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**MÉTIS VOICES. OTIPEMISIWAK MÉTIS GOVERNMENT.**

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# **BYLAWS**

## **OF THE MÉTIS NATION OF ALBERTA ASSOCIATION**

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**Journey to Otipemisiwak Métis Government**

**2023**

**BYLAWS**  
**of the**  
**Métis Nation of Alberta Association**  
**(2023)**

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## Preamble

WHEREAS this preamble adopts and builds on the history and narrative set out in the Declaration of Self-Determination and Self-Government and Foundational Principles in the Otipemisiwak Métis Government Constitution;

WHEREAS Alberta Métis established the Métis Nation of Alberta, including its predecessors, as a distinct political, legal, economic, social, and cultural institution based on the Métis Nation's inherent rights to self-determination and self-government;

WHEREAS over generations, like-minded Métis have come together to build the Métis Nation of Alberta into the democratic and now federally recognized government that represents the Métis Nation within Alberta;

WHEREAS because the federal government, as the level of government with constitutional responsibility to advance relationships with all Indigenous peoples, historically denied collectively held Métis rights, including the Métis right to self-government, and refused to negotiate nation-to-nation, government-to-government treaties with the Métis, Métis governments such as the Métis Nation of Alberta were forced to incorporate entities under provincial laws to act as their legal and administrative arms;

WHEREAS the Métis Association of Alberta, as the predecessor to the Métis Nation of Alberta, incorporated an association under the *Societies Act* (Alberta) in 1961 to facilitate funding arrangements and establish intergovernmental relations with the federal and provincial governments;

WHEREAS in 1991, the Métis Association of Alberta changed its name to the Métis Nation of Alberta and its members adopted new bylaws for the association to “continue the process to self-determination and self-government of the Métis Nation”;

WHEREAS the Métis Nation of Alberta—as a Métis government—maintains that its reliance on the Métis Nation of Alberta Association to serve as its legal and administrative arm does not and should not undermine or diminish its self-government;

WHEREAS over generations, Alberta Métis have called for a Métis Nation within Alberta constitution to be adopted as Métis law and for a treaty with the Crown based on section 35 of the *Constitution Act, 1982* to establish a nation-to-nation, government-to-government relationship with Canada that no longer requires the Métis Nation of Alberta to rely on an incorporated society to serve as its legal and administrative arm;

WHEREAS in November 2022, after years of consultation, all registered citizens of the Métis Nation of Alberta over 16 years of age, also being members of the Métis Nation of Alberta Association, had an opportunity to vote on the ratification of the Otipemisiwak Métis Government Constitution;

WHEREAS through this ratification vote, the citizens of the Métis Nation of Alberta exercised their inherent right to self-government and adopted the Otipemisiwak Métis Government Constitution as Métis law;

WHEREAS the Otipemisiwak Métis Government Constitution establishes the Otipemisiwak Métis Government as the successor to the Métis Nation of Alberta;

NOW, THEREFORE the members of the Métis Nation of Alberta Association have adopted these new Bylaws in order that the Association may give effect to the Otipemisiwak Métis Government Constitution following the first election of the Otipemisiwak Métis Government to be held in September 2023 and until such time as a treaty between the Métis Nation within Alberta and the Crown is ratified and recognizes the legal status and capacity of the Otipemisiwak Métis Government through the said treaty and federal implementation legislation.

**Article 1: Name of the Association**

- 1.1 This document gives authority and responsibility to the Métis Nation of Alberta Association.

**Article 2: The Association's Role and Application of the Bylaws**

- 2.1 Until the Coming Into Force Date, the Citizens intend that the Association is and will be the legal and administrative arm of the MNA, and, subject only to the requirements of the Act, the Association shall conduct its affairs pursuant to these Bylaws and the Pre-Constitution Bylaws (in accordance with the transitional provisions in Article 15).
- 2.2 Upon the Coming Into Force Date, the Citizens intend that the Association, together with the District Councils, will become and will be the legal and administrative arm of the Otipemisiwak Métis Government as the successor to the MNA, and, subject only to the requirements of the Act, the Association will be governed by and shall conduct its affairs pursuant to these Bylaws and the Constitution (and for certainty, the Pre-Constitution Bylaws will cease to have any force or effect).
- 2.3 When a treaty between the Crown and Métis Nation within Alberta comes into effect, the treaty and federal implementation legislation will recognize the Otipemisiwak Métis Government's legal status and capacity, and the Association will be continued under federal law or wound down, as to be determined by the Citizens.
- 2.4 Nothing in these Bylaws extinguishes, defines, creates, modifies, limits, restricts, or surrenders any rights, interests, or claims of the Métis Nation within Alberta or of any Citizen, including the inherent rights to self-determination and self-government.

