

SIKSIKA NATION

Election Code & Regulation



SIKSIKA NATION ELECTION CODE

WHEREAS the Siksika Nation is a distinct body of people which exercises exclusive and inherent powers as given by the Creator and has existed as a Nation from time immemorial; and

WHEREAS the Crown in Right of Canada has a special relationship with the Siksika Nation and the Siksika Nation entered into the Blackfoot Treaty #7 with Her Majesty the Queen on a nation to nation basis; and

WHEREAS the Siksika Nation has the right to control the election procedures of its leadership, and all matters related thereto, in accordance with its current customs, traditions and beliefs by enacting a custom election code; and

WHEREAS the order, made pursuant to subsection 74(1) of the *Indian Act*, R.S.C., 1985, C. 1-5, as amended, (the “Act”), that Siksika Nation elections be held under the Act, was revoked thereby recognizing the rights of the Siksika Nation to make laws to select its Chief and Council in accordance with its present customs and traditions; and

WHEREAS by opting out of the election procedures under the Act and by controlling its own election code, the fiduciary obligations, trust obligations and statutory obligations owing to the Siksika Nation by the Crown in Right of Canada are not altered or prejudiced;

NOW THEREFORE BE IT RESOLVED that the following Code be and is hereby enacted according to the custom of Siksika Nation:

1. DEFINITIONS

1. The following words and phrases have the following meanings, respectively:

- (a) “Appeal Board” means the Siksika Nation Election Appeal Board established pursuant to this Code and its Regulations.
- (b) “By-Election(s)” means an election held in accordance with this Code to fill a vacancy on Council.
- (c) “Candidate” means an individual who has been nominated pursuant to section 8 of the Regulations and has been confirmed as a Candidate by the Chief Electoral Officer pursuant to section 8.
- (d) “Chief” means the Chief of the Siksika Nation elected in accordance with this Code.

- (e) “Chief Electoral Officer” means a person appointed pursuant to this Code and its Regulations to provide all necessary means and to do all required acts for the purpose of holding an Election or By-Election.
- (f) “Code” means the Siksika Nation Election Code.
- (g) “Council” means the Chief and Councillors of the Siksika Nation elected in accordance with this Code.
- (h) “Councillor(s)” means the Councillor(s) of the Siksika Nation elected in accordance with this Code.
- (i) “Election(s)” means a Siksika Nation Election held pursuant to this Code.
- (j) “Election Notice or Notice of Election” means the notice issued pursuant to section 14 of the Code and issued by the Chief Electoral Officer overseeing any Election or By-Election.
- (k) “Eligible Voter” means for the purpose of voting in respect of election matters under this Code, a member of the Siksika Nation who has met the criteria for voting in section 10 of this Code.
- (l) “Employee or Employees” means all full time employees including temporary and contract employees of Siksika Nation Administration;
- (m) “Immediate Family” in relation to a person means the person’s spouse, including a common-law spouse, child, father, mother, brother, sister, father-in-law, mother-in-law, uncle, aunt, grandparent, son-in-law, daughter-in-law and shall also include any relative permanently residing in such person’s household.
- (n) “Member or member” means a natural person whose name appears on the Siksika Nation Membership List as established pursuant to the Siksika Nation Membership Code.
- (o) “Membership Tribunal” means the tribunal established by Chief and Council pursuant to the Siksika Nation Membership Code.
- (p) “Regulations” means the Siksika Nation Election Regulations.
- (q) “Reserve” means those lands situated within Siksika Nation Reserve No. 146.
- (r) “Resolution” means a proposed declaration of the intention or opinion of Council and, thereof, passed by a majority of Council and passed by a majority of Council at a duly convened meeting of Council;

- (r) “Siksika Entity or Siksika Entities” means a corporation, department, service area, branch, agency, board, tribunal, commission, committee, society or other administrative division or unit of, or owned or controlled by Siksika Nation;
- (s) “Siksika Nation Administration” means the administration of Siksika Nation including all designated service areas and any Siksika Entity;
- (t) “Siksika Nation Membership Code” means the customary procedures governing membership into the Siksika Nation.
- (u) “Trust” means a responsibility arising from trust placed in the person elected as Chief or Councillor.

2. TITLE

- 2.1 The title of this document is *the “Siksika Nation Election Code”*.

3. INTERPRETATION

- 3.1 If there is an inconsistency between this Code and its Regulations, the Code shall prevail over any such inconsistency. If there is an inconsistency between the Code and the Regulations or any other enactment of the Siksika Nation, the Code and the Regulations shall prevail to the extent of such inconsistency.

4. COMPOSITION OF COUNCIL

- 4.1 The Council of the Siksika Nation shall consist of one (1) Chief and twelve (12) Councillors.

5. CHIEF or COUNCIL

- 5.1 A Member of the Siksika Nation may only be nominated for election as Chief or as a Councillor but not both.

6. CHIEF

- 6.1 The Chief of the Siksika Nation shall be elected by having received the highest number of votes cast for the office of Chief at an Election or By-Election, except where there is only one candidate nominated for the position of Chief, in which case such person shall become Chief by acclamation.

7. COUNCILLORS

- 7.1 The Councillors of the Siksika Nation shall be elected by being the twelve (12) candidates who receive the twelve (12) highest number of votes for the office of Councillor at an Election or By-Election, except where there are fewer candidates nominated than vacancies for the position of Councillor, in which case those persons nominated shall become Councillors by acclamation.

8. ELIGIBILITY FOR OFFICE

- 8.1 A Member of Siksika Nation is eligible to hold office as Chief or Councillor if that person:
- a. is registered as a member of the Siksika Nation pursuant to the Siksika Nation Membership Code;
 - b. is eighteen (18) years of age or over; and
 - c. has a valid Provincial High School Diploma, a GED, a College Certificate or Diploma, a Degree, a Masters or a Doctorate.
 - d. is not otherwise disqualified pursuant to this Code.

9. INELIGIBILITY FOR OFFICE

- 9.1 A Member of Siksika Nation shall be ineligible to be nominated for or hold office of Chief or Councillor if:
- a. the Member has been convicted of an indictable offence pursuant to the Criminal Code of Canada and that member has not obtained a pardon before the date of Nominations;
 - b. the Member is subject to an order of parole;
 - c. a civil judgment or restitution order has been granted against the Member in favour of Siksika Nation or any other Entity for:
 - (i) misappropriation of funds;
 - (ii) theft;
 - (iii) fraud; or
 - (iv) breach of trust;
 - d. during their term of office, the member of Council becomes employed on a full time basis which may interfere with that person's duties to Siksika Nation.

