the Métis Nation of Ontario

February 2002

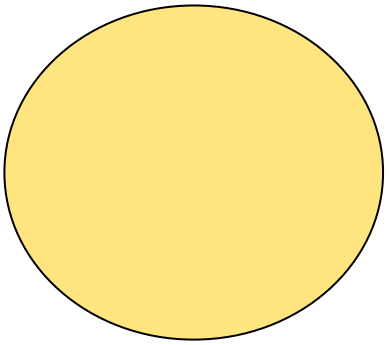
MNO Electoral Code: Part B
Sunset Country Métis Council
Community Electoral Code

PART B[1]

Article B1 PURPOSE AND SEAL

B1.1 The purpose of Part B of the *MNO Electoral Code* is to establish fair, open and democratic procedures and rules for the elections of MNO community councils.

B1.2 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 Part B of the *MNO Electoral Code* shall be known as the official *Community Council Electoral Code* for MNO Charter Communities.



B1.3 This Part B of the *MNO Electoral Code* is herein established and contains the rules and procedures that shall henceforth govern the elections of community councils and shall be known as the *Community Council Electoral Code*.

Article B2 INTERPRETATION AND DEFINITIONS

B2.1 In this *Community Council Electoral Code*, all words and phrases are intended to be consistent with and have the same meaning as words and phrases in Part A of the *MNO Electoral Code*, the *MNO By-Laws*, and the *MNO Community Charter Agreement.* In the event of any inconsistency, the meaning in Part A of the *MNO Electoral Code* or the *MNO By-Laws* shall prevail to the extent of the inconsistency.

B2.2 Unless otherwise defined below, words and phrases may be adapted from the definitions in Part A to suit the circumstances of a community council election as necessary. For example "election" in this *Community Council Electoral Code* refers to an election of the community council rather than an election of the PCMNO.

B2.3 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.

B2.4 In this *Community Council Electoral Code* the following definitions apply:

"Charter Community" means a Métis community in Ontario that has entered into and

1 Part B of the *MNO Electoral Code* was originally approved by the PCMNO on November 22-23, 2001 and was first registered by MNO legal counsel as the official MNO Community Council Electoral Code in February of 2002.

maintains in good standing a valid *MNO Community Charter Agreement*,

"Chief Electoral Officer" means the person appointed by the PCMNO pursuant to Part A of the *MNO Electoral Code*;

"community council" or "council" means a duly elected body of MNO citizens that represents a Charter Community,

"election announcement" means an announcement issued pursuant to Article B6 of this *Community Council Electoral Code*;

"Electoral Officer" or "Election Committee" means a person or group of persons appointed by the community council to oversee and take responsibility for the election pursuant to Article B4.1. As appropriate, references in this *Community Council Electoral Code* to an Electoral Officer include an Election Committee and vice versa;

"good standing" means a valid *MNO Community Charter Agreement* that is recognized by MNO as active and that is not under an order of revocation or suspension by the MNO. If, in the opinion of MNO, the Community Council has ceased to effectively function for a period of 6 months, then the Community Charter is deemed to be no longer active. A Community Charter can be reactivated with the consent of MNO, by means of a Community Council resolution, whereby the restored Community Council agrees to adopt and abide by the terms and conditions of its *MNO Community Charter Agreement*, its Community Code, the *MNO By-Laws* and the *MNO Statement of Prime Purpose*.

"individual operating a polling station" or "person operating a polling station" means a duly authorized Electoral Officer, member of the Election Committee, Returning Officer or Poll Clerk, all as appointed pursuant to this *Community Council Electoral Code;*

"ordinarily resident" means a person who actually lives and has lived continuously within the community council's geographic territory as described in its *MNO Community Charter Agreement* for at least one (1) month immediately prior to the date of the community council's election announcement. Such person must have a permanent residence (i.e. address) within the community council's geographic area. In making such determination, temporary absences from the community 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 absence. Such person can have only one place of ordinary residence.