### **Article 3: Interpretation**

#### 3.1 In these Bylaws:

- (a) “**Act**” means the *Societies Act* (Alberta), as it may be amended from time to time;
- (b) “**Association**” means the Métis Nation of Alberta Association, which is to serve as the legal and administrative arm of the MNA or the Otipemisiwak Métis Government as its successor;
- (c) “**Annual Citizens’ Gathering**” means the annual meeting of the Citizens, to be held in accordance with the Constitution;
- (d) “**Bylaws**” means these bylaws of the Association, which are referred to as the Bylaws (2023) of the Métis Nation of Alberta Association, and which include Appendixes A and B attached hereto;
- (e) “**Citizen**” means a member of the Association and a citizen of the Métis Nation within Alberta, being a Métis person who meets the requirements for citizenship and has applied to be and has been registered as a citizen as set out in these Bylaws and under the Constitution;
- (f) “**Citizens’ Council**” means the board of directors of the Association;
- (g) “**Coming Into Force Date**” means the date when the results of the first Election of the Citizens’ Council are certified following the Effective Date, which will be in September 2023;
- (h) “**Constitution**” means the Otipemisiwak Métis Government Constitution, as ratified by the Citizens in November 2022 in the form attached to these Bylaws as Appendix “A”, which is incorporated into and forms part of these Bylaws;
- (i) “**District Council**” means a society or branch society formed under or pursuant to the Act, which satisfies the conditions of any applicable Law and is designated in accordance with any applicable Law by the Citizens’ Council as being a District Council;
- (j) “**Effective Date**” means the date on which these Bylaws are made effective, being the date on which they are registered by the Alberta Corporate Registrar as set out in the Act;
- (k) “**Election**” means an election whereby Citizens elect members of the Citizens’ Council in accordance with the Constitution, any applicable Law, and Article 9 of these Bylaws;
- (l) “**Judicial Branch**” means one or more dispute resolution bodies created in accordance with Chapter 17 of the Constitution and Article 8 of these Bylaws;

- (m) “**Law**” means a resolution adopted and designated as a Law by the Citizens’ Council for purposes of these Bylaws and the Constitution;
- (n) “**Métis Nation of Alberta**” or “**MNA**” means the Métis government that is exclusively authorized to represent the Métis Nation within Alberta until the Coming Into Force Date, and that relies on the Association as its legal and administrative arm until that time;
- (o) “**Otipemisiwak Métis Government**” means the Métis government that is the successor to the MNA and is exclusively authorized to represent the Métis Nation within Alberta upon the Coming Into Force Date, and that from that time relies on the Association as its legal and administrative arm;
- (p) “**Pre-Constitution Bylaws**” means the *Pre-Constitution Bylaws of the Métis Nation of Alberta Association*, attached to these Bylaws as Appendix “B”, which are incorporated into and form part of these Bylaws;
- (q) “**Special Citizens’ Gathering**” means a meeting of the Citizens other than the Annual Citizens’ Gathering, to be held in accordance with the Constitution; and
- (r) “**Transitional Period**” has the meaning given to it in Section 15.1.

All other capitalized words and phrases used in these Bylaws will have a meaning consistent with the meaning of such words and phrases in the Constitution, a Law, or the Act, as applicable.