10. ELIGIBILITY TO VOTE

- 10.1 A Siksika Nation Member is eligible to vote at any Election or By-Election if that person:
- a. is registered as a member of the Siksika Nation pursuant to the Siksika Nation Membership Code; and
 - b. is eighteen (18) years of age or over on the Election or By-Election date.
- 10.2 Notwithstanding section 10.1, the Chief Electoral Officer, as appointed pursuant to the Regulations, shall not be entitled to vote at any Election or By-Election

11. TENURE

- 11.1 The elected Chief and 12 Councillors shall hold office for a term of three (3) years which shall commence on the day in which Council is sworn into office.

12. ELECTION DATE

- 12.1 In each Election year, the Election date will be the last Wednesday of November, or during the last business week of November, unless unforeseen circumstances arise as determined by the Chief Electoral Officer. In the event of unforeseen circumstances, the Election Date will then be rescheduled by the Chief Electoral Officer.
- 12.2 The time of the swearing in ceremony shall be set by the Chief Electoral Officer and must be held within 48 hours of the close of polls.

13. VACANCIES

- 13.1 The Office of Chief or Councillor shall become vacant when the person who holds that office:
- a. is removed from office or becomes ineligible to hold office pursuant to this Code;
 - b. dies or resigns from office;
 - c. is convicted of an indictable offence during his or her term of office;
 - d. a civil judgment or restitution order has been granted against the member in favour of Siksika Nation or any other Entity for:

- (i) misappropriation of funds;
 - (ii) theft; or
 - (iii) fraud; or
 - (iv) breach of trust; or
- e. during their term of office, the member of Council becomes employed on a full time basis which may interfere with that person's duties to Siksika Nation.

14. ELECTION NOTICE

14.1 In every year in which an Election is to be held, Chief and Council shall issue an Election Notice. The Chief Electoral Officer at his discretion shall post copies of the Election Notice in prominent locations at least sixty (60) days prior to the date of Election. The Election Notice shall contain the following information:

- a. the date of the Election;
- b. the name of the Chief Electoral Officer;
- c. the procedures of nominations, including the date of the nomination meeting;
- d. the location of the polling stations;
- e. a statement that any voter may vote by mail-in ballot;
- f. the nomination fees for Chief or Councillor;
- g. the Advanced Polling date;
- h. and any other matter with respect to the Election; and
- g. the Code will be made available to the members by the Chief Electoral Officer or personnel delegated by the Chief Electoral Officer.

14.2 In the event of a By-Election pursuant to section 15.1, Chief and Council shall issue a notice of By-Election. The By-Election notice shall contain those items set out in section 14.1.

14.3 Subject to section 14.1, an Election Notice shall be published within ten (10) days prior to the Election or By-Election in at least one issue of a newspaper that is approved by the Chief Electoral Officer and has general circulation within the Siksika Nation.

15. BY-ELECTIONS

15.1 If a vacancy shall exist in the office of Chief or Councillor at a time when there is greater than six (6) months remaining in the unexpired term of the office which is vacant, a By-Election shall be held pursuant to this Code to fill the vacancy.

15.2 When the unexpired term is less than six (6) months:

- a. if the vacancy occurs in the office of Councillor, the office of Councillor shall remain vacant for the remainder of the term; and
- b. if the vacancy occurs in the office of Chief, then Council shall elect from among themselves a person to fill the office of Chief for the remainder of the said term.

16. APPEALS – ELECTIONS OR BY-ELECTION APPEALS

16.1 Council may enact regulations governing Election or By-Election appeals.

16.2 Any Eligible Voter may appeal an Election or By-Election or the election of any candidate on the grounds that there was a violation of this Code or the Regulations in such a way as to materially affect the outcome of the Election or By-Election as a whole or that of any candidate.

16.3 The proof of whether an allowable appeal would have made a difference in the outcome of the Election or By-Election rests with the Eligible Voter who lodges an appeal of the Election or By-Election.

16.4 The decision of the Appeal Board will be final and binding on all parties.

16.5 The Chief and Council which is sworn in after an election will continue until a final determination has been made by the Appeal Board.

17. PROCEEDINGS FOR REMOVAL

17.1 Proceedings to declare a person ineligible to continue to hold the office of Chief or a Councillor may be initiated by:

- a. any Eligible Voter serving the Membership Tribunal with a petition on which shall appear:
 - (i) the grounds pursuant to section 17.5 on which removal of a Chief or Councillor is sought;
 - (ii) the evidence in support of the petition;

- (iii) the signature of the originator of the petition (the “Petitioner”); and
 - (iv) the signatures of not less than one third (1/3) of the Eligible Voters of the Siksika Nation in support of the petition; or
 - b. a Chief or Councillor serving the Membership Tribunal with a petition on which shall appear:
 - (i) the grounds pursuant to section 17.5 on which removal of a Chief or Councillor is sought;
 - (ii) the evidence in support of the petition; and
 - (iii) the signature of the originator of the petition (“the Petitioner”) and a majority of a quorum of Council.
- 17.2 On receipt of such petition, the Membership Tribunal will verify that the petition complies with section 17.1. If the petition does not comply, the Tribal Manager will notify the Petitioner.
- 17.3 If the petition complies, the Membership Tribunal will order the matter on an agenda to the Appeals Committee established pursuant to B.C.R.# 00-07, within fifteen (15) days from the date of receipt of the petition.
- 17.4 A member of the Appeals Committee will personally hand deliver the said petition to the Chief, Council and all other members of the Appeals Committee within seven (7) days from the date of receipt of the petition.
- 17.5 The Appeals Committee shall deal with each case individually and the decision of the Appeals Committee shall be rendered within fifteen (15) days of the hearing and shall be final and binding upon all parties, with no further appeal to Council, or to any Court of Law.

18. REGULATIONS

- 18.1 Chief and Council may make regulations with respect to Elections and By-Elections and, without restricting the generality of the foregoing, make regulations with respect to:
- a. scheduling of dates;
 - b. the appointment and duties of Election Officers;
 - c. procedures and meetings for nomination of candidates;

- d. the manner in which voting shall be carried out; and
- e. the counting of ballots and the announcement of the result of Elections or By-Elections.

18.2 Regulations passed pursuant to this Code shall take effect upon enactment.

19. AMENDMENTS

- 19.1 Except for sections 4, 6, 7, 8, 9, 10, 11, 13 and 19 of this Code, Chief and Council, by Band Council Resolution, may amend this Code and the Regulations providing that any such amendment is enacted not less than three (3) months prior to date set for the Election or By-Election.
- 19.2 Sections 4, 6, 7, 8, 9, 10, 11, 13 and 19 of this Code shall only be amended by the approval of a majority of one-third (1/3) of the eligible voters through referendum.

20. SEVERABILITY

- 20.1 Each section may through a Court or other Tribunal be found to be unenforceable, that finding however, will not render the rest of the Code unenforceable.