Article B3 DATE OF ELECTION

B3.1 The date of the election shall be the date determined by a majority vote at a duly constituted community meeting or meeting of the community council.

Article B4 ELECTORAL OFFICER, ELECTION COMMITTEE AND MNO CHIEF ELECTORAL OFFICER

B4.1 The community council shall appoint either an Electoral Officer or an Election Committee to supervise an election. Such Electoral Officer or Election Committee shall have sole authority to ensure a fair election consistent with this *Community Council Electoral Code*. For greater certainty, the Electoral Officer shall:

a. conduct, oversee and be responsible for all matters concerning the election of the community council;
b. perform all duties, responsibilities and requirements to the best of his/her ability;
c. ensure a fair and impartial election process;

d. take any steps necessary to ensure the effective implementation of this *Community Council Electoral Code*;
e. The Chief Electoral Officer has the authority to investigate allegations of inappropriate behaviour under the electoral code and to impose decisions or sanctions as necessary for a breach of the Code. The Electoral Officer may:
    1. Initiate an investigation and issue a final decision.
    2. Request a change in behaviour that the candidate is required to follow.
    3. Impose sanctions such as a reprimand, public censure, or disqualification of a candidate, in consultation with the Chief Electoral Officer.
    4. Declare an election for a specific position invalid, null, and void.
    5. Should the Electoral Officer identify a possible breach of the code, the Electoral Officer shall engage with the Chief Electoral Officer, who shall review and administer the possible breach.
    6. In the event of a serious breach of the Code, in the opinion of the Chief Electoral Officer, or a refusal to comply with a request to amend behaviour, made by the Electoral Officer, the Chief Electoral Officer may impose a ban upon a Candidate from running for an elected office position for up to five (5) years.[2]

B4.2 After the appointment of an Electoral Officer and/or Election Committee pursuant to Article B4.1, no elected community Councilor or PCMNO Councilor shall in any way attempt to influence, advise or otherwise interfere with the authority of the Electoral Officer or the elections process.

B4.3 The PCMNO is responsible to ensure that each community council election throughout the province is conducted fairly and impartially and is operated in a manner consistent with the *MNO Electoral Code*, the *MNO Community Charter Agreement*, and the *MNO's By-Laws*. The PCMNO may take any steps necessary to ensure these responsibilities are met.

B4.4 An elector or candidate may bring forward issues or concerns relating to the operation of the election to the Electoral Officer who may make a decision or determination on the issue or concern. The Electoral Officer may consult with the Chief Electoral Officer on any questions, issues or interpretations relating to the operation of the election. A decision, direction or interpretation of the Chief Electoral Officer is final and binding for the purposes of that election.

Article B5 ELECTORS (VOTERS)

B5.1 Any citizen of the MNO who is ordinarily resident in the community council's geographic territory is eligible to vote at a community council election except the following:
a. an individual who, on election day, is under sixteen (16) years of age;
b. an individual whose rights and privileges as an MNO citizen were suspended pursuant to directions or policies established by the PCMNO by notice in writing and whose rights and privileges have not been reinstated by notice in writing within two (2) weeks before the community council's election date;
c. Returning Officers or Poll Clerks;

2 Article B4.1(e) was added by the 2025 MNO AGA. Note: technical amendments completed by legal counsel to align the numbering and formatting of the clause in AGA250816-10 with this document.

d. the Electoral Officer or members of the Election Committee; and
e. the Chief Electoral Officer if he/she is a member of that community.

B5.2 An elector is entitled to cast one (1) vote for each community council position[3,4].

B5.3 Each elector before voting shall affirm by verbal or written declaration, the MNO Oath of Allegiance, which is as follows:

MNO Oath of Allegiance
I solemnly affirm that my name is _____. I am Métis and identify as such. I have at least one grandparent who is an Aboriginal person. I affirm that I am not registered as an Aboriginal person under either the Indian Act or the Inuit Registry. 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 MNO's Statement of Prime Purpose.