3.2 In order that the Association may give effect to and uphold the Constitution in accordance with the democratic and collective will of the Citizens, the following will apply throughout these Bylaws:

- (a) references in the Constitution to the Citizens’ Gathering of the Otipemisiwak Métis Government will be read as references to the Annual Citizens’ Gathering or a Special Citizens’ Gathering of the Association, as the case may be;
- (b) references in the Constitution to the Citizens’ Council of the Otipemisiwak Métis Government will be read as a reference to the Citizens’ Council of the Association, and all things contemplated to be done by the Citizens’ Council of the Otipemisiwak Métis Government may be done by the Citizens’ Council of the Association;
- (c) references in the Constitution to a law of the Otipemisiwak Métis Government will be read as a reference to a Law;
- (d) where it is determined that the Constitution is inconsistent with the requirements of the Act, or where the Act imposes additional requirements on the Association

not set out in the Constitution, the Citizens' Council shall take such steps as reasonably determined by it to ensure compliance with the Act; and

- (e) for the purpose of conducting the affairs of the Association as the legal and administrative arm of the Otipemisiwak Métis Government, the Citizens' Council may resolve any uncertainty or ambiguity concerning the interpretation and application of the Constitution to the Association, subject only to decisions and determinations of the Judicial Branch.

#### **Article 4: Purpose, Goals and Responsibilities of the Association**

4.1 The purposes of the Association are:

- (a) to advance the social, cultural and economic well-being; education; and health of the Métis Nation within Alberta, its Citizens, families, and communities of its Territories;
- (b) to advance, address, secure and protect the rights, interests and claims of the Métis Nation within Alberta and communities of its Territories;
- (c) to provide fair, responsible, transparent and accountable governance to the Citizens of the Métis Nation within Alberta; and
- (d) to serve, together with District Councils, as the legal and administrative arm of the MNA and its successor, the Otipemisiwak Métis Government.

4.2 The goals and responsibilities of the Association are the same as those of the Otipemisiwak Métis Government as set out in the Constitution.

4.3 All Citizens willingly and exclusively mandate the Association to serve, together with District Councils, as the legal and administrative arm of the MNA and its successor, the Otipemisiwak Métis Government, to represent the Citizens in relation to:

- (a) the purpose, goals, and responsibilities of the Otipemisiwak Métis Government as set out in the Constitution ratified by the members of the Association in November, 2022; and
- (b) the collectively held Métis rights, interests, and claims of the Citizens, their Métis communities, and the Métis Nation within Alberta.

4.4 For greater certainty, nothing in these Bylaws detracts from a District Council's mandate to exercise its authority and responsibility as set out in the Constitution in representing the Citizens residing in its District.



**Article 5: Citizenship (Association's Membership)**

- 5.1 A Citizen is a Métis person who meets the requirements for registration and has applied to be and is registered as a citizen of the Métis Nation within Alberta in accordance with the Constitution, applicable Law, and these Bylaws.
- 5.2 In accordance with the Constitution, the Citizens' Council shall pass and maintain a Law regarding the requirements to be registered as a Citizen, which will include, among other things:
- (a) the documentary requirements for citizenship and the application process; and
  - (b) an appeals process related to decisions made regarding citizenship.
- 5.3 A Citizen will cease being a Citizen upon:
- (a) written notice from the Citizen being delivered to the Association that requests their withdrawal as a Citizen;
  - (b) a determination by the Judicial Branch that the Citizen does not meet the requirements to be a Citizen as set out in the Constitution, applicable Law, or these Bylaws.
- 5.4 Every Citizen will have those rights and obligations as set out in the Constitution and elsewhere in these Bylaws, in addition to any other rights and obligations afforded to them under the Act.
- 5.5 No membership dues, fees, or consideration will be payable by any Citizen to the Association in order to become a Citizen.

**Article 6: Citizens' Council (Association's Board of Directors)**

- 6.1 The Citizens' Council is comprised of those persons forming the Citizens' Council as set out in the Constitution, and for certainty consists of:
- (a) the President, being a Citizen and resident of Alberta, elected by all Citizens;
  - (b) one Citizens' Representative per District, who is a Citizen elected by the Citizens of the District in which the Citizens' Representative resides;
  - (c) one Women's Representative, who is a woman and Citizen resident of Alberta, elected by all Citizens; and
  - (d) one Youth Representative, who is a Citizen resident of Alberta twenty-five (25) years of age or younger when elected by all Citizens.