21. ENACTMENT

- 21.1 In accordance with its power to provide for the conduct of Elections on the Reserve and in designated areas off reserve and in accordance with the Siksika Nation's customs, traditions and beliefs, the Siksika Nation does hereby declare and enact the Siksika Nation Election Code and the Siksika Nation Election Regulations as its current custom to govern the selection for office and removal from office of its Chief and Council until further amended as provided for herein.

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SIKSIKA NATION ELECTION REGULATIONS

The Siksika Nation, in accordance with its power to provide for the conduct of Elections for the Siksika Nation, does hereby enact the Siksika Nation Election Regulations.

Part 1. TITLE

- 1.1 The title of this document is the "Siksika Nation Election Regulations".

Part 2. INTERPRETATION

- 2.1 The definitions used in the Siksika Nation Election Code shall have the same meaning in the Siksika Nation Election Regulations.
- 2.2 If there is an inconsistency between the Code and these Regulations, the Code shall prevail over any such inconsistency.
- 2.3 If there is an inconsistency between the Code and these Regulations and any other enactment of the Siksika Nation, the Code and these Regulations shall prevail to the extent of such inconsistency.

Part 3. PRE-NOMINATION PROCEDURE

3. CHIEF ELECTORAL OFFICER

- 3.1 Pursuant to the terms of the Code, the Council shall appoint the Chief Electoral Officer prior to Council issuing the Election Notice.
- 3.2 The Chief Electoral Officer shall:
- a. be a member of the Siksika Nation or is a member of the Blackfeet Tribe, Blood Tribe or Piikani Nation;
 - b. be neither a Chief nor a Councillor nor shall he or she become a candidate in an Election or By-Election for which he or she is appointed or favor, promote or be associated with the campaign of any candidate;
 - c. be twenty-one (21) years of age or over as of the date of appointment;
 - d. be fluent in both the Blackfoot and English languages; and

- e. keep confidential all information acquired in the exercise of his or her duties.

3.3 The duties of the Chief Electoral Officer are to act as the returning officer of the Election or By-Election, to appoint the deputies, interpreters, and other persons required to conduct the Election or By-Election and shall provide all necessary means and do all acts that may be required for the purpose of holding the Election or By-Election or taking the votes. The duties and the powers of the Chief Electoral Officer shall include, but are not limited to, the following:

- a. to appoint deputy electoral officers, interpreters, and all other persons required in order that the Election, By-Election & Advanced Polling be held;
- b. to prepare the list of Eligible Voters;
- c. to prepare, post, and announce the Election Notice of any Election or By-Election, Advanced Poll date, as the case may be, issued by the Council pursuant to section 14.1 of the Code;
- d. to publicize the date, time and place of the nomination process;
- e. to prepare a list of eligible nominees, from among those nominated;
- f. to collect on behalf of the Siksika Nation the fees to be assessed pursuant to these Regulations;
- g. to procure the necessary materials and establish polling places;
- h. to conduct an Advanced Polling Station one week prior to the regular voting date;
- i. to send out mail-in ballots to those electors who specifically request one in writing;
- j. to establish regulations and accreditation procedures for scrutineers employed by candidates at the polling places;
- k. to establish and conduct the poll and to be responsible for all matters during polling;
- l. to close the polls and gather ballots;
- m. to supervise the count of the vote and to ensure the votes are counted from the Calgary Polling Station.

- n. to declare the successful candidates;
 - o. to deal with the ballots in accordance with these Regulations;
 - p. subject to the provisions of the Code and Regulations, to generally oversee and supervise the conduct of the Election or By-Election and to act with respect to appeals as required by the Code and these Regulations; and
 - q. to obtain from each nominee either a Letter of Clearance from a recognized police service stating that the nominee has no criminal record or a copy of their criminal record as recorded on a Canadian Police Information Computer (CPIC) obtained from a recognized police service showing that the Nominee has no criminal record for an indictable offence. In the event that a Nominee does have a Criminal Record for an indictable offence, then the Nominee must produce their record of the pardon that the Nominee was granted in respect to any indictable offence that was revealed on the Nominee's CPIC record before the Nominee is eligible to run for office. The CPIC and record of pardon must be received by the CEO from each nominee at the nomination meeting.
- 3.4 For greater certainty, each nominee shall provide a copy of either a Letter of Clearance or CPIC record and any letter of pardon to the Chief Electoral Officer at the nomination meeting. The Letter of Clearance or CPIC record and any letter of pardon must be dated no later than sixty (60) days prior to the nomination date.
- 3.5 Obtain from each nominee a sworn Statutory Declaration stating that there are no outstanding civil judgments or restitution orders which have been granted against him or her in favour of the Siksika Nation or any Siksika Entity for misappropriation of funds, theft, fraud or breach of trust, at the nomination meeting.
- 3.6 The Chief Electoral Officer shall be provided with sufficient support staff, space and resources by Council in order to fulfill his or her duties pursuant to the Code and these Regulations.
- 3.7 The Chief Electoral Officer shall not be eligible to vote at the Election or By-Election over which he or she is presiding, notwithstanding that he or she may be a Siksika Nation member.

Part 4. DEPUTY ELECTORAL OFFICERS

- 4.1 Deputy Electoral Officers, as required in order to assist in the conduct of the Election or By-Election, shall be appointed by the Chief Electoral Officer prior to the nomination meeting pursuant to the Code.

- 4.2 Any Deputy Electoral Officer shall:
- a. be a member of the Siksika Nation or a member of the Blackfeet Tribe, Blood Tribe or Piikani Nation;
 - b. be neither a Chief nor a Councillor nor shall he or she become a candidate in an Election or By-Election for which he or she is appointed or favor, promote or be associated with the campaign of any candidate;
 - c. be twenty-one (21) years of age or over as of the date of appointment; and
 - d. keep confidential all information acquired in the exercise of his or her duties.
- 4.3 The Deputy Electoral Officers shall perform all duties as assigned and delegated by the Chief Electoral Officer and the expression "Chief Electoral Officer" appearing in these Regulations shall include the Deputy Electoral Officers where such duties have been delegated to him or her.

Part 5. INTERPRETERS

- 5.1 Interpreters shall be appointed as required for the conduct of an Election or By-Election by the Chief Electoral Officer at least fifteen (15) days prior to an Election or By-Election.
- 5.2 An interpreter shall:
- a. be twenty-one (21) years of age or over;
 - b. be fluent in the Blackfoot language;
 - c. be able to read and write English;
 - d. have knowledge of Siksika Nation names and families; and
 - e. be neither a Chief nor a Councillor nor shall he or she become a candidate in an Election or By-Election for which he or she is appointed or favor, promote, or be associated with the campaign of any candidate.