Article B6 ELECTION ANNOUNCEMENT AND INFORMATION ON ELECTIONS

B6.1 The Electoral Officer will issue an election announcement by regular mail to the households of all eligible electors pursuant to a list of electors provided by the MNO Registrar. The election announcement shall include the following:
a. Contact information (including names, addresses and phone numbers) for the Electoral Officer and/or Election Committee members;
b. A list of the community council positions for which elections are being held;
c. Dates for:
    1. opening of nominations;
    2. closing of nominations;
    3. election day; and
    4. advance polling
d. Hours during which polling station(s) and advance poll(s) will be open;
e. Information on where to get a nomination form;
f. If available at the time, the location of the polling station(s) and advance polling station(s). If this information is not available at the time of issuing the election announcement, the election announcement must include information as to where and how this information can be obtained at a later date; and
g. Information on how an eligible elector can obtain a copy of the *Community Council Electoral Code*.

B6.2 If the community council has an office, the Electoral Officer will post the election announcement and a copy of the *Community Council Electoral Code* in the community council's office for review by electors. The Electoral Officer may post or distribute the election announcement in any other manner deemed appropriate to ensure as many eligible electors receive information with respect to the election as possible.

3 October 8, 2026 AGM motion #7-10-08-26 removed the Women's Representative position. MNO Secretariat advised on October 8, 2026. Registered with the PCMNO on October 13, 2026.
4 October 8, 2026 AGM motion #8-10-08-26 changed the Youth Representative from an elected to a non-voting appointed position. MNO Secretariat advised on October 8, 2026. Registered with the PCMNO on October 13, 2026.

Article B7 Nominations

B7.1 Opening and closing dates for nominations shall be established in accordance with the following guidelines:

a. The opening date for nominations shall be at least five (5) days after the issuance of the elections announcement;
b. There must be a minimum of fourteen (14) days from the opening of nominations to the closing of nominations;

B7.2 Nomination papers will be deemed filed, if delivered or faxed to the Electoral Officer prior to 6:00 p.m. EST on the closing date for nominations. All completed nomination papers must include the following information:

a. Name and address of candidate and his/her MNO registration number;
b. The community council position for which the nomination is made;
c. Signatures of at least three (3) eligible electors who support the nomination; and
d. A written acknowledgment that the candidate accepts the nomination.

B7.3 A citizen of the MNO is eligible to be a candidate if on the day his or her nomination papers are filed he or she[5,6]:

a. is sixteen (16) years of age;
b. is ordinarily resident in the community council's geographic territory;
c. does not currently have his/her rights and privileges suspended by notice in writing;
d. is verified according to the process set out by the Registrar as amended from time to time;
e. has not been convicted of an indictable offence within the five (5) years prior to the election date;
f. has not been convicted of corrupt practice, accepting a bribe, dishonesty or malfeasance in relation to an election within the five (5) years prior to the election date; and
g. if seeking to be a Senator on the community council is fifty-five (55) years of age or older on the day of the elections.

B7.4 A candidate may not file nomination papers for more than one position on a community council.

B7.5 After the close of nominations, the Electoral Officer shall confirm that all candidates have met the requirements of Article B7.3, following which the Electoral Officer shall prepare an official candidates list, which will be posted within the community council's office or any other place as determined by the Electoral Officer. The Electoral Officer shall notify in writing any candidate who has been found to be ineligible and such notification shall include the reasons for ineligibility.

B7.6 The Electoral Officer may publicize or otherwise distribute the official candidates list. Upon request, a candidate or elector will be provided with a copy of the official candidates list.

5 October 8, 2026 AGM motion #8-10-08-26 removed the position of Youth Representative from the council and made it an appointed position. MNO Secretariat advised on October 8, 2026. Registered with the PCMNO on October 13, 2026.
6 October 8, 2026 AGM motion #7-10-08-26 removed the position of Women's Representative from the council. MNO Secretariat advised on October 8, 2026. Registered with the PCMNO on October 13, 2026.