- 6.2 Any Citizen in good standing who resides in Alberta and who is eighteen (18) years of age or older is eligible to be elected to the Citizens' Council, provided that to be elected as a Citizens' Representative, a Citizen must reside in the District they represent.
- 6.3 The term of any person elected to the Citizens' Council will commence as of the date on which the results of the Election in which they are elected are certified and will conclude on the date that the results of the Election of a new Citizens' Council are certified, provided that such person may be re-elected.
- 6.4 Any person elected to the Citizens' Council may resign from the Citizens' Council by providing a written notice of such resignation to the Citizens' Council.
- 6.5 Subject to the Constitution, a Law, these Bylaws, or the Act, the Citizens' Council has the authority to manage the affairs of the Association.
- 6.6 Persons elected to the Citizens' Council may be remunerated for their service and may be reimbursed for reasonable out of pocket expenses incurred by them in connection with the performance of their duties.
- 6.7 The roles and responsibilities of the persons elected to the Citizens' Council, the operations of the Citizens' Council (including the manner in which meetings are to be conducted), and all other matters concerning the Citizens' Council will be as set out in the Constitution and any applicable Law.

**Article 7: Citizens' Gathering (Members' Meetings of the Association)**

- 7.1 The Citizens' Council shall convene an Annual Citizens' Gathering each summer for the Citizens, which will be held in such place in Alberta and in such manner as set out in the Constitution and in any applicable Law.
- 7.2 In addition to the Annual Citizens' Gathering, the Citizens' Council may convene one or more Special Citizens' Gatherings throughout the year, to be held in such place and in such manner as set out in the Constitution and any applicable Law.
- 7.3 Any Citizen who is at least sixteen (16) years of age and in good standing will be entitled to a vote in respect of any matter requiring a vote of the Citizens at a Citizens' Gathering.
- 7.4 Other than any matter requiring approval by Special Resolution of the Citizens in accordance with the Act, all matters that are to be voted on by the Citizens' at a Citizens' Gathering will be approved by vote of the Citizens in accordance with procedures to be established under the Constitution and any applicable Law.
- 7.5 The Citizens' Council will provide all Citizens with twenty-one (21) days' notice of any Citizens' Gathering or Special Citizens' Gathering, and will include in such notice the details of any matters requiring approval of the Citizens. Any such notice may be

provided by electronic means or such other method as the Citizens' Council may determine.

- 7.6 Quorum at an Annual Citizens' Gathering or Special Citizens' Gathering will be one hundred (100) Citizens entitled to vote at the Gathering.

**Article 8: Full and Final Determinations of Disputes**

- 8.1 The Judicial Branch of the Otipemisiwak Métis Government as provided for in the Constitution will be the dispute resolution body for the Association and District Councils, including with respect to any and all disputes arising out of the affairs of the Association, the affairs of any District Council, the affairs between the Association and any District Council(s), and the affairs between any Citizen and the Association or any District Council(s).
- 8.2 In accordance with the Constitution, the Citizens' Council will pass a Law regarding the procedure and powers of the Judicial Branch, which will include the powers to resolve disputes related to, among other things:
- (a) the status of any person as a Citizen;
  - (b) Elections of the Citizens' Council;
  - (c) the interpretation and application of the Constitution;
  - (d) the validity, application, and interpretation of the Bylaws and any Laws, regulations, policies, actions, or decisions of the MNA, the Otipemisiwak Métis Government as its successor, its Institutions, or any District Council;
  - (e) the adherence by the Association or a District Council, as applicable, to these Bylaws, the bylaws of any District Council, and any Laws;
  - (f) any other matter as identified in a Law; and
  - (g) appeals of decisions of the Judicial Branch should one or more bodies be constituted.
- 8.3 Decisions of the Judicial Branch are made pursuant to and by application of Métis law. Subject only to any right of appeal to a decision by one body of the Judicial Branch to another body of the Judicial Branch, all decisions of the Judicial Branch are final and cannot be appealed further. For greater certainty, the Judicial Branch is intended to and serves as the chosen method of dispute resolution for the Association pursuant to section 22 of the Act.
- 8.4 None of these Bylaws, the Constitution, or any application made by a Métis person to become a Citizen are intended to create a contractual relationship between the Association and any Citizen, District Council, or Institution. For greater certainty,

Citizens, District Councils, and Institutions do not, by sole virtue of being Citizens, District Councils, or Institutions, possess any property or contractual rights with the Association.