Part 6. SCRUTINEERS

- 6.1 Scrutineers may be appointed by candidates at the candidates own expense. Each candidate may appoint one (1) scrutineer at least seven (7) days prior to an

Election or By-Election by filing with the Chief Electoral Officer an appointment in the form stipulated by the Chief Electoral Officer.

- 6.2 Scrutineers shall be twenty-one (21) years of age or over and shall be a member of the Siksika Nation.
- 6.3 Scrutineers shall be entitled to observe the conduct of an Election or By-Election and the counting of the ballots but Scrutineers
 - a. Shall not speak to or influence or interfere with any voter in the polling places;
 - b. Shall not obstruct or interfere with the Chief Electoral Officer, any Deputy Electoral Officers or interpreters in completing their duties in accordance with the Code or Regulations;
 - c. Shall not release or discuss the results of the Election until the Chief Electoral Officer has publicly declared the candidates that have been elected; and
 - d. Shall stay in a designated area and not leave until the final results of the Election have been publicly declared.
 - e. Shall not carry any electronic devices in the designated area.
- 6.4 One scrutineer may be appointed to be present at the counting of votes but the non-attendance of any scrutineer does not invalidate any act taken pursuant to the Code or these Regulations.

Part 7. VOTERS LIST

- 7.1 At least fifteen (15) days prior to an Election or By-Election, a preliminary list of Eligible Voters prepared from the list of Siksika Nation members maintained pursuant to the Siksika Nation Membership Code shall be posted on the Siksika Nation website and at the Siksika Membership Office.
- 7.2 Any Siksika Nation Member who is eighteen (18) years of age or over on the Election or By-Election date may apply to the Chief Electoral Officer to have:
 - a. his or her name added to the list of Eligible Voters; and
 - b. his or her name or the name of any other person deleted from the list of Eligible Voters.

- 7.3 The Chief Electoral Officer shall cause an investigation to be made into the eligibility of the person to be added or deleted and, as a result of the investigation, may add or delete as appropriate such person or persons who are the subject of any such application.
- 7.4 The Chief Electoral Officer shall furnish a copy of the findings to the person causing the investigation upon written request of such person.
- 7.5 The Chief Electoral Officer shall be entitled to request any proof, affidavit or statutory declaration of any applicant or person subject to an investigation under this section.
- 7.6 The Chief Electoral Officer shall post a final voters list on or before seven (7) days prior to the Elections or By-Elections date.

Part 8. NOMINATION PROCESS

8. NOMINATIONS

- 8.1 Not less than Thirty (30) days prior to the date of Election, the Chief Electoral Officer shall hold a nomination meeting at the time, date and place described in the Election Notice.
- 8.2 A Member of the Siksika Nation may only be nominated for Chief or Councillor, but not both.
- 8.3 Not less than seven (7) days prior to the date of the nomination meeting, the Chief Electoral Officer shall post notice of the Nomination meeting which shall include the date, time and place of the nomination meeting, eligibility requirements to be nominated for the offices of Chief or Councillor, nomination procedures and any other matters relating to nominations, inconspicuous places throughout the Reserve and in local news media having general circulation within the Siksika Nation.
- 8.4 During the nomination process, the Chief Electoral Officer shall:
 - a. if only one person has been nominated for the office of Chief, declare that person as duly elected by acclamation;
 - b. if twelve or fewer persons have been nominated as Councillor, declare those persons as duly elected by acclamation; and
 - c. if the number of persons nominated for the office of Chief exceeds one, or the number of persons nominated for Councillor exceeds twelve, then declare that an Election will be held at the time, date and place specified in

- d. the notice of Election or notice of By-Election to elect the said Chief and/or Councillors as required.
- 8.5 Any Eligible Voter, excluding the Chief Electoral Officer, Deputy Electoral Officers, Interpreters and support staff provided to the Chief Electoral Officer pursuant to section 3.6 of the Regulations, may nominate any other person who is eligible to stand for office of Chief or Councillor providing:
 - a. each nomination shall be seconded by another Eligible Voter;
 - b. each nomination shall be accompanied by the appropriate nomination forms and fee payable at the time of nomination, either by cash, certified cheque or money order, payable to the Siksika Nation Election Account. Such fee shall be non-refundable. No nomination is valid or shall be acted on by the Chief Electoral Officer unless it is accompanied by the fee specified;
 - c. each nominator shall provide a statement in the form stipulated by the Chief Electoral Officer that he or she believes the nominee is eligible to be nominated and hold office pursuant to this Code and these Regulations;
 - d. The nomination form must then be completed by the nominator and secondary nominator;
 - e. A form must be signed by the Candidate accepting the nomination on nomination day; and
 - f. Pursuant to sections 3.3, 3.4 and 3.5 of the Regulations, each nomination form must also include a copy of the nominee's Letter of Clearance or CPIC record, letter of pardon, if required, and Statutory Declaration sworn by the nominee.
- 8.6 Any person who runs in an Election or By-Election and is an employee of Siksika Nation or a corporation owned by Siksika Nation:
 - a. must not use any of Siksika Nation's materials, facilities, photocopy machines, fax machines, equipment, phones, vehicles, office supplies etc. for any of their campaigning activities.
- 8.7 In the event that an employee of the Siksika Nation is voted in as Chief or Councillor, then the employee must resign their position immediately.
- 8.8 An Eligible Voter may give the Chief Electoral Officer notice that one or more of the candidates are ineligible to hold office pursuant to the Code and these Regulations. In respect of such notice, if received within two (2) days from the date of the nomination, the Chief Electoral Officer shall convene a hearing to

which the Chief Electoral Officer shall summon the said voter, the candidate and any other person in the Chief Electoral Officer's sole discretion. The Chief Electoral officer shall resolve the matter at the hearing in a summary manner and may consider any information or evidence presented and shall not be bound by the rules of the evidence or procedure in so doing. The decision of the Chief Electoral Officer regarding the eligibility of candidates shall be final and binding. Upon determining that any candidate is ineligible to hold office, immediately remove the name of the candidate from the list of candidates for election.

- 8.9 Forthwith after any such hearing or hearings referred to in section 8.8, and in any event at not later than two (2) days prior to the Election or By-Election, the Chief Electoral Officer shall post in a conspicuous place throughout the Reserve the final list of candidates for the offices of Chief or Councillor.
- 8.10 The Chief Electoral Officer or the Deputy Electoral Officers shall maintain order at all times during the nomination meeting and may cause to be removed any person who, in their sole discretion, is disrupting or otherwise interfering with the meeting.

Part 9 CANDIDACY

9. NOMINATION FEE

- 9. The nomination fee for each candidate for the office of Chief is six hundred (\$600.00) dollars. The nomination fee for each candidate for Councillor is three hundred (\$300.00) dollars;

9.1 WITHDRAWAL FROM CANDIDACY

- 9.1 A Candidate may withdraw his or her candidacy within two (2) days after the nomination meeting by so notifying the Chief Electoral Officer. Nomination fees will not be refundable.