Article B8 List of Electors

B8.1 Upon request of the Electoral Officer, the Registrar shall provide a list of citizens who are residents within the community council's geographic territory as of the date of issuance of the election announcement. The Electoral Officer shall review the list for accuracy and may revise the Registrar's list.

B8.2 Prior to or upon the close of nominations, the Electoral Officer will post a preliminary list of electors in the community council office or at any other place determined by the Electoral Officer.

B8.3 The Electoral Officer may amend this preliminary list of electors as deemed necessary. In consultation with the Registrar and upon provision of evidence to the satisfaction of the Electoral Officer, a citizen may have his or her name added to or removed from the list of electors at any time up to five (5) days before the date of election.

B8.4 Five (5) days before the election, the Electoral Officer will post a final list of electors within the community council office or at any other place determined by the Electoral Officer.

B8.5 Upon request, a candidate will be provided with a copy of the preliminary and final list of electors.

Article B9 ELECTION BY ACCLAMATION

B9.1 Three (3) days after nominations close, if only one candidate is nominated for an office, and the Electoral Officer has confirmed that such candidate has met the requirements in Article B7.3, the Electoral Officer shall declare that candidate acclaimed to office.

Article B10 NO CANDIDATES NOMINATED

B10.1 If, after election day an office remains vacant the Electoral Officer shall consult with the newly elected community council to determine a process for filling the vacancy.

Article B11 WITHDRAWAL OF CANDIDATE

B11.1 A candidate may withdraw at any time by filing with the Electoral Officer a signed and witnessed letter to that effect. When a candidate has withdrawn, the Electoral Officer shall take whatever steps are necessary to ensure that each elector is so advised when receiving a ballot.

Article B12 APPOINTMENT OF RETURNING OFFICER AND/OR POLL CLERK

B12.1 If the Electoral Officer is unavailable to oversee the polling stations, he or she may appoint an MNO citizen as a Returning Officer and/or a Poll Clerk to assist the Returning Officer. A person who is the spouse, child, brother, sister, mother or father of a candidate shall be ineligible to be appointed as a Returning Officer or Poll Clerk.

Article B13 POLLING HOURS

B13.1 Polling hours, including the hours of any advance poll, shall be set by the Electoral Officer and shall be for a minimum of six (6) hours per day.

Article B14 LOCATION OF POLLING STATIONS

B14.1 A polling station shall be in a location that in the opinion of the Electoral Officer is convenient for the electors. The location of the polling station(s) will be determined on or prior to the close of nominations and the location(s) will be posted at the community council office. The Electoral Officer may post or publicize the hours and location of advance and regular polling by other means.

B14.2 Best efforts will be made to ensure that every polling station will be accessible to handicapped persons.

B14.3 A polling station may not be located in a room, location or facility, if in the opinion of the Electoral Officer:

a. it has or may have an atmosphere of bias;
b. it is one in which a candidate has an interest;
c. alcohol or spirits would be actively served during the hours of the election or advance poll.

B14.4 No formal or informal meetings of the community council or any other group of MNO citizens shall be held within the building where the polling station is located on the date of the advance poll or election.

B14.5 No person shall campaign or advocate support of a candidate within the building where the polling station is located on the date of the advance poll or the election. No campaign and/or promotional materials for a candidate can be located in the room where a polling station is located.

B14.6 There will be no mail-in or proxy ballots in community council elections.

Article B15 SCRUTINEERS

B15.1 Each candidate may appoint a Scrutineer to represent him or her at each polling station, and to observe the election procedures on his or her behalf. Only one Scrutineer per candidate may be present in the polling area at any one time. A Scrutineer must present a letter of authorization from his or her respective candidate to the individual operating the polling station.

