporation—i.e., the MNO Secretariat Inc.—to act as its legal and administrative arm until such time as it was able to negotiate the full recognition of its self-government on a nation-to-nation, government-to-government basis with Canada;

I. As a part of its fundamental mandate to advance Métis rights in Ontario, the MNO identified R. v. Powley as a “test case” for Métis rights in Ontario and successfully supported and advanced this litigation all the way to the Supreme Court of Canada;

J. In R. v. Powley, the MNO advanced the position that the identification of members of Métis communities is a decision to be made by those communities based on the following guidelines: (1) self-identification; (2) ancestral connection to the Métis community; and, (3) community acceptance, which was ultimately supported by the Supreme Court of Canada;
K. Following the release of the Supreme Court of Canada’s decision in R. v. Powley, the 2004 MNO Annual General Assembly (“MNO AGA”) adopted the national definition for citizenship within the Métis Nation, which changed the definition of “Métis” as set out in the MNO Bylaws;

L. In 2009, in order to enhance the standardization, reliability, and credibility of the MNO Registry, the MNO adopted a Registry Policy that sets out the requirements and process for the registration of MNO citizens as authorized by section 5(c) of the MNO Bylaws;

M. In 2010, by way of an ordinary resolution, the MNO AGA directed that all existing MNO citizens be “grandfathered” at that time and that province-wide consultations be undertaken on the MNO Registry, which resulted in a “What We Heard” report that included a series of recommendations the MNO has acted on over that last decade;

N. In 2012, in order to advance Métis rights and the goal of negotiating a new harvesting agreement with Ontario that removed the 1250 cap on recognized MNO Harvester Cards, the MNO AGA directed that all MNO Harvester Cards with “incomplete” files be cancelled;

O. In 2014, the MNO AGA formally adopted the Registry Policy and directed that negotiations on Métis rights, including, Métis land related claims be advanced with Canada;

P. In 2015, a new federal government was elected that committed to advancing Métis rights and self-government with the MNO and other Métis Nation governments;

Q. In October 2017, in order to advance the MNO’s negotiations with Canada, the Provisional Council of the Métis Nation of Ontario (“PCMNO”) initiated a Registry Review to:

   i. assess the “completeness” of all citizenship files based on the MNO’s current definition of Métis and the requirements of the MNO Bylaws and Registry Policy;

   ii. provide the MNO with a clear understanding of “who” it represents for the purposes of self-government negotiations and Métis rights claims as well as the number of its citizenship who descend from Ontario Métis communities or other Métis communities in the Métis Nation Homeland from Ontario westward; and

   iii. ensure that MNO citizens who hold elected leadership roles and represent Métis communities with respect to Métis rights, have completed citizenship files and are Métis rights-holders themselves;

R. In May 2021, the Registry Review was completed and the PCMNO directed that:

   i. the final report of the Registry Review (“Registry Review Final Report”) be publicly released, which confirmed that the overwhelming majority of MNO citizens (i.e., 77%) had or could have “Complete” citizenship files (i.e., 18,476 citizens) and that 5,402 citizens had “Incomplete” files;

   ii. the MNO undertake province-wide consultations with all citizens on the Registry Review Final Report and develop and a “What We Heard” report based on those consultations, including, consideration of next steps such as holding a province-wide vote and/or special assembly on these issues;
S. Between June 2021 and May 2022, a province-wide consultation process was undertaken that allowed all MNO citizens to participate in virtual town halls and information sessions as well as an online questionnaire;

T. In July 2022, the PCMNO was provided a draft of the “What We Heard” report from these year-long consultations ("Registry Review Consultation Report") and directed that:

i. the Registry Review Consultation Report be publicly released; and

ii. citizens be made aware that—as of July 1, 2022—the MNO now has 29,528 citizens with 23,011 (78%) citizens having “Complete” files; 1,140 (4%) citizens having files that are “Missing Documentation”; 5,321 (18%) citizens having “Incomplete” files; and, 56 citizenship files (less than 1%) being currently reviewed/assessed; and

iii. this issue be brought to the 2022 MNO AGA for direction with respect to next steps.

THEREFORE BE IT RESOLVED that the 2022 MNO AGA:

1. Adopts the Registry Review Consultation Report “in-principle” and directs the MNO to undertake online information sessions on this report with interested MNO citizens in the early Fall 2022 so that the issues in it are fully explained, discussed, and understood;

2. Directs the MNO to organize and hold a province-wide referendum with ballot box, online and telephone voting opportunities in the Fall/Winter of 2022 so all existing citizens have an opportunity to make their views known on the following question:

   **Referendum Question:** Should all existing members/citizens of the Métis Nation of Ontario (MNO) and the MNO Secretariat, whose files do not meet the current requirements for citizenship as set out in the MNO Bylaws and Registry Policy, be removed as members/citizens?