Part 10 PRE-ELECTION PROCEDURE

10. ESTABLISHMENT OF POLLING STATIONS

- 10.1 A Polling Station will be held in Calgary with the location to be determined.
- 10.2 A Polling Station will also be set up at Blackfoot Crossing Historical Park.
- 10.3 The Chief Electoral Officer shall designate the locations of the polling stations for the Election or By-Election. The Chief Electoral Officer shall provide polling

booths or compartments for Eligible Voters to mark their ballots in secret and free from observation.

Part 10.a ADVANCE POLLS

- 10.a.1. Advance Polls will be set up one week prior to the General Election date for those Nation Members that cannot make it on the date of Elections.
- 10.a.2. Polling Stations will be set up at the Community Centre, B.C.H.P and in Calgary, will the location to be determined at a later date.
- 10.a.3. The sealed Ballot Boxes will be stored with the RCMP until the General Election date.

Part 11. BALLOT BOXES

- 11.1 At the polling stations, the Chief Electoral Officer shall provide as many ballot boxes as are required for the purposes of the Election, By-Election, or mail-in ballots.
- 11.2 The ballot boxes shall:
 - a. be made of durable material;
 - b. be accompanied by adequate locks and seals;
 - c. be designed so that ballots cannot be tampered with once the ballots have been deposited into the ballot box; and
 - d. remained locked and sealed until the official counting of ballots begins.
- 11.3 Each ballot box shall have a form affixed to it stating:
 - a. that it is an official ballot box for that Election, By-Election, or mail-in ballots;
 - b. the location of the polling station;
 - c. the date or dates for which it is used;
 - d. the signature of the Chief Electoral Officer; and
 - e. its sequential number.

- 11.4 At the Polling Stations, the Chief Electoral Officer n Deputy Electoral Officer shall, immediately before commencement of any poll, open the ballot boxes and call the scrutineers and such other persons as may be present to view that the ballot boxes are empty. The Chief Electoral Officer n Deputy Electoral Officer shall then lock and seal the boxes to prevent them from being opened without breaking the seal and shall place them in public view for the reception of ballots and the seal shall not be broken until the poll is officially terminated and the ballots are to be counted.

Part 12. MATERIALS

- 12.1 The Chief Electoral Officer shall cause to be prepared a sufficient number of ballot papers for the purpose of voting at the Election or By-Election. Such ballot papers shall be in the form prescribed containing the names of candidates for Chief and for Councillors.
- 12.2 The content of each ballot shall be as follows:
- a. at the top of the ballot shall be printed the names of the position to be elected;
 - b. below the position to be elected shall be printed such instructions to the Eligible Voter as may be necessary to inform them of the manner in which the ballot is to be marked;
 - c. each Candidate's name shall be printed as similar as possible;
 - d. the Candidate's names shall be arranged as follows:
 - (i) the Candidates' surnames;
 - (ii) the Candidate's given name, initials, and nickname, if applicable, following the surname and a comma; and
 - (iii) the Candidate's name listed alphabetically; and
 - (iv) a space shall be provided to the right of each Candidate's name for the indication of a choice of that Candidate.
- 12.3 In each voting compartment, the Chief Electoral Officer shall cause to be provided a suitable desk, table or shelf, sufficient materials for marking the ballot papers and a sufficient number of explanatory directions for voting.

Part 13 MAIL IN BALLOTS

13.1. The Chief Electoral Officer or deputy electoral officer shall send a mail-in ballot package to those electors who specifically request one by writing. The electoral officer has the assurances that the ballot package is being sent to the correct address and only those electors who are interested in voting will receive a package.

13.2 A mail-in ballot package will consist of:

- a. a ballot initialled on the back by the electoral officer;
- b. an inner return envelope, pre-addressed to the electoral officer;
- c. a second inner envelope marked "ballot" for insertion of the completed ballot;
- d. a voter declaration form which shall set out:
 - i) the name of the elector
 - ii) the membership number and date of birth of the elector; and
 - iii) the name, address and telephone number of the witness to the signature of the elector;
- e. a letter of instruction regarding voting by mail-in ballot which shall also include:
 - i) a statement advising electors that they may vote in person at either of the Siksika polling stations on the day of the election if they return their mail-in ballot to the electoral officer at either one the polling stations or swear a written declaration that they have lost the mail-in ballot.
- f. An elector requesting a mail-in ballot may do so once the Notice of Elections has been posted, and must do so, no later then 20 days prior to elections
- g. For voters living on reserve and requesting a mail-in ballot, those requests must be done in writing no later than 5 days prior to election

13.3 Upon receipt of a request for a mail-in ballot package under Section 13.2, the Electoral officer or deputy electoral officer shall mail or deliver a mail-in ballot package described in section 13.2 to the elector who so requests.

13.4 The electoral officer or deputy electoral officer shall indicate on the voters list that a ballot has been provided to each voter to whom a mail-in ballot was mailed or otherwise provided and keep a record of the date on which, and the address to which, each mail-in ballot was mailed or otherwise provided.

13.5 An elector shall vote by mail-in ballot by:

- a. Connecting the arrow that clearly indicates the elector's choice but does not identify the elector opposite the name of the candidate or candidates for whom he desires to vote;
- b. folding the ballot in a manner that conceals the names of the candidates or the marks, but exposes the electoral officer's initials on the back;
- c. placing the ballot in the inner envelope and sealing the envelope;
- d. completing and signing the voter declaration form in the presence of a witness who is at least 18 years of age;
- e. placing the inner envelope and the completed, signed and witnessed voter declaration form in the self addressed envelope; and
- f. delivering, mailing or otherwise ensuring receipt by the electoral officer of the envelope before the close of polls on the election.

13.6 Where an elector is unable to vote in the manner set out in section 13.5, the elector may enlist the assistance of another person to mark the ballot and complete and sign the voter declaration form in accordance with that section.

13.7 A witness referred to in section 13.6 shall attest to:

- a. the fact that the person completing and signing the voter declaration form is the person whose name is set out in the form; or
- b. the fact that the elector is the person whose name is set out in the form and that the ballot was marked according to the directions of the elector.

13.8 Mail-in ballots that are not received by the electoral officer or deputy electoral officer before the close of polls on the day of the election shall not be counted.

Part 14. ELECTION PROCEDURE

14.1 Only the Chief Electoral Officer, deputy electoral officers, scrutineers, and others concerned with the conduct or carrying out of the Election or By-Election in an official capacity, and the Eligible Voters who are present and are actually engaged in voting, shall be entitled to remain in polling station during the time appointed for voting.