Article B16 BALLOT BOXES

B16.1 The Electoral Officer shall ensure that there are a sufficient number of ballots and a ballot box constructed of durable, non-see-through material, at the polling station. The ballot box shall permit the deposit of ballots but not permit their removal without breaking the seals after they have been attached.

Article B17 CONTENTS OF BALLOTS

B17.1 There shall be one (1) ballot for a community council election. Each ballot shall list the position of the open office and then contain the names of the candidates running for that position. The candidate listing under each position 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 B18 POLLING BOOTHS

B18.1 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. In each polling booth there shall be provided for the use of voters, a suitable table, desk or shelf and a suitable marking instrument, all of which shall be properly maintained during polling hours.

Article B19 MATERIAL AT POLLING STATION

B19.1 The Electoral Officer or Returning Officer shall, before the opening of the poll, ensure the following are available at the polling station:

a. a poll book where the names of all electors are to be entered;
b. a copy of the final list of eligible electors;
c. a ballot box;
d. a sufficient number of ballots;
e. the material necessary to enable voters to mark the ballot papers;
f. such other forms, office stationery and materials as may be required to enable the Electoral Officer or Returning Officer to perform his or her duties;
g. copies of the *MNO Oath of Allegiance* as stated in Article B5.3; and
h. a copy of this *Community Council Electoral Code*, the *MNO Electoral Code* and MNO's *Statement of Prime Purpose*.

Article B20 PERSONS ENTITLED TO REMAIN IN POLLING AREA

B20.1 Only the following persons may remain in a polling area during polling hours:

a. the Electoral Officer or members of the Election Committee;
b. the Returning Officer and/or Poll Clerk;
c. one Scrutineer per candidate; and
d. interpreters.

Article 21 SECRECY OF VOTING

B21.1 Voting in community council elections shall be by secret ballot.

B21.2 No person shall interfere or attempt to interfere with an elector who is marking his or her ballot or otherwise attempt to obtain, at the polling station, information as to the candidate or candidates for whom an elector is about to vote or has voted.

B21.3 An Electoral Officer, Returning Officer, Poll Clerk or 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 B22 OPENING OF POLLING STATION - DISPLAY OF BALLOT BOX

B22.1 The individual(s) operating the polling station shall attend at the polling station at least thirty (30) minutes prior to the opening of the station.

B22.2 During the thirty (30) minutes immediately prior to the opening of the polling station, the individuals operating the polling station 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. After the ballot box has been shown it shall be sealed for receipt of ballots and at all times during the hours of voting.

Article B23 ADVANCE POLLS

B23.1 An advance poll shall be held prior to the date of the election to enable as many electors to vote as possible. The date for any advance poll(s) shall be determined by the Electoral Officer.

B23.2 An advance polling station shall be in a location that, in opinion of the Electoral Officer, is convenient for the electors.

B23.3 The rules in this *Community Council Electoral Code* regarding the conduct of an election on election day apply with all necessary modifications to the advance poll.

B23.4 At the close of the advance poll, the individual operating the polling station 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 a marked envelope, signed and sealed, along with the unused ballots and delivered immediately to a place designated by the Electoral Officer.

Article B24 POLL BOOKS

B24.1 The individual operating the polling station shall have available a final list of electors and a suitable poll book in which the names of all electors casting ballots shall be entered.

Article B25 GENERAL PROCEDURE AT POLLING STATION

B25.1 Where an elector presents himself or herself at the polling station for the purpose of voting the Returning Officer shall proceed as follows:

a. The individual operating the polling station shall ascertain whether the name of the elector is on the final list of electors and if it is not, the Returning Officer shall not permit the elector to vote. The elector shall present photo identification for the purpose of proving his/her identity to the Returning Officer;
b. The individual operating the polling station shall record or cause to be recorded in the proper column of the poll book the name, the address and membership number of each MNO citizen who seeks to vote;
c. The individual operating the polling station will give the elector an *MNO Oath of Allegiance* to sign. After the signing of the *MNO Oath of Allegiance*, the elector will be given a ballot to cast his/her vote;
d. Upon giving the elector the ballot, the individual operating the polling station shall explain to the elector as concisely as possible the way in which voting is to be done;
e. Upon completion of casting his or her ballot, the elector will place the completed ballot in the ballot box at the polling station.