**Article 9: Elections of the Association**

- 9.1 In accordance with the Constitution and any applicable Law, an Election will be held every four (4) years for the purpose of electing the Citizens' Council.
- 9.2 In accordance with the Constitution and any applicable Law, in addition to any Election held as described in Section 9.1, additional Elections may be held for the purpose of filling any vacancies that may arise on the Citizens' Council prior to the next Election that would otherwise occur under Section 9.1.
- 9.3 In accordance with the Constitution, every Citizen who is sixteen (16) years or older and in good standing is eligible to vote in an Election and is entitled to one (1) vote, provided that in respect of Citizens' Representatives, only eligible Citizens who ordinarily reside in an applicable District may vote in respect of the Citizens' Representative for that District.
- 9.4 The Citizens' Council shall maintain a Law governing the conduct of any Election.

**Article 10: Borrowing Powers of the Association**

- 10.1 For the purpose of carrying out its objects, the Association may borrow or raise or secure payment of money in such manner as the Citizens' Council sees fit and in particular by the issue of debentures, but this power will be exercised only under the authority of these Bylaws and in no case will debentures be issued without the sanction of a Special Resolution of the Citizens.

**Article 11: Audit of Accounts and Financial Records of the Association**

- 11.1 The Association shall cause accounting details to be kept of all monies received and expended by the Association in a manner prescribed by any applicable Law.
- 11.2 The fiscal year of the Association will end on the 31<sup>st</sup> day of March in each year or such other date as may from time to time be determined by the Citizens' Council.
- 11.3 The Association will cause the books, accounts, and records of the Association to be audited at least once yearly by a duly qualified chartered accountant appointed by the Citizens' Council.
- 11.4 A financial statement setting out the Association's income, disbursements, individual expenses of the Citizens' Council, assets, and liabilities will be audited and signed by the auditor and presented at the Annual Citizens' Gathering.

## **Article 12: Books and Records of the Association**

- 12.1 The Citizens' Council shall ensure that all necessary books and records of the Association, including minutes of the proceedings of the Association and the Citizens' Council, as required by these Bylaws or any applicable statute or Law, are regularly and properly kept and maintained. The Citizens' Council shall appoint a person to be responsible for keeping and maintaining such books and records.
- 12.2 All accounting records and other books and records of the Association will be kept at such place in the Province of Alberta as the Citizens' Council may decide and will be open for inspection by any Citizen upon giving reasonable notice in form of a written application to, and arranging a satisfactory time with, the Citizens' Council.

## **Article 13: Seal of the Association**

- 13.1 The Association will have a seal.
- 13.2 The seal will be kept at the head office of the Association.
- 13.3 The seal may, when required, be affixed to contracts, documents, or instruments in writing by persons authorized to do so by any Laws on behalf of the Association.

## **Article 14: Amendments to the Association's Bylaws**

- 14.1 These Bylaws will not be rescinded, altered, or added to except by Special Resolution of Citizens passed at a Citizens' Gathering or Special Citizens' Gathering.
- 14.2 No rescission, alteration of, or addition to these Bylaws has effect until it has been registered with the Registrar of Corporations of Alberta.
- 14.3 No amendment to the Constitution will be recognized by the Association or the Citizens unless and until it satisfies the requirements set out in the Constitution.

## **Article 15: Transitional Provisions**

- 15.1 Subject to Section 15.2, from the Effective Date until the Coming Into Force Date (referred to as the "Transitional Period"), the Association will be governed in accordance with the Pre-Constitution Bylaws.
- 15.2 Notwithstanding Section 15.1, during the Transitional Period:
  - (a) in addition to the powers otherwise afforded to the Provincial Council under the Pre-Constitution Bylaws, the Provincial Council will have the powers afforded to and shall be responsible for the obligations of the Citizens' Council as otherwise set out in these Bylaws, and a reference in these Bylaws to the Citizens' Council will, during the Transitional Period, be read as a reference to the Provincial

Council as elected by the members of the MNA on September 17, 2018, or their successors in office in accordance with the Pre-Constitution Bylaws;

- (b) without limiting the generality of paragraph (a) above:
  - (i) wherever the Constitution provides that the Otipemisiwak Métis Government shall maintain a law regarding a matter, the Provincial Council will have the power to adopt such a law by resolution, which will be a Law for the purposes of these Bylaws; and
  - (ii) for certainty, during the Transition Period, the Provincial Council will have the power to adopt a Law concerning Elections in accordance with Article 9 of these Bylaws; and
- (c) an Election will be held in September 2023 to elect the Citizens' Council, which is to be comprised of those persons set out in Article 6 of these Bylaws, and such Election will be conducted in accordance with the applicable Law referred to in Section 15.2(b)(ii) and Article 9 of these Bylaws.