- 14.2 No persons present in the polling stations nor within 50 metres of the building where the voting is being held during the time appointed for voting shall campaign for any candidate, influence or interfere with any voter in the polling station.
- 14.3 There shall be no signs, posters or other campaign materials posted outside of or in the polling stations during the time appointed for voting during an Election or By-Election.
- 14.4 The polling stations shall be kept open on the Election day from 9:00 o'clock in the forenoon until 8:00 o'clock in the evening, local time, of the said day and on the By-election day from 12:00 o'clock in the afternoon until 6:00 o'clock in the evening, local time, of the said day.
- 14.5 All voting shall be by secret ballot.
- 14.6 An Eligible Voter may vote once only for Chief and one to twelve for Councillors he or she chooses, not exceeding the number of Councillors to be elected. A ballot containing votes for more than one (1) Chief or for more than the number of Councillors to be elected is void.
- 14.7 When a person whose name is on the list of eligible voters attends the polling station for voting purposes, the Chief Electoral Officer or Deputy Electoral Officer, as the case may be, shall:
 - a. verify that the name of the person is registered on the list of Eligible Voters;
 - b. initial a ballot to indicate valid issuance of same;
 - c. provide the ballot to the Eligible Voter on which to register his or her vote;
 - d. cause to be placed in the proper column of the Eligible Voters list a mark opposite the name of the person receiving the ballot to indicate the issuance of a ballot to that person.
- 14.8 A Chief Electoral Officer shall not issue a ballot to any person whose name does not appear on the Eligible Voters list, unless the voter is sworn in for voting purposes.
- 14.9 If the Chief Electoral Officer is satisfied that such person is eligible to be added to the voters list the Chief Electoral Officer shall require such person to be sworn in and shall add his or her name to the Eligible Voters list.
- 14.10 The Chief Electoral Officer shall when requested to do so explain the mode of voting to any Eligible Voter.

14.11 On receiving a ballot, each Eligible Voter shall:

- a. forthwith proceed to the compartment provided for marking ballots and shall mark the ballot by placing his or her mark (which must be either "X", "+" or " → ") opposite the name of the candidate or candidates for whom the person wishes to vote;
- b. fold the ballot so as to conceal the name of the candidates and mark on the face of the ballot but so as to expose the initials of the Chief Electoral Officer; and
- c. on leaving the compartment, forthwith deliver the ballot to the Chief Electoral Officer or a Deputy Electoral Officer;
- d. for ballots using a manual system, there must be a clear indication of the chosen candidate. For ballots using an electronic system, the electronic system must be complied with.

14.12 On receiving a ballot the Chief Electoral Officer or Deputy Electoral Officer shall, without unfolding the ballot, verify his or her initials and at once deposit the ballot in the ballot box in the presence of the voter and of all other persons entitled to be present.

14.13 While any Eligible Voter is in the compartment for the purpose of marking his or her ballot, no other person shall be allowed in the same compartment or be in any position from which the person can see the manner in which such Eligible Voter marks his or her ballot, except as otherwise specifically provided in the Code or these Regulations.

14.14 On the request of any Eligible Voter who is unable to read or write English or is incapacitated by blindness, deafness or otherwise from voting in the manner prescribed by these Regulations, the Chief Electoral Officer, Deputy Electoral Officer or the Interpreter shall assist the voter as follows:

- a. in the case of a voter who cannot read, write or speak English, the Chief Electoral Officer, the Deputy Electoral Officer or the Interpreter shall:
 - (i) explain the mode of voting to the voter;
 - (ii) identify the candidates;
 - (iii) call the Siksika Nation names of the candidates on the ballot; and
 - (iv) allow the voter to mark his or her own ballot.
- b. in the case of a voter who is deaf, the Chief Electoral Officer, the Deputy Electoral Officer or the Interpreter shall:

- (i) explain the mode of voting to the voter;
 - (ii) identify the candidates; and
 - (iii) allow the voter to mark his or her own ballot.
 - c. in the case of a voter who is blind, the Chief Electoral Officer, the Deputy Electoral Officer or the Interpreter shall:
 - (i) explain the mode of voting to the voter;
 - (ii) call out the name of the candidates in English or Siksika as requested; and
 - (iii) mark the said ballot as instructed by the voter.
 - d. in the case of a person who is physically incapable of marking his or her ballot due to physical handicap, the Chief Electoral Officer, the Deputy Electoral Officer or the Interpreter shall:
 - (i) explain the mode of voting to the voter; and
 - (ii) mark the said ballot as instructed by the voter.
 - (iii) The voter must have a full concept of the voting process
- 14.15 The Chief Electoral Officer shall mark on the voters list opposite the name of any Eligible Voter so assisted, the fact that the voter was so assisted by the Chief Electoral Officer, the Deputy Electoral Officer or the Interpreter and the reasons therefor.
- 14.16 An Eligible Voter who has inadvertently dealt with his or her ballot paper in such a manner that it cannot be conveniently used shall return it to the Chief Electoral Officer or a Deputy Electoral Officer who shall thereupon write "cancelled" upon the spoiled ballot and cause the said spoiled ballot to be preserved separate from the ballot box. The Chief Electoral Officer or a Deputy Electoral Officer shall then issue another unmarked ballot to the voter.
- 14.17 Any Eligible Voter who has received a ballot paper and who leaves the polling booth without delivering the same to the Chief Electoral Officer or a Deputy Electoral Officer in the manner provided by these Regulations or who refuses to vote shall forfeit his or her right to vote at the Election or By-Election and the Chief Electoral Officer or a Deputy Electoral Officer shall make an entry in the Eligible Voters list in the column for remarks opposite the name of such voter to show that such voter received the ballot paper and declined to vote. In the case where the ballot paper is returned to the Chief Electoral Officer or a Deputy Electoral Officer, the Chief Electoral Officer or a Deputy Electoral Officer shall mark upon the face of the ballot paper the word "declined" and all ballot papers so marked shall be preserved separate and apart from the ballot box.

- 14.18 Promptly at 8:00 o'clock in the evening of the Election day or promptly at 6:00 o'clock in the evening of the By-Election day, the Chief Electoral Officer shall publicly declare that the polls are closed, and direct that the doors at the polling station be locked, however, all Eligible Voters who are inside the polling place at such time but who have not yet voted shall be allowed to vote.
- 14.19 Notwithstanding sections 14.4 and 14.18, the Chief Electoral Officer may, in his or her absolute discretion, extend the time for voting at any polling station.

