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**MÉTIS VOICES. OTIPEMISIWAK MÉTIS GOVERNMENT.**

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# **DISTRICT COUNCILS ACT**

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**Journey to Otipemisiwak Métis Government**

**SEPTEMBER 2023**

# Otipemisiwak Métis Government District Councils Act

## Table of Contents

PREAMBLE .....	1
PART I: INTRODUCTORY PROVISIONS .....	2
Short title .....	2
Application .....	2
Definitions .....	2
PART II: AUTHORITY AND RESPONSIBILITY OF DISTRICT COUNCILS .....	3
Authority and responsibility of District Councils .....	3
The Constitution and Otipemisiwak Métis Government Law govern.....	4
Coordinating consultation .....	4
Declining authority and responsibility .....	4
PART III: ESTABLISHING DISTRICT COUNCILS .....	4
Name of District Council.....	4
Criteria for establishing a District Council.....	4
Process for establishing a District Council.....	4
Date District Council is established .....	5
District Council Bylaws .....	5
Dissolution of District Council.....	5
PART IV: DISTRICT COUNCIL ELECTIONS .....	5
Rules on election .....	5
Timing of elections.....	5
Voting methods .....	6
<i>Election and Referenda Act</i> applies.....	6
PART V: DISTRICT COUNCILLORS .....	7
Bylaws regarding District Councillors .....	7
Composition of District Councils .....	7
Term of office.....	7
Qualification of District Councillors.....	8
Oath of office.....	8
Conduct.....	8
Duties of District Captain .....	8

Duties of District Secretary .....	9
Duties of District Treasurer .....	9
Remuneration and expenses .....	10
REMOVAL AND VACANCIES.....	10
Suspension.....	10
Removal.....	10
Vacancies.....	11
Restricted authority .....	11
By-election rules.....	11
PART VI: DISTRICT COUNCIL PROCEDURES .....	11
Holding meetings.....	11
Meetings open to Citizens of the District .....	11
Minutes .....	11
Voting .....	12
Decision-making.....	12
Rules of procedure.....	12
PART VII: DISTRICT COUNCIL OPERATIONS .....	12
Power of District Councillors .....	12
Publication of rules and policies.....	12
Employees .....	12
Depositing monies .....	12
Fiscal year.....	13
Audits .....	13
Financial accountability.....	13
District Council budget.....	13
Signing authority and execution of contracts .....	13
Accounts .....	14
Books and Records .....	14
Ownership of lands.....	14
Borrowing powers .....	14
Committees.....	14
Institutions .....	14
Register.....	15

PART VIII: DISTRICT GATHERINGS.....	15
ANNUAL DISTRICT GATHERING.....	15
Holding an Annual District Gathering .....	15
Notice .....	15
Quorum.....	15
Participation.....	15
Minutes .....	15
Rules of procedure.....	16
Decision-making.....	16
Voting .....	16
SPECIAL DISTRICT GATHERING .....	16
Holding a Special District Gathering .....	16
Same rules apply.....	16
Business of a Special District Gathering .....	16
PART IX: INTERPRETATION AND DISPUTE RESOLUTION.....	16
Interpretation .....	16
Conflict .....	17
Judicial Branch jurisdiction.....	17
PART X: TREATY RATIFICATION.....	17
Treaty ratification .....	17
PART XI: GENERAL .....	18
Immunity .....	18
Powers to make regulations.....	18
Seal of a District Council .....	18
Review of Act.....	18
Commencement.....	19
SCHEDULE A: OATH OF OFFICE OF DISTRICT COUNCILLORS.....	20

**PREAMBLE**

**WHEREAS** section 15.1 of the *Otipemisiwak Métis Government Constitution* provides that for the purposes of good governance and the effective representation of Citizens, the Territories of the Métis Nation within Alberta are subdivided into Districts;

**WHEREAS** section 15.4 of the *Otipemisiwak Métis Government Constitution* provides that each District Council is a governance structure of the Otipemisiwak Métis Government with its own legal status and capacity subject to the laws of the Otipemisiwak Métis Government;