Article B26 OBJECTION TO ELIGIBILITY OF ELECTOR

B26.1 A candidate or his/her Scrutineer may object to the eligibility of an elector requesting a ballot. If in the opinion of the individual operating the polling station 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 individual operating the polling station 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 B32.4 of this *Community Council Electoral Code*.

Article B27 APPOINTMENT OF INTERPRETER

B27.1 Where the individual operating the polling station has reason to believe that 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 such electors, questions and answers concerning voting.

Article B28 REMOVAL OF BALLOT FROM POLLING STATION

B28.1 No elector shall remove a ballot from the polling station.

Article B29 FORFEITURE OF VOTING RIGHTS

B29.1 Where an elector leaves the polling station without first delivering his or her ballot paper to the individual operating the polling station, or returns it after declining to vote, he or she forfeits his or her right to vote and the individual operating the polling station 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.

B29.2 Where an elector returns his or her ballot paper declining to vote, the individual operating the polling station shall immediately write the word ‘declined’ upon the ballot and preserve the ballot paper.

Article B30 SPOILED BALLOT

B30.1 An elector who has inadvertently spoiled his or her ballot paper may return it to the individual operating the polling station and obtain another ballot paper and the individual operating the polling station shall immediately write the word ‘spoiled’ upon the returned ballot paper and preserve it.

Article B31 VOTING BY A DISABLED PERSON OR YOUTH

B31.1 The individual operating the polling station, at the request of an elector who makes a declaration that he or she is unable to read or who is physically incapable of voting in the usual manner shall, after the elector has taken the *MNO Oath of Allegiance* pursuant to Article B5.3:

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;

c. enter in the poll book opposite the name of the elector and in the appropriate column 'voter assistance.'

B31.2 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 Electoral Officer, Returning Officer and any Scrutineer of the candidate(s) who may be present.

Article B32 PROCEDURE ON CLOSE OF POLL

B32.1 After the closing of the poll, the individual operating the polling station shall, in the presence of the individual(s) allowed to be in the polling area pursuant to Article B20.1, shall:

a. 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;
b. count the number of electors whose names appear on the list of electors and the number of electors recorded in the poll book who voted and shall draw a line immediately under the last name in the poll book and affix his or her initials to the list;
c. open the ballot box and proceed with a count of the ballots and record the result;
d. 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 such ballots shall be sealed in a separate envelope with the number of 'not initialed' ballots recorded on the outside of such envelope;
a. complete a signed statement of poll, indicating the number of votes for each candidate;
b. inform the Electoral Officer as to the number of votes for each candidate, the number of spoiled ballots and any disputed electors;
c. submit a copy of the signed statement of poll and the poll book to the Electoral Officer;
d. submit to the Electoral Officer, a sealed envelope that includes all unused ballots, completed ballots, 'not initialed' ballots and spoiled ballots and/or objected ballots.

B32.2 In counting votes the individual operating the polling station 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.

B32.3 Notwithstanding Article B32.2 a ballot shall not be rejected:

a. by reason of any writing, numbering or mark omitted by the person operating the polling station; or
b. when the vote, though incorrectly made on the ballot, clearly indicates the voters intention to vote for one particular candidate.

B32.4 In the event the individual operating the polling station determines that an elector's right to vote has been reasonably disputed pursuant to Article B26.1, 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. The individual operating the polling station 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 individual operating the polling station initials. Such envelopes shall be preserved by the individual operating the polling station and forwarded to the Electoral Officer. The individual operating the polling station shall also forward the specific objection to such elector, as noted in the poll book. The Electoral Officer shall investigate the objection of such elector and in the event the Electoral Officer determines that the objection is valid, the ballot shall be destroyed sight unseen. If the Electoral Officer determines that the objection is without merit, the envelope shall be opened and the vote shall be counted by the Electoral Officer.