15.3 Notwithstanding anything to the contrary, no provision of any bylaws of the Association in force prior to the Effective Date or of the Pre-Constitution Bylaws concerning elections will have any force or effect as of the Effective Date.

15.4 As of the Coming Into Force Date:

- (a) any person who is a member of the Association immediately prior to the Coming Into Force Date is deemed to be a Citizen, and shall remain a Citizen until their citizenship is withdrawn or terminated in accordance with the Constitution and these Bylaws;
- (b) each existing Local Council that meets the requirements of the Constitution and any applicable Law concerning District Councils, and which is designated by the Provincial Council to be a District Council in accordance with any applicable Law on or prior to the Coming Into Force Date, will be deemed to be a District Council; and
- (c) the Pre-Constitution Bylaws will cease to have any force or effect and will no longer be considered to form part of these Bylaws.

#### **Article 16: General**

16.1 The Citizens' Council may waive any irregularity in notice or conduct of a Citizens' Gathering or other meeting of the Association and no error or omission in giving notice of a Citizens' Gathering or other meeting will invalidate such meeting or void any proceedings taken at such meeting, unless such irregularity, error, or omission can

reasonably be considered to have materially and adversely prejudiced the rights of any Citizen.

16.2 Any action taken or decision made by the Association before the Effective Date is deemed to have been validly taken or made.

16.3 The Association is authorized to do all things necessary to give effect to any agreement or treaty reached between the Métis Nation within Alberta and the Crown in order to implement the Métis Nation within Alberta's right to self-determination and self-government.

# **Appendix A:**

## **Otipemisiwak Métis Government Constitution**



**Otipemisiwak Métis  
Government Constitution**

**The Government of  
the Métis Nation  
within Alberta**

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## DECLARATION OF SELF-DETERMINATION AND SELF-GOVERNMENT

When the Government of Canada presented itself at our doors it found us at peace. It found that the Métis people of the North-West could not only live well without it ... but that it had a government of its own, free, peaceful, well-functioning, contributing to the work of civilization in a way that the Company from England could never have done without thousands of soldiers. It was a government with an organized constitution whose jurisdiction was more legitimate and worthy of respect, because it was exercised over a country that belonged to it.

Louis Riel, 1885

We, the Métis people of the historic North-West, honour the Creator;

We, the Métis people of the historic North-West, are one of the Indigenous peoples of North America;

We are a people born of the Creator, our First Nations foremothers, European forefathers, the land, love, kinship, freedom, trade, resistance, and collective action; we share a spirituality, history, territory, values, traditions, laws, language, music, dance, art, customs, practices, and institutions;

Over the generations, we have been called Louis Riel's people, lii Michif, the flower beadwork people, Half-breeds, and simply the Métis; for over two centuries we have advanced and defended our nationhood—as the Métis Nation; we will continue to do so forever;

We are also known as the Otipemisiwak, a name given to us by our Cree kin meaning 'the free people' or 'their own boss'; we embrace this name because it embodies our peoplehood, freedom, and independence as well as our personal and collective sovereignty;

As a people, we hold the inherent rights of self-determination and self-government as well as all the rights that inhere in all peoples, including those recognized in international law and described in the *United Nations Declaration on the Rights of Indigenous Peoples*;

Within what is now known as Alberta, we were here before Canada became a country and before Alberta became a province; our lands, families, kinship, settlements, and communities continue to extend throughout the province today: we are the Métis Nation within Alberta;

As a people, we have never surrendered—and will never surrender—our inherent rights, including our rights of self-determination and self-government;

Over the generations, we have consistently and repeatedly fought for and exercised our right of self-government within the North-West, from the governance of the buffalo hunt, to the Victory of Frog Plain, to the creation of provisional governments in 1869/70 and 1885, through to our political organization in what is now Alberta that led to the creation of L'Association des Métis

d'Alberta et les Territoires du Nord-Ouest, the Métis Association of Alberta, and the Métis Nation of Alberta Association;

As a part of Canada's colonial history, we were subjected to a dishonourable, unjust, and illegitimate Métis scrip scheme that dispossessed our families, communities, and the Métis Nation within Alberta of our traditional lands and resources in breach of the Crown's commitments to us as set out in the *Royal Proclamation, 1763*, the *Rupert's Land and North-Western Territory Order, 1870*, and other solemn promises made to us as part of Canada's westward expansion;

Our ancestors, families, communities, and the Métis Nation within Alberta were also dishonourably, unjustly, and illegitimately dispossessed of our traditional lands and resources through other colonial schemes advanced by Canada and Alberta: repatriating Métis land is key to restoring our place and belonging;

Today, our Métis self-government in Alberta endures; we remain focussed on protecting and reclaiming our unceded traditional lands and resources; exercising our inherent and constitutionally protected Métis rights; renewing our relationship with the Crown and other Indigenous nations; supporting our Citizens, families, and communities to reach their full potential; and preserving and enriching our language, culture, and way of life as Métis;

As a people, we continue to seek justice and equitable settlement with the Crown for the dispossession of our people from our lands; reconciliation with the Métis Nation within Alberta requires acknowledgement, apology, and redress for the impact and sorry legacy of Métis scrip and other land dispossessions to which our Citizens, communities, and the Métis Nation within Alberta were subjected;

Through the perseverance of our foremothers and forefathers and our ongoing political, legal, and constitutional efforts, our unique and distinct existence as an Indigenous people, including our inherent right to self-government, has been recognized by Canada's Constitution;

To fully achieve and realize the promises made to us within Canada's Constitution, we seek to negotiate a modern-day treaty with the Crown, on a nation-to-nation, government-to-government basis, that recognizes our inherent rights to self-determination and self-government as well as our jurisdiction as a distinct order of Indigenous government within the Canadian federation;

Consistent with our goals, on June 27, 2019, after generations of struggle and dedication, we signed a *Métis Government Recognition and Self-Government Agreement* with Canada that recognizes the Métis Nation within Alberta's inherent right to self-government and sets out a process to ensure the full scope of our inherent jurisdiction and rights are recognized in Canadian law and are not limited or diminished by colonial law or as negotiations continue;

Now, as a people, we have come together, based on the democratic will of our Citizens, to adopt this Constitution of the Métis Nation within Alberta, which formally establishes the Otipemisiwak Métis Government and is the highest law of the Métis Nation within Alberta.

## **PART I: FOUNDATIONAL PRINCIPLES**

### **CHAPTER 1: THE MÉTIS NATION**

- 1.1 As an Indigenous people, the Métis Nation emerged in the historic North-West, the Métis Nation Homeland, in the late 1700s and early 1800s with its own collective consciousness and identity, territory, language, culture, music, art, dance, institutions, self-government, laws, and legal orders, including relationships, confederacies, and alliances with other Indigenous peoples.
- 1.2 The Métis Nation Homeland includes an area that is now known as the Canadian provinces of Alberta, Saskatchewan, and Manitoba as well as contiguous parts of Ontario, British Columbia, the Northwest Territories, and portions of the northern United States in Montana, North Dakota, and Minnesota.
- 1.3 Since its emergence, the Métis Nation, including the inter-related and inter-dependent Métis families and communities located in territories throughout the Métis Nation Homeland, has functioned and been recognized as a nation by using, occupying, managing, and protecting the land and resources within the Métis Nation Homeland.
- 1.4 Throughout this Constitution, Métis means an individual who self-identifies as Métis, is distinct from other Indigenous peoples (for cultural and nationhood purposes), is of Historic Métis Nation ancestry, and is accepted by the Métis Nation.
- 1.5 Today, the Métis Nation is comprised of all Métis descendants of the inter-related and inter-dependent Métis families and communities located in territories throughout the Métis Nation Homeland that share the history, language, identity, culture, customs, and traditions of the Métis Nation.
- 1.6 The Métis Nation is one of the “aboriginal peoples of Canada” within the meaning of s. 35(2) of the *Constitution Act, 1982* and a people as recognized in international law, including the *United Nations Declaration on the Rights of Indigenous Peoples*.
- 1.7 The Métis Nation has never surrendered—and will never surrender—the inherent rights it holds as a people.