**WHEREAS** section 15.5 of the *Otipemisiwak Métis Government Constitution* provides that the Otipemisiwak Métis Government shall maintain a law setting out the criteria and process for the establishment and operations of District Councils;

**WHEREAS** section 31.1 of the *Otipemisiwak Métis Government Constitution* provides that, prior to the coming into force of the Otipemisiwak Métis Government Constitution, the Métis Nation of Alberta Association's Provincial Council shall adopt by resolution all laws required by the *Otipemisiwak Métis Government Constitution*;

**NOW THEREFORE** the Otipemisiwak Métis Government enacts as follows:

## PART I: INTRODUCTORY PROVISIONS

### Short title

1 This Act may be cited as the *District Councils Act*.

### Application

2 This Act applies to the establishment and operations of District Councils.

### Definitions

3 In this Act:

- (a) “**Act**” means the *District Councils Act*, including any amendments to the Act;
- (b) “**Annual District Gathering**” means the annual general meeting of the Citizens of a District held under section 55 of this Act;
- (c) “**Bylaws**” means the Bylaws of a District Council adopted under section 12 of this Act;
- (d) “**Citizen**” means a Citizen of the Métis Nation within Alberta, as defined in the Constitution and Otipemisiwak Métis Government Law;
- (e) “**Citizen of the District**” means a Citizen who ordinarily resides in the District;
- (f) “**Constitution**” means the *Otipemisiwak Métis Government Constitution*;
- (g) “**District**” means a District as defined in the Constitution and the *District Boundaries Act*;
- (h) “**District Council**” means a branch of the Otipemisiwak Métis Government as defined in the Constitution and as established under this Act;
- (i) “**District Council Meeting**” means a meeting of the District Councillors;
- (j) “**District Councillor**” means a District Captain and any additional District Councillors;
- (k) “**eligible Citizens of the District**” means Citizens of the District who at the time of an election for District Council, an Annual District Gathering, or Special District Gathering, as appropriate, are sixteen (16) years of age or older;
- (l) “**general election**” means an election for the Citizens’ Council of the Otipemisiwak Métis Government held every four (4) years pursuant to the Constitution;
- (m) “**Local**” means a Métis local affiliated with the Métis Nation of Alberta Association;

(n) “**ordinary resolution**” means a motion adopted by not less than fifty percent (50%) plus one (1) vote of:

- (i) the District Councillors present at a meeting of the District Councillors; or
- (ii) the eligible Citizens of the District entitled to vote and present at an Annual District Gathering or a Special District Gathering.

(o) “**Otipemisiwak Métis Government Law**” means the duly enacted laws of the Otipemisiwak Métis Government;

(p) “**Special District Gathering**” means a gathering of Citizens of the District held under section 63 of this Act; and

(q) “**special resolution**” means a motion adopted by no less than seventy-five percent (75%) of:

- (i) the District Councillors present at a meeting of the District Councillors; or
- (ii) the eligible Citizens of the District entitled to vote and present at an Annual District Gathering or Special District Gathering.

## **PART II: AUTHORITY AND RESPONSIBILITY OF DISTRICT COUNCILS**

### **Authority and responsibility of District Councils**

**4** The authority and responsibility of District Councils extends to the following matters:

- (a) the operation of the District Council, including the holding of meetings, elections, financial management, accountability, and reporting to Citizens of the District;
- (b) administration of the business of the District Council;
- (c) the conduct of consultation and accommodation with the Crown, industry, and other Indigenous groups on behalf of the Citizens of the District regarding their rights, claims, and interests;
- (d) environmental monitoring in relation to the District;
- (e) repatriation, ownership, and management of lands for the use and benefit of the Citizens of the District;
- (f) overseeing Institutions to develop and deliver programs and services for the benefit of the Citizens of the District;
- (g) consulting with Citizens within the District regarding and voting on ratification of any modern-day treaty or land claims agreement with the Crown;

(h) authority and responsibility regarding specified matters as delegated by the Citizens' Council; and

(i) instituting and amending policies in relation to the above listed matters provided that such policies are consistent with Otipemisiwak Métis Government Law.