Article B33 ANNOUNCEMENT OF VOTE

B33.1 Upon receipt of the statement of poll, poll book and ballots, including the ballots from any advance poll or pursuant to Article 31.2, the Electoral Officer shall prepare a report for electors and publicly announce the results of the election and declare elected the candidates who received the largest number of votes.

Article B34 RECOUNT

B34.1 The Electoral Officer shall recount the ballots if he/she decides that there is a need for a recount or if a written request to recount is received from a candidate within seven (7) days from the announcement of the election results.

Article B35 RECOUNT PROCEDURE AND TIE BREAKING VOTE

B35.1 The Electoral Officer shall give written notice to each candidate of the place, date and hour of any recount.

B35.2 No person may be allowed in the room where the recount is being conducted except:

a. the Electoral Officer;
b. the Returning Officer and/or Poll Clerk; and
c. one individual appointed in writing to be present on behalf of a candidate.

B35.3 In recounting the ballots the Electoral Officer shall follow the same counting rules that the individual operating the polling station is required to follow under this *Community Council Electoral Code*.

B35.4 In the event of a tie, the Electoral Officer shall:

a. cast an additional vote by marking a ballot for one of the tied candidates;
b. include that vote in the official count; and
c. seal the ballot in an envelope marked with the words ‘Electoral Officer’s vote’ and keep it separate from other ballots.

Article B36 ANNOUNCEMENT OF RECOUNT RESULTS

B36.1 Upon conclusion of any recounts the Electoral Officer shall publicly announce the results of the recount and declare elected the candidate who received the largest number of votes.

Article B37 DESTROYING BALLOTS

B37.1 The Electoral Officer shall destroy all ballots sixty (60) days after the date of the election unless:

a. directed by an order of a Court; or
b. directed by an order of the Chief Electoral Officer or the PCMNO; or
c. a request for a recount is received in which case the ballots shall be destroyed after sixty (60) days from the date of the recount unless otherwise ordered.

Article 38 Appeals

B38.1 A decision of the Electoral Officer may be appealed by a candidate in writing, to the Chief Electoral Officer within ten (10) days after the Electoral Officer has made his/her determination. 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 ten (10) days after receiving such an appeal. The decision or determination of the Chief Electoral Officer shall be final and binding.

Article B39 VALIDITY OF ELECTION

B39.1 If it is shown to the satisfaction of the Chief Electoral Officer that the election was conducted in accordance with this *Community Council Electoral Code* and that an irregularity, failure, non-compliance or mistake did not materially affect the result of the election, then the election is not void by reason of:

a. late distribution or non-receipt of the election announcement by electors;
b. an irregularity on the part of an election officer during the election;
c. an irregularity or omission in the preparation of the preliminary or final electors list;
d. any mistake in the procedure or use of the prescribed forms in an election; or
e. any inconsistency between Part A and Part B of the *MNO Electoral Code*.

Article B40 AMENDMENTS

B40.1 This *Community Council Electoral Code* may be amended by the MNO from time to time. Amendments may also be made by a community council, after consultation with the Chief Electoral Officer, provided such amendments are generally consistent with Part A of the *MNO Electoral Code.* Amendments that are inconsistent with Part A shall be inoperative to the extent of the inconsistency. Amendments made by a community council must be approved by a majority vote of that community council. A community may not amend its *Community Council Electoral Code* during the six (6) months immediately prior to a community election.

B40.2 Amendments made by the community to its *Community Council Code* or to its geographic territory as described in its *MNO Community Charter Agreement* shall not take effect until after an election unless such amendments are made at least six (6) months prior to the date of the election.