   **Answer Options:** “Yes” or “No”.

3. Directs the PCMNO to call a special General Assembly in late 2022 or early 2023 to amend the MNO Bylaws, if a majority of those who voted in the referendum provide direction to remove members/citizens with incomplete files from the MNO Registry;

4. Directs the PCMNO to develop a strategy to ensure that the democratic and self-government will of the MNO flowing from the above-noted referendum is respected, instead of the MNO Secretariat’s current corporate structure being potentially used to undermine the advancement of Métis rights and self-determination.

**MOVED (Tim Sinclair) and SECONDED (Rene Gravelle)**

**RESOLVED (AGA220820-02)**

(188 in favour; 29 opposed; 6 abstentions)
Appendix B – Ballot Question

**Question:** Should all existing members/citizens of the Métis Nation of Ontario (MNO) and the MNO Secretariat, whose files do not meet the current requirements for citizenship as set out in the MNO Bylaws and Registry Policy, be removed as members/citizens?

**Answer Options:** “Yes” or “No”
### Appendix C – Deadlines

<table>
<thead>
<tr>
<th>Section</th>
<th>Event</th>
<th>Timeline</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1</td>
<td>PCMNO passes a resolution</td>
<td>At least twenty (20) days prior to the beginning of the Voting Period</td>
<td>Tuesday, November 18, 2022</td>
</tr>
<tr>
<td></td>
<td></td>
<td>[PCMNO resolution passed on Monday, November 7, 2022]</td>
<td></td>
</tr>
<tr>
<td>6.1</td>
<td>Notice of Vote posted</td>
<td>At least twenty (20) days prior to the beginning of the Voting Period</td>
<td>Friday, November 18, 2022</td>
</tr>
<tr>
<td>9.1</td>
<td>Voters List provided to Chief Electoral Officer</td>
<td>Not later than fifteen (15) days prior to the beginning of the Voting Period</td>
<td>Wednesday, November 23, 2022</td>
</tr>
<tr>
<td>9.2</td>
<td>Chief Electoral Officer certifies final Voters List</td>
<td>At least ten (10) days before the beginning of the Voting Period</td>
<td>Monday, November 28, 2022</td>
</tr>
<tr>
<td>10.3</td>
<td>Chief Electoral Officer ensures Telephone and Electronic Voting platforms are populated by the Voters List</td>
<td>At least seven (7) days prior to the beginning of the Voting Period</td>
<td>December 1, 2022</td>
</tr>
<tr>
<td></td>
<td>Beginning of Voting Period</td>
<td>Thursday, December 8, 2022</td>
<td></td>
</tr>
<tr>
<td>10.2</td>
<td>Last day to directly request a PIN to vote by Telephone or Electronic Ballot</td>
<td>Not later than ten (10) days prior to the Voting Day</td>
<td>Thursday, January 12, 2023</td>
</tr>
<tr>
<td>11.2</td>
<td>Last day to request a mail-in Paper Ballot</td>
<td>Not later than ten (10) days prior to the Voting Day</td>
<td>Thursday, January 12, 2023</td>
</tr>
<tr>
<td>7.2</td>
<td>Last day to conduct community information activities</td>
<td>Prior to one clear (1) day before the Voting Day</td>
<td>Friday, January 20, 2023</td>
</tr>
<tr>
<td>17.2(a)</td>
<td>Chief Electoral Officer to provide a notice of vote extension if necessary</td>
<td>Within twenty-four (24) hours of determining such extension is necessary</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>Voting Day</td>
<td>Sunday, January 22, 2023</td>
<td></td>
</tr>
<tr>
<td>19.1</td>
<td>Chief Electoral Officer to provide written report</td>
<td>Within three (3) days after the Voting Day</td>
<td>Wednesday, January 25, 2023</td>
</tr>
<tr>
<td>18.3</td>
<td>Deadline for objections to be received</td>
<td>Within seven (7) days of the deadline for the Chief Electoral Officer’s written report</td>
<td>Wednesday, February 1, 2023</td>
</tr>
<tr>
<td>18.6</td>
<td>Deadline for the Chief Electoral Officer to determine the validity of an objection</td>
<td>Within five (5) days of the deadline for receiving objections</td>
<td>Monday, February 6, 2023</td>
</tr>
<tr>
<td>21.1</td>
<td>Chief Electoral Officer ensures destruction of voting related information</td>
<td>No later than ninety (90) days following the conclusion of the objection period or a concluded objection procedure</td>
<td>Sunday March 7, 2023</td>
</tr>
</tbody>
</table>
Appendix D – Oath of Office

I, ____________________________ (name), having been appointed as [“Chief Electoral Officer” or “Deputy Electoral Officer”] for the Métis Nation of Ontario (“MNO”) Registry Review Province-Wide Plebiscite Vote (“Plebiscite”) scheduled to occur from [date] to [date] hereby swear and solemnly affirm:

(e) That I will act faithfully in this capacity without partiality, fear, favour, or affection;

(f) That I will abide by and effect the Plebiscite as prescribed in the MNO Registry Review Province-Wide Plebiscite Vote Guidelines;

(g) That I will declare conflicts of interest if and as they arise; and finally,

(h) That I will not do or say anything that will compromise my integrity or the integrity of the Plebiscite.