### **The Constitution and Otipemisiwak Métis Government Law govern**

**5** (1) A District Council is governed by and must conduct its affairs pursuant to the Constitution and any Otipemisiwak Métis Government Law.

(2) A District Council's Bylaws, rules, policies, procedures, and standards must comply with the Constitution and any Otipemisiwak Métis Government Law.

### **Coordinating consultation**

**6** A District Council must establish procedures to coordinate its work with other District Councils located in the same Territory in conducting consultations in relation to the rights, claims, and interests collectively held by the Métis community of the Territory they represent with the Crown, industry, and other Indigenous groups.

### **Declining authority and responsibility**

**7** If no District Council is established for a District, or if a District Council declines authority and responsibility in relation to certain matters under section 4 of this Act, the Citizens' Council is authorized and responsible for that District in relation to those matters for which no District Council has assumed authority and responsibility.

## **PART III: ESTABLISHING DISTRICT COUNCILS**

### **Name of District Council**

**8** The name of a District Council must be the "District Council of [the name assigned to the District Council's District in Schedule A of the *District Boundaries Act*]".

### **Criteria for establishing a District Council**

**9** (1) Any District may establish a District Council.

(2) Each District may have no more than one (1) District Council.

### **Process for establishing a District Council**

**10** To establish a District Council:

(a) the Citizens of the District must elect a District Captain;

(b) the District Captain must adopt Bylaws in accordance with section 12 of this Act; and



(c) the Citizens' Council must approve the District Council Bylaws by resolution, whose approval must not be withheld unless the Bylaws do not conform to the Constitution or Otipemisiwak Métis Government Law.

#### **Date District Council is established**

**11** A District Council is established on the date the District Council's Bylaws are approved by the Citizens' Council in accordance with section 10 of this Act.

#### **District Council Bylaws**

**12** (1) A District Council must adopt Bylaws in accordance with this Act and Otipemisiwak Métis Government Law.

(2) Bylaws may be rescinded, altered, or added to only by:

- (a) special resolution of the eligible Citizens of the District at a District Gathering; and
- (b) resolution of the Citizens' Council ratifying the special resolution of the Citizens of the District, whose ratification must not be withheld unless the Bylaws do not conform to the Constitution or Otipemisiwak Métis Government Law.

#### **Dissolution of District Council**

**13** (1) A District Council may dissolve itself by adopting a special resolution to that effect at a Special District Gathering.

(2) On dissolution, the former District Captain must deliver all the dissolved District Council's books and records to the Citizens' Council as soon as practicable.

### **PART IV: DISTRICT COUNCIL ELECTIONS**

#### **Rules on election**

**14** A District Council's Bylaws must provide for rules regarding the election of District Councillors in accordance with this Act.

#### **Timing of elections**

**15** (1) Unless otherwise provided for in the Bylaws, the Chief Electoral Officer must hold elections for District Council concurrently with the general election held every four (4) years.

(2) In addition to subsection (1), in a District with no District Council, the Chief Electoral Officer must hold an election for District Captain in that District:

- (a) once a year until a District Captain is elected; or

(b) as soon as practicable following receipt of a petition calling for an election of a District Captain signed by a minimum of ten percent (10%) but not more than 100 of the eligible Citizens of the District.

### **Voting methods**

**16** A District Council, must, in consultation with the Chief Electoral Officer, determine the methods of voting for a District Council election, being in person, by mail, electronically voting, or by any combination thereof.