### **CHAPTER 2: THE MÉTIS NATION WITHIN ALBERTA**

- 2.1 The Métis Nation within Alberta includes all of its Citizens, all Métis who live within Alberta, and the Métis communities of the Territories of the Métis Nation within Alberta.
- 2.2 The Métis Nation within Alberta is an indivisible, indissoluble, and united Métis collectivity that is an inseparable and distinct part of the Métis Nation. This section of the Constitution cannot be amended.

### **CHAPTER 3: THE TERRITORIES OF THE MÉTIS NATION WITHIN ALBERTA**

- 3.1 The Métis Nation within Alberta has always been and remains comprised of Territories occupied, relied upon, and used by inter-connected and inter-dependent Métis communities that share a distinctive identity, live together in the same geographic area, and share a common way of life.
- 3.2 The Territories of the Métis Nation within Alberta include:
- (a) the Peace River Territory;
  - (b) the Lower Athabasca River Territory;
  - (c) the Lesser Slave Lake Territory;
  - (d) the North Saskatchewan River Territory; and
  - (e) the Battle River Territory.
- 3.3 Each Territory is an integral and indivisible component of the Métis Nation within Alberta. The Territories are depicted in the map attached as Schedule A, which is an integral part of this Constitution. These Territories remain inter-connected and inter-dependent and have overlapping geographic areas in which their Métis community's rights exist and are exercised.

### **CHAPTER 4: CITIZENS**

- 4.1 Citizenship in the Métis Nation within Alberta is a fundamental right of all Métis.
- 4.2 For the purposes of becoming a Citizen, Métis means a person who self-identifies as Métis, is distinct from other Aboriginal peoples, is of Historic Métis Nation ancestry, and is accepted by the Métis Nation.
- 4.3 In this Constitution:
- (a) Historic Métis Nation means the Aboriginal people then known as Métis or Half-breeds who resided in the Historic Métis Nation Homeland;
  - (b) Historic Métis Nation Homeland means the area of land in west central North America used and occupied as the traditional territory of the Métis or Half-breeds, as they were then known;
  - (c) Métis Nation means the Aboriginal people descended from the Historic Métis Nation that is now comprised of all Métis Nation citizens and that is one of the "aboriginal peoples of Canada" within the meaning of section 35 of the *Constitution Act, 1982*; and

- (d) distinct from other Aboriginal peoples means distinct for cultural and nationhood purposes.
- 4.4 By becoming registered as a Citizen of the Métis Nation within Alberta an individual is accepted by the Métis Nation.
- 4.5 In this Constitution, Citizen means a Métis who is registered as a Citizen of the Métis Nation within Alberta.
- 4.6 The Otipemisiwak Métis Government shall maintain a law regarding citizenship that must, at a minimum, include the following:
- (a) the establishment and maintenance of a Register of Citizens;
  - (b) the documentary requirements for citizenship and the application process;
  - (c) the privacy rights of Citizens and the ability of the Otipemisiwak Métis Government to collect data through the Register to be used for the benefit of all Citizens and the Métis Nation within Alberta; and
  - (d) an appeals process related to decisions made regarding citizenship.

## **CHAPTER 5: THE CONSTITUTION OF THE MÉTIS NATION WITHIN ALBERTA**

- 5.1 The Métis Nation within Alberta has adopted this Constitution based on its inherent rights to self-determination and self-government.
- 5.2 This Constitution is the highest law of the Métis Nation within Alberta.
- 5.3 All Otipemisiwak Métis Government laws and the application of such laws must be consistent with this Constitution, and, if inconsistent, are of no force and effect to the extent of the inconsistency.
- 5.4 All actions and decisions by the Otipemisiwak Métis Government and its Institutions must be consistent with this Constitution, and, if inconsistent, are invalid to the extent of the inconsistency.

## **PART II: BILL OF RIGHTS**

### **CHAPTER 6: THE RIGHTS OF THE MÉTIS NATION WITHIN ALBERTA**

- 6.1 As an integral and distinct component of the Métis Nation, the Métis Nation within Alberta holds and may exercise all the rights inherent to Indigenous peoples and all peoples, including, but not limited to:
- (a) the right to self-determination;
  - (b) the right to self-government;



- (c) the right to a land base to sustain its existence, identity, culture, language, and way of life;
- (d) the right to own, access, use, and benefit from Métis lands, the Territories, and lands and resources of the Métis Nation Homeland;
- