

OTIPEMISIWAK MÉTIS GOVERNMENT

BILL 2023-02

An Act to amend the *Self-Government Act*

AS PASSED BY CITIZENS' COUNCIL
NOVEMBER 20, 2023

SUMMARY

This amendment provides Citizens' Council with the option, but does not require Citizens' Council, to appoint an existing employee of the Otipemisiwak Métis Government as the Chair.

Unamended, the *Self-Government Act* sets out two required qualifications for an individual to be eligible to be appointed to the role of Chair of the Otipemisiwak Métis Government by the Citizens' Council of the Otipemisiwak Métis Government. A candidate for the role of Chair:

- (a) must be a Citizen; and
- (b) may not hold an elected position with the Otipemisiwak Métis Government.

However, the *Code of Ethics Act* defines all Officers, including the Chair, as "Public Officials", and restricts Public Officials from doing "work for the Otipemisiwak Métis Government, either as an employee or by contract".

The *Otipemisiwak Métis Government Constitution* speaks to the requirement that the Chair, in the fulfillment of their duties, "remain neutral and impartial"; the *Self-Government Act* similarly requires Public Officials to remain neutral and impartial. Employees of the Otipemisiwak Métis Government administration are compelled to remain politically neutral and impartial in the fulfillment of their duties, as set out in the Policies and Procedures manual that governs their employment. So too, all employees are bound to similar, if not more restrictive, conflict of interest rules and ethical requirements which Public Officials are already subject to under the *Code of Ethics Act*.

Further, giving Citizens' Council the option to consider appointment of an Otipemisiwak Métis Government employee to the role of Chair could allow for increased efficiencies in the operation of government and reduce overall costs of delivering on the commitments of the Constitution through a synergistic appointment. This is contemplated and explicitly allowed for in other roles defined in the Constitution, such as the Registrar, who is also employed as the Director of Citizenship & Registry in the Otipemisiwak Métis Government administration.

OTIPEMISIWAK MÉTIS GOVERNMENT

BILL 2023-02

An Act to amend the *Self-Government Act*

Assented to November 20, 2023

The President of the Otipemisiwak Métis Government, by and with the advice and consent of the Citizens' Council of the Otipemisiwak Métis Government, enacts as follows:

Self-Government Act

AMENDMENTS TO THE ACT

1. Section 55(2) of the Act is amended by:

- a. removing the word “and” at the end of subsection (a);
- b. replacing the period at the end of subsection (b) with a semicolon and the word “and”;
and
- c. adding the following as subsection (c): “notwithstanding any provision of any other Otipemisiwak Métis Government law(s), may be an existing employee of the Otipemisiwak Métis Government where such appointment is deemed appropriate and advisable by the Citizens' Council.”

DATED this 20th day of November, 2023.

Signed as if under Seal.

Per:



Andrea Sandmaier
President, Otipemisiwak Métis Government

**SCHEDULE I:
EXCERPT OF AMENDED PROVISIONS**

Self-Government Act (as amended)

The Chair

55 (1) The Chair is an officer of the Otipemisiwak Métis Government.

(2) The Chair must be

(a) a Citizen;

(b) may not hold an elected position with the Otipemisiwak Métis Government; and

(c) notwithstanding any provision of any other Otipemisiwak Métis Government law(s), may be an existing employee of the Otipemisiwak Métis Government where such appointment is deemed appropriate and advisable by the Citizens' Council.