### ***Election and Referenda Act applies***

**17** (1) Any rules made by a District Council under this Act must not derogate from the following sections of the *Elections and Referenda Act*:

- (a) rules on voter eligibility under section 4(1) and (2)(a);
- (b) rules for ordinary residence under section 5;
- (c) the limitation of one vote per voter for each elected office for which an election is held under section 6(1).
- (d) the prohibition of political activity and the impartiality of election administration officers under section 32;
- (e) Part VI: Campaigning;
- (f) rules applicable to the use of the information contained in the list of voters under section 51;
- (g) rules on the location and accessibility of voting stations under section 52;
- (h) rules on the style of ballots for elections under section 61;
- (i) rules on the secrecy of the vote under sections 57, 62, and 63;
- (j) the obligation to explain the rules of voting to a voter on request under section 72;
- (k) the obligation to provide voter assistance under sections 84–87;
- (l) the requirement for at least one (1) witness for the counting of ballots under section 89;
- (m) the requirement for a statement of vote under section 99;
- (n) the requirements for the consolidated ballot count and disposal of ballots under sections 99–102;
- (o) the requirement for the election results to be certified under section 103;

(p) the rule that a candidate elected in a by-election is elected to complete the balance of the term of the elected office for which the by-election was held under section 120;

(q) Part XIII: Appeals;

(r) Part XIV: Reporting; and

(s) Part XVII: Code of Conduct.

(2) If the rules made by a District Council under this Act are silent on a matter, the rules for the election of Citizens' Representative in the *Elections and Referenda Act* apply to the election of District Councillors, with all necessary modifications.

## **PART V: DISTRICT COUNCILLORS**

### **Bylaws regarding District Councillors**

**18** A District Council's Bylaws must include rules governing District Councillors and their duties, powers, and remuneration.

### **Composition of District Councils**

**19** (1) A District Council:

(a) must consist of a District Captain, a District Secretary, and a District Treasurer; and

(b) may include additional District Councillors, as provided for in the District Council's Bylaws.

(2) Unless otherwise provided for in the Bylaws, the District Captain must appoint District Councillors to the roles of District Secretary and District Treasurer within 30 days after the election for the District Council.

(3) District Councillors must be elected by the eligible Citizens of the District.

### **Term of office**

**20** (1) The term of office of a District Councillor:

(a) commences on the date the results of their election are certified; and

(b) ends on the date when:

(i) the results of the following election for District Councillors in the following general election are certified;

(ii) the District Councillor resigns by delivering a written resignation to the Chair; or

(iii) they are removed from their office in accordance with section 29 of this Act.

(2) Unless otherwise provided for in Bylaws, a District Councillor:

( ) is elected to a term of four (4) years; and

(a) may be eligible for re-election as a District Councillor.

### **Qualification of District Councillors**

**21** (1) Any Citizen of the District in good standing is eligible to be elected as a District Councillor, provided that they must:

(a) be ordinarily resident in the District in which they are seeking election at least 90 days immediately prior to the close of voting;

(b) be 18 years of age or older on the close of voting; and

(c) have no financial debt owing to the Otipemisiwak Métis Government, including any District Council, or its Institutions that is more than 30 days in arrears.

(2) In addition to the qualifications under subsection (1), to be eligible to be elected as a District Captain, a person must not have been convicted of a criminal offence for which they have not received a pardon or record suspension that has not been revoked or ceased to have effect.

### **Oath of office**

**22** (1) The oath of office is attached as Schedule A to this Act which forms part of this Act.

(2) Each person elected as a District Councillor must take the oath of office during the first meeting of the District Council following that person's election to their office.

(3) If a person elected as a District Councillor refuses to take the oath of office, that person is deemed to have resigned, and their office must be declared vacant.

### **Conduct**

**23** District Councillors must conduct themselves in a dignified manner at all times while carrying out the business of the District Council and in accordance with their oath of office and Otipemisiwak Métis Government Law.