Part 15. CLOSING THE POLL

15. Immediately following the closing of the polls, the electoral officer or deputy electoral officer shall, in the presence of any scrutineers, open each envelope containing a mail-in ballot that was received before the close of the polls and, insert the mail-in ballots into the electronic counter.
- 15.1 The Chief Electoral Officer shall, in the presence of such of the scrutineers, and all other persons entitled to be present, open the ballot boxes and ensure that the voters list and the ballots balance. The Chief Electoral Officer will then proceed to count the votes.
- 15.2 The Chief Electoral Officer shall not permit more than one scrutineer of any Candidate to be present at the same time in any polling place during the counting of the votes.
- 15.3 In the course of counting the votes, the Chief Electoral Officer shall only open one ballot box at a time unless, in the Chief Electoral Officer's complete discretion, the Chief Electoral Officer is satisfied that there is sufficient supervision to open more than one box at one time.
- 15.4 The Chief Electoral Officer shall examine all the ballots and shall reject ballots on the following grounds:
- a. ballots which have not been supplied by the Chief Electoral Officer;
 - b. ballots upon which votes have been given for more Candidates than are to be elected;
 - c. ballots upon which anything appears by which the voter can be identified;
 - d. ballots which do not indicate a vote for any Candidate; and
 - e. ballots which are so marked that it is uncertain the name of the Candidate or Candidates for whom the person wished to vote.

- 15.5 On the back of rejected ballots the Chief Electoral Officer shall:
- a. endorse “rejected” if the ballot is rejected as void; and
 - b. endorse “reason objected to” if any objection is made to the rejection; and shall initial each endorsement.
- 15.6 The Chief Electoral Officer shall make a note of any objection made by a scrutineer to any ballot paper found in the ballot box and any question arising out of the objection shall be decided by the Chief Electoral Officer in his or her sole and absolute discretion. The decision of the Chief Electoral Officer on the acceptance or rejection of any ballot paper shall be final and binding.
- 15.7 Every objection shall be numbered and the corresponding number shall be placed on the back of the ballot paper and initialed by the Chief Electoral Officer.
- 15.8 The Chief Electoral Officer shall then count the ballots cast for each candidate on the ballot papers not rejected, and shall prepare a written statement in words and as well in figures under the following heads:
- a. the date of the election;
 - b. the number of persons who voted at the polling station;
 - c. the number of ballots cast for each Candidate; and
 - d. the number of rejected ballot papers.
- 15.9
- a. The Deputy Electoral Officer shall perform the same duties as carried out by the Chief Electoral Officer when closing the Polls in Calgary.
 - b. The Deputy Electoral Officer will have to send the results of the Calgary Polling Station to the Siksika Polling Station at the closing of the Polls.
 - c. The written statement shall then be signed by the Chief Electoral Officer and those of the candidates who are present and desire to sign it.
- 15.10 At the completion of the counting of the ballots, the Chief Electoral Officer or the Deputy Electoral Officer shall make up and seal separate packets containing:
- a. the used ballot papers that have not been objected to and have been counted;
 - b. the used ballot papers that have been objected to but have been counted;
 - c. the rejected ballot papers;

- d. the cancelled ballot papers;
- e. the unused ballot papers;
- f. the notes taken of objections made to ballot papers found in the ballot box;
and
- g. the list of Eligible Voters;

and such packets shall be verified on the face thereof by a description and the signature of the said Chief Electoral Officer.

- 15.11 The materials referred to in section 15.10 shall be retained by the Chief Electoral Officer under lock and key until the appeal periods have passed or, if any appeals have been filed, the conclusion of any such appeals. At the end of such time period all materials may be destroyed by the Chief Electoral Officer in the presence of a witness.

Part 16. DECLARATION OF RESULT

- 16.1 Immediately following completion of the counting of the ballots in an Election or By-Election, either the Chief Electoral Officer or a Deputy Electoral Officer shall publicly declare to be elected the candidate having the greatest number of votes for the office of Chief of Siksika Nation and the candidates having the greatest number of votes for the office of Councillor, as the case may be, in accordance with the Code and these Regulations and shall post in conspicuous places about the Siksika Nation, a statement signed by the Chief Electoral Officer showing the number of votes cast for each candidate for the position of the office of Chief and the number of votes cast for each candidate for the position of the offices of Councillor.
- 16.2 Where two or more candidates for the office of Chief of Siksika Nation are tied for the greatest number of votes, the Chief Electoral Officer shall conduct a recount of the votes. If the result of the recount is still a tie, the Chief Electoral Officer shall conduct a second vote for the office of Chief of Siksika Nation in respect only of those candidates who are tied with the greatest number of votes for the office of Chief of Siksika Nation. The candidate who attains the greatest number of votes on such second vote shall be elected to the office of Chief of Siksika Nation.
- 16.3 Where two or more Candidates for Councillor are tied for the twelfth (12th) greatest number of votes, the Chief Electoral Officer shall conduct a recount of the votes. If the result of the recount is still a tie, the Chief Electoral Officer shall conduct a second vote only for the Candidates that are tied for the twelfth greatest number of votes.

- 16.4 If a second vote is required pursuant to section 16.2 or 16.3, the Chief Electoral Officer shall hold the second vote within five (5) days of the Election or By-Election. If a second vote is required, the Chief Electoral Officer may conduct the Election or By-Election by using either manual or electronic equipment.

Part 17. SECRECY OF VOTING

- 17.1 Every person in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting.
- 17.2 No person shall interfere or attempt to interfere with an Eligible Voter who is marking his or her ballot paper or obtain or attempt to obtain at the polling place, information as to how a voter is about to vote or has voted.

Part 18. APPEAL BOARD - ESTABLISHMENT

- 18.1 For the purpose of hearing any petitions for proceedings of removal of Chief or Councillor, the Appeals Board is hereby established in accordance to Part 19.2 of the Regulations.
- 18.2 Members of the Appeals Board will be selected by the Chief Electoral Officer prior to Elections.

Part 19. APPEALS

- 19.1 For the purpose of hearing any appeals resulting from an Election, By-Election, the Siksika Nation Election Appeal Board is hereby established.
- 19.2 The Chief Electoral Officer shall prepare a list of at least ten (10) candidates for the Appeal Board and the Chief Electoral Officer shall appoint five (5) persons from this list to be the Appeal Board at least ten days prior to an Election date. Further, the Chief Electoral Officer shall appoint two (2) stand-bys in the event anyone of the Appeal Board cannot carry-out their duties.
- 19.3 To be eligible for appointment as a member of the Appeal Board shall:
- a. be twenty-one (21) years of age or over;
 - b. not be the holder of office as Chief or Councillor;
 - c. not be a candidate for office as Chief or a Councillor;