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

Declared before me at the _______ in the Province of Ontario, this _____ day of ______ 2022.

______________________________
[Name], [“Chief Electoral Officer” or “Deputy Electoral Officer”]

______________________________
Commissioner for Taking Oaths in and for the Province of Ontario.
Appendix E – Mail-In Paper Ballot Declaration Form

CANADA
PROVINCE OF ONTARIO

I, _____________________________ (name), Chief Electoral Officer for the Métis Nation of Ontario (“MNO”) Registry Review Province-Wide Plebiscite Vote (“Plebiscite”), in the Province of Ontario, DO SOLEMNLY DECLARE THAT:

1. I was personally responsible for receiving all mail-in ballots for the Plebiscite.
2. In preparation for depositing mail-in ballots, I opened ballot box number ___#MIB.
3. I saw that the ballot box was empty and asked two witnesses who were present to witness that the ballot box was empty.
4. I then properly sealed the ballot box, in front of at least two witnesses who were present, and prepared it for the reception of ballot papers.

<table>
<thead>
<tr>
<th>Witness Name</th>
<th>Phone</th>
</tr>
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<tbody>
<tr>
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</table>

5. I personally deposited all of the mail-in ballots received by me into ballot box ___#MIB without opening the secrecy envelope and kept the ballot box sealed when not in my custody until the ballots were counted.

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

Declared before me at the ________ in the Province of Ontario, this ______day of ______ 2023.

______________________________
[Name], Chief Electoral Officer

______________________________
Commissioner for Taking Oaths in and for the Province of Ontario.
Appendix F – Official Count Declaration for Mail-In Paper Ballots

This document declares and confirms the official ballot count for mail-in Paper Ballots is properly recorded in the matter of the MNO Registry Review Province-Wide Plebiscite Vote following the closure of the Voting Period.

<table>
<thead>
<tr>
<th></th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mail-In Ballots Received</td>
<td></td>
</tr>
<tr>
<td>Spoiled Ballots</td>
<td></td>
</tr>
<tr>
<td>Ballots Cast “Yes”</td>
<td></td>
</tr>
<tr>
<td>Ballots Cast “No”</td>
<td></td>
</tr>
</tbody>
</table>

SIGNED AND DECLARED,

________________________________________  ____________________________
Signature of Chief Electoral Officer      Date
Appendix G – Certification by Chief Electoral Officer

CANADA
PROVINCE OF ONTARIO

I, ______________________ (name), Chief Electoral Officer for the Métis Nation of Ontario (“MNO”) Registry Review Province-Wide Plebiscite Vote (“Plebiscite”), in the Province of Ontario, DO SOLEMNLY DECLARE THAT:

1. I was responsible for and oversaw all voting methods and procedures necessary to effect the Plebiscite in accordance with the MNO Registry Review Province-Wide Plebiscite Vote Guidelines (“Guidelines”).

2. A true copy of the Notice of Vote is attached as Exhibit "1" to this Declaration.

3. In accordance with the Guidelines, the Notice of Vote was posted at least 20 days prior to the beginning of the Voting Period.

4. The voting procedure was conducted in accordance with the provisions of the Guidelines.

5. The results of the Plebiscite are as follows:
   a. the names of _______ Voters appeared on the Voters List prepared pursuant to the Guidelines, and the number of Voters who were entitled to cast a vote was _____;
   b. _______ ballots, including Telephone, Electronic, and Paper Ballots, were cast in the Plebiscite in accordance with the provisions of the Guidelines;
   c. _______ ballots were marked "Yes";
   d. _______ ballots were marked "No";
   e. _______ ballots were rejected in accordance with the Guidelines; and
   f. _______ ballots were spoiled and were not counted in b. above in accordance with the Guidelines.

6. The proposed removal of MNO members/citizens whose files do not meet the current requirements for citizenship as set out in the MNO Bylaws and Registry Policy was [supported / not supported] by the Voters.

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

Declared before me at the ________ in the Province of Ontario, this _____ day of ______ 2023.

Commissioner for Taking Oaths in and for the Province of Ontario. [Name], Chief Electoral Officer