### **Duties of District Captain**

**24** The District Captain must:

(a) preside at all meetings of the District Councillors;

(b) call meetings of the District Councillors;

- (c) present a report to Citizens of the District on the operations and finances of the District Council at every Annual District Gathering;
- (d) be an ex-officio member of all committees of the District Councillors;
- (e) see that all orders and resolutions of the District Councillors are carried into effect;
- (f) be a signing officer required on all documents, including cheques, to be signed by the District Council or delegate that authority to another District Councillor or employee in writing.
- (g) appoint another District Councillor to sign on behalf of the District Captain; and
- (h) perform other duties as may be determined by the District Councillors or as assigned under an Otipemisiwak Métis Government Law.

### **Duties of District Secretary**

**25** The District Secretary must:

- (a) issue notices of all District Council Meetings;
- (b) keep or cause to be kept minutes of all District Council Meetings;
- (c) be the custodian of all books and documents of the District Council;
- (d) have custody of the seal of the District Council; and
- (e) perform such other duties as may be determined by the District Councillors or perform any other duty assigned to them under the District's Bylaws or an Otipemisiwak Métis Government Law.

### **Duties of District Treasurer**

**26** The District Treasurer must:

- (a) keep or cause to be kept a full and accurate account of receipts and disbursements and books belonging to the District Council;
- (b) deposit or cause to be deposited all monies and other valuables or effects in the name and to the credit of the District Council in such chartered banks or other financial institutions as designated by the District Councillors;
- (c) review all expenses of District Councillors; and
- (d) perform such other duties as may be determined by the District Councillors or perform any other duty assigned to them under the District's Bylaws or an Otipemisiwak Métis Government Law.

## **Remuneration and expenses**

**27** (1) A District Captain is entitled to be remunerated at a rate comparable to remuneration of persons having similar authority and responsibility elsewhere in Canada.

(2) A District Councillor may be remunerated for their service as determined in accordance with applicable Laws.

(3) A District Councillor may be reimbursed for reasonable travelling expenses for attending business of the District Council, meetings of the District Councillors, and any Annual or Special District Gathering, and all travelling expenses must be reviewed and approved by the District Treasurer.

## **REMOVAL AND VACANCIES**

### **Suspension**

**28** (1) The Judicial Branch may order that a District Councillor's right to hold office is suspended if:

(a) the District Councillor is subject to an investigation under an Otipemisiwak Métis Government Law, for no longer than the duration of the investigation;

(b) the District Councillor is suspended in accordance with an Otipemisiwak Métis Government Law that provides for a District Councillor's suspension.

(2) Subject to an order of the Judicial Branch, a District Councillor must cease all duties and activities related to their office during a suspension.

### **Removal**

**29** (1) A District Councillor ceases to hold office and their office is vacant if the District Councillor ceases to be a Citizen of the District.

(2) The Judicial Branch may order that a District Councillor be removed from their office and their office declared vacant if any of the following occur:

( ) the District Councillor, without reasonable excuse, is absent from three (3) consecutive District Council Meetings;

(a) a District Councillor is convicted of a criminal offence under the *Criminal Code of Canada*; or

(b) the District Councillor breaches an Otipemisiwak Métis Government Law that provides for a District Councillor's removal.

### **Vacancies**

**30** If there is a vacancy in the office of a District Councillor, the Chief Electoral Officer may hold a by-election for that office no later than 90 days after the vacancy, except if the vacancy in the office occurs within 90 days before the next general election, in which case no by-election may be held.

### **Restricted authority**

**31** If at any time there are fewer than the minimum number of required District Councillors, the District Councillors must do only those things and take only those steps that are strictly necessary to:

- (a) fill the vacancy in accordance with section 30 of this Act;
- (b) ensure the continued ordinary-course function of the District Council; and
- (c) preserve and protect the property and interests of the District Council.

### **By-election rules**

**32** The rules regarding the conduct of elections under Part IV of this Act apply, with all necessary modifications, to the conduct of a by-election for the office of a District Councillor.

## **PART VI: DISTRICT COUNCIL PROCEDURES**

### **Holding meetings**

**33** (1) A District Council must meet at least six (6) times between Annual District Gatherings.

(2) A meeting of the District Councillors may be convened at any time or place upon proper notice by the District Captain or at such times and places as the District Councillors may decide.