- d. abstain from active involvement in the campaign or promotion of any candidate or participate in the nomination of any candidate; and
 - e. be members of a Nation which is a member of the Blackfoot Confederacy (Bloods, Peigan, Blackfeet)
- and must not:
- a. have been convicted of an indictable offence under the Criminal Code (Canada); or
 - b. have been found to be engaged in a corrupt practice, including accepting a bribe, dishonesty, fraud, theft, breach of trust or wrongful conduct.
- 19.4 The Appeal Board shall be appointed for a term commencing on appointment and terminating upon the expiration of the Appeal period or after the hearing of any appeal arising from Election, whichever date is later. Members of the Appeal Board may be reappointed for successive terms and for future Elections.
- 19.5 The Appeal Board shall be responsible to conduct hearings and determine in accordance with the Code and these Regulations on any appeal from an Election or By-Election.
- 19.6 Any Eligible Voter may lodge an appeal against an Election or By-Election, and must:
- a. within ten (10) days following the Election, By-Election, serve a written document on which shall appear:
 - (i) the grounds pursuant to the Code and these Regulations upon which the Election, By-Election, is appealed;
 - (ii) the evidence in support of the grounds; and
 - (iii) the signature of the person initiating the appeal; and
 - b. such notice shall:
 - (i) be accompanied by a certified cheque, cash, or money order, payable to the Siksika Nation in the sum of three hundred and fifty (\$350.00) dollars, which shall be used to offset some of the administration costs of holding an appeal. The \$350.00 shall be non-refundable; and
 - (ii) be served within ten (10) days of the Election or By- Election, either personally to the Membership Tribunal or by forwarding the appeal to the Membership Tribunal via registered mail addressed to:

Siksika Nation Election Appeal Board
 c/o Membership Tribunal
 P.O. Box 1219
 Siksika, Alberta TOJ 3WO

- 19.7 The Appeal Board shall not receive or consider any appeals with respect to the eligibility of candidates, the decision of the Chief Electoral Officer under section 8.8 of these regulations being final and binding.
- 19.8 If no appeals are lodged within the time prescribed, the Membership Tribunal shall notify Chief and Council that the results of the Election, By-Election, or Recount are final and binding.
- 19.9 Upon receipt of an appeal under section 19.6, the Appeal Board shall cause a copy of the appeal to be served on all candidates for office of Chief or Councillor who is affected by the appeal, either personally or via registered mail, notice shall also be publicly posted within ten (10) days of the receipt of the appeal.
- 19.10 Any Candidate affected by the appeal may reply to the appeal by setting out their response in writing. Any reply to an appeal must be served according to the provisions of section 19.11 within ten (10) days of the candidate having been served with a copy of the appeal.
- 19.11 Such replies referred to in section 19.10 shall be served either personally on any member of the Appeal Board or by forwarding the reply to the Appeal Board via registered mail addressed to:

Siksika Nation Election Appeal Board
 c/o Membership Tribunal
 PO Box 1219 Siksika, Alberta
 TOJ 3WO
- 19.12 The appeal and the replies to the appeal, if any, and the evidence supplied in connection with each shall constitute the record for purposes of the appeal.
- 19.13 Upon expiry of the time for filing replies, the Appeal Board shall meet to hear and determine the appeal or appeals. All appeals to the Appeal Board must be heard. All five (5) members of the Appeal Board must appear to hear any appeal, within ten (10) days of the last day of the filing of an Appeal. The Appeal Board must determine the Appeal within five (5) days.
- 19.14 The Appeal Board may, in its sole discretion;
 - a. examine the record;

- b. conduct hearings of the person bringing the appeal, any Candidates affected by the appeal, and any witnesses which either may call and the Appeal Board may permit to be heard;

Part 20. FORMS

- 20.1 Such forms as are required for the purpose of these Regulations shall be approved from time to time by the Membership Registrar or delegates.

Part 21. AUTOMATIC OR ELECTRONIC BALLOT COUNTING

- 21.1 Notwithstanding sections 11(ballots boxes), 14.12 (voting procedures) and 15 (closing the poll), or any section relating thereto, Siksika Nation Elections or By-Elections may be conducted with automatic or electronic equipment at both Polling Stations.

Part 22. AUTOMATIC or ELECTRONIC BALLOT COUNTING PROCEDURES

- 22.1 Notwithstanding the procedure prescribed for manual counting of ballots in the Regulations, the procedure for Automatic or Electronic Ballot Counting of Siksika Nation Elections or By-Elections shall be conducted in accordance with this Regulation.

Part 23. BALLOT

- 23.1 The Ballot shall be a mark-sense ballot which can be scanned by optical scan read head technology in order to electronically read and tabulate ballots.

Part 24. BALLOT MARKING PEN

- 24.1 The Ballot shall be marked with a special marking pen to be provided by the Chief Electoral Officer that leaves a high density mark on the ballot which can be read with high reliability by the electronic ballot tabulator.

Part 25. ELECTRONIC BALLOT TABULATOR

- 25.1 The ballots shall be tabulated using a portable precinct ballot tabulator that uses optical scan read head technology to electronically read and tabulate mark-sense ballots.

Part 26. VOTING PROCEDURE USING THE MARK-SENSE BALLOT

- 26.1 Delivery of Ballot to Voter - the Voter shall be handed a mark-sense ballot when a voting booth is empty. If a ballot contains any imperfection, the Chief Electoral Officer shall stamp it "VOID" and shall place the "VOID" ballot in the special envelope for that purpose.
- 26.2 Voting Information - the Chief Electoral Officer shall furnish each voting booth with appropriate instructions designed to prevent the Voter from spoiling his/her ballot and instructing him/her what to do if he/she does spoil a ballot.
- 26.3 Manner of Voting - the voter shall vote by completing the arrow (→) opposite the voter's selected Candidate name. The voter shall mark one Candidate for the position of Chief and shall mark no more than twelve Candidates for the position of Councillor. All marks shall be made with the ballot marking pen.
- 26.4 Spoiled - When a voter mistakenly marks a wrong box, or when the arrow is improperly completed, smudged or erased, it will be considered as a Spoiled Ballot. In such case, the voter may request another ballot, and the Chief Electoral Officer must note by the voter's name on the Voting List that he/she was provided with another ballot. The spoiled ballot shall be carefully handled to ensure that any votes marked on the ballot cannot be seen. The spoiled ballot shall then be stamped "VOID", placed in the special envelope for that purpose in the presence of the Voter, and kept by the Chief Electoral Officer. The Chief Electoral Officer shall keep a running tally of the number of Spoiled Ballots so that an accurate count may be made, comparing the number of votes with the number of ballots used.
- 26.5 Ballot Box - The voter shall insert the voted ballot into the secrecy sleeve and deposit it in the Ballot Box. If the Voter wishes, he/she may hand the ballot to the Chief Electoral Officer who shall deposit it in the Ballot Box in the presence of the Voter.
- 27. RECOUNTING PROCEDURES
In the event of an appeal for a recount. all recounts will be done by reinserting Ballots into the Electronic Counter. There will be no manual recounts.