### **Meetings open to Citizens of the District**

**34** (1) A District Council Meeting, other than a meeting declared to be confidential by resolution by the District Councillors, is open to all Citizens of the District, and any Citizen of the District may attend a District Council Meeting.

(2) A District Council must provide public notice to the Citizens of the District of a District Council Meeting.

### **Minutes**

**35** A District Secretary must cause the minutes and procedures of a District Council Meeting, including but not limited to the record of all motions introduced and the results of votes taken, to be recorded and kept.

## **Voting**

**36** The Bylaws of a District Council must provide that:

- (a) only District Councillors may vote at a District Council Meeting;
- (b) subject to subsection (c), each District Councillor has one (1) vote for each motion at a District Council Meeting; and
- (c) the District Councillor presiding over a District Council Meeting may only vote to break a tie.

## **Decision-making**

**37** Every motion at a District Council Meeting must be decided by ordinary resolution unless otherwise required by the Constitution, Otipemisiwak Métis Government Law, or the Bylaws.

## **Rules of procedure**

**38** Subject to the Constitution and this Act, a District Council must include rules in its Bylaws governing its practices and procedures, including but not limited to quorum and notice requirements for calling meetings.

## **PART VII: DISTRICT COUNCIL OPERATIONS**

### **Power of District Councillors**

**39** Subject to Otipemisiwak Métis Government Law, the District Councillors have the power to carry out the authority and responsibilities of the District Council under section 4 of this Act.

### **Publication of rules and policies**

**40** The District Councillors must make the rules, policies, procedures, and standards made by the District Council available to Citizens as soon as practicable.

### **Employees**

**41** A District Council may employ such persons as it deems necessary to carry out the authority and responsibilities of the District Council under section 4 of this Act.

### **Depositing monies**

**42** A District Treasurer must deposit or cause to be deposited all monies and other valuables or effects in the name and to the credit of the District Council in a chartered bank or other financial institutions as designated by the District Council.



### **Fiscal year**

**43** The fiscal year of the District Council ends on the 31st day of March in each year or such other date as may be provided for in the Bylaws.

### **Audits**

**44** (1) At the end of every fiscal year, a District Council must cause

- (a) the books, accounts, and records; and
- (b) their financial statements setting out the District Council's income, disbursements, individual expenses of the District Councillors, assets, and liabilities;
- (c) to be prepared and audited in accordance with any applicable law by a duly qualified accountant appointed by the District Councillors. .

(2) A District Council must submit their audited financials statements to the Citizens' Council no later than 90 days after the end of the fiscal year.

(3) The Auditor General may cause a District Council to be audited by a duly qualified accountant.

### **Financial accountability**

**45** A District Councillor must present the District Council's audited financial statements at the Annual District Gathering.

### **District Council budget**

**46** The District Councillors must approve all budgetary requirements of the District Council.

### **Signing authority and execution of contracts**

**47** (1) Contracts and other documents requiring the signature of the District Council must:

- (a) be approved at a District Council Meeting for which proper notice has been given; and
- (b) signed by two (2) District Councillors as follows:
  - (i) the District Captain; and
  - (ii) the District Treasurer or the District Secretary.

(2) A District Councillor with signing authority under subsection (1) may delegate their authority to another District Councillor or employee in writing.

## **Accounts**

**48** The District Councillors must cause accounting details to be kept of all monies received and expended by the District Council.

## **Books and Records**

**49** (1) The District Councillors must ensure that all necessary books and records of the District Council required by the Bylaws or any applicable law, including full and accurate account of receipts and disbursements and books belonging to the District Council, are regularly and properly kept.

(2) All accounting records and other books and records of the District Council must be kept at such place in the Province of Alberta as the District Councillors may decide and must at all times be open for inspection by any Citizen upon written application to the District Councillors.

## **Ownership of lands**

**50** The District Council must not, and must not permit its Institutions to, transfer or dispose of, directly or indirectly, any interest, including any beneficial interest, in any lands owned, legally or beneficially, by the District Council or such Institution to another party except to a District Council, the Citizens' Council or an Institution, without the consent of the Citizens' Council, whose consent will not be unreasonably withheld.

## **Borrowing powers**

**51** For the purpose of carrying out its authority and responsibilities, a District Council may borrow or raise or secure payment of money in such manner as the District Councillors see fit and in particular by the issue of debentures, but debentures may be issued only by special resolution of a District Gathering.

## **Committees**

**52** The District Councillors may establish committees as they deem necessary to carry out the District Council's affairs and delegate specific powers to such committees, provided such committees remain accountable to the District Council.

## **Institutions**

**53** (1) A District Council may oversee Institutions to develop and deliver programs and services for the benefit of the Citizens of the District.

(2) The District Councillors may delegate specific powers to Institutions.

(3) Any delegation of a specific power must be made in such a manner so as to retain accountability to the District Council.

## **Register**

**54** On request by the District Councillors, the Registrar must provide a District Council with a list of the names and mailing addresses of the Citizens of the District and the earliest date on which each Citizen of the District is recorded as residing in the District.

## **PART VIII: DISTRICT GATHERINGS**

### **ANNUAL DISTRICT GATHERING**

#### **Holding an Annual District Gathering**

**55** A District Council must hold an Annual District Gathering each calendar year on a date to be determined by the District Councillors.

#### **Notice**

**56** The District Councillors must give at least 21 days' written notice to the Citizens of the District of the time and place of the Annual District Gathering.

#### **Quorum**

**57** (1) The quorum of an Annual District Gathering is ten (10) eligible Citizens of the District who are present in person at the gathering, who have registered and are qualified to vote at the Annual District Gathering.

(2) A District Council may provide for a higher quorum in its Bylaws.

#### **Participation**

**58** (1) All Citizens of the District have a right to attend, participate, and speak at the Annual District Gathering.

(2) Only an eligible Citizen of the District may introduce a motion at an Annual District Gathering.

#### **Minutes**

**59** The District Secretary must cause:

(a) the minutes and procedures of the Annual District Gathering, including but not limited to the record of all motions introduced and the results of votes taken, to be recorded; and

(b) the records of the Annual District Gathering to be made public within 30 days of the close of a gathering.

### **Rules of procedure**

**60** The District Councillors may make rules governing the practices and procedures of the Annual District Gatherings insofar as they may apply without coming into conflict with the Constitution or this Act.

### **Decision-making**

**61** Every resolution at an Annual District Gathering must be decided by ordinary resolution unless otherwise required by the District Council's Bylaws or any Otipemisiwak Métis Government Law.

### **Voting**

**62** Each eligible Citizen of the District is entitled to vote at the Annual District Meeting provided:

- (a) they are present at the Annual District Gathering when the vote is called; and
- (b) they have registered at the Annual District Gathering.

## **SPECIAL DISTRICT GATHERING**

### **Holding a Special District Gathering**

**63** A District Council must make rules governing the requirements for notice of a Special District Gathering.

### **Same rules apply**

**64** Sections 56, 57, 58, 59, 60, 61 and 62 of this Act apply to a Special District Gathering.

### **Business of a Special District Gathering**

**65** No business must be transacted or considered at a Special District Gathering other than the business and proposed resolutions listed in the notice for that Special District Gathering.

## **PART IX: INTERPRETATION AND DISPUTE RESOLUTION**

### **Interpretation**

**66** The Bylaws and all rules, policies, procedures, and standards made by the District Council must be interpreted to be consistent with the Constitution and Otipemisiwak Métis Government Law.

## **Conflict**

**67** (1) If there is a conflict between the Bylaws or any rule, policy, procedure, or standard made by the District Council and the Constitution or an Otipemisiwak Métis Government Law, the Bylaws are, or the rule, regulation, policy, procedure, or standard is invalid to the extent of the conflict.

(2) The Citizens' Council may resolve any uncertainty or ambiguity concerning the interpretation and application of the Constitution to the District Council, subject only to decisions and determinations of the Judicial Branch.

## **Judicial Branch jurisdiction**

**68** (1) The Judicial Branch has exclusive jurisdiction over:

(a) all matters regarding the interpretation of and conflict between the Bylaws or any rule, policy, procedure, or standard made by the District Council and the Constitution or Otipemisiwak Métis Government Laws; and

(b) all disputes between:

(i) a District Council and any other branch of the Otipemisiwak Métis Government;

(ii) a District Council and an Institution;

(iii) the Citizens of a District and their District Council; or

(iv) District Councils.

(2) All such disputes must be submitted to the Judicial Branch in accordance with applicable Otipemisiwak Métis Government Law.

## **PART X: TREATY RATIFICATION**

### **Treaty ratification**

**69** If any modern-day treaty or land claims agreement within the meaning of section 35(3) of the *Constitution Act, 1982* on behalf of the Métis Nation within Alberta is approved by at least three quarters of the members of the Citizens' Council:

(a) within 180 days from the date the Citizens' Council approves that modern-day treaty or land claims agreement, a District Council must hold an Annual District Gathering or a Special District Gathering to consult the Citizens of the District on the ratification of that treaty; and

(b) no later than one (1) year from the date the Citizens' Council approves that modern-day treaty or land claims agreement, the District Councillors must hold a vote at a District

Council Meeting on whether to ratify the modern-day treaty or land claims agreement and must immediately inform the Citizens' Council of the outcome of that vote.

## **PART XI: GENERAL**

### **Immunity**

**70** No proceedings lie against a District Councillor, or against a person acting for or under the direction of such persons, for anything done, or omitted to be done:

- (a) in accordance with Otipemisiwak Métis Government Law; and
- (b) in good faith in the exercise or performance or the intended exercise or performance of a power, duty, or function under this Act.

### **Powers to make regulations**

**71** (1) The Cabinet may make regulations it considers necessary or advisable for the purposes of this Act.

(2) The Cabinet must consult with a District Council that would be affected by a regulation before adopting that regulation.

### **Seal of a District Council**

**72** (1) The District Council must have a seal.

(2) The seal must be kept under the District Council's control at the District Council's head office.

(3) The seal may, when required, be affixed to contracts, documents, or instruments in writing by persons authorized by the Bylaws to sign on behalf of the District Council.

### **Review of Act**

**73** (1) No later than 180 days following the date a modern-day treaty or land claims agreement is ratified in accordance with the Constitution, this Act must be referred to a committee of the Citizens' Council designated or established for the purpose of reviewing this Act.

(2) The committee of the Citizens' Council to which this Act is referred must:

- (a) consult all District Councils on this Act; and
- (b) within one (1) year after a review is undertaken pursuant to that subsection (1), submit a report of the committee's review of this Act to the Citizens' Council, including any proposed amendments to this Act or any regulations made pursuant to this Act.

**Commencement**

**74** This Act comes into force on the date the Constitution comes into force.

**SCHEDULE A: OATH OF OFFICE OF DISTRICT COUNCILLORS**

I \_\_\_\_\_ am Métis.

As a Métis person, I honour with pride the blood of my ancestors.

As a Métis person, I acknowledge the rich history of my people and the courage and dedication of our leaders.

As a Métis person, I pledge to preserve the spirit and enhance the identity of my people.

As a Métis person, I confirm my commitment to my family, my people, and my Nation.

As a Métis person, I do swear [by God] [by the Creator] to accept my responsibility to put service of my Nation and its Citizens ahead of self-interest, and to honour the spirit and the letter of the laws of the Métis Nation and Canada.

As a Métis person, I will conduct myself in accordance with the Otipemisiwak Métis Government Constitution and Otipemisiwak Métis Government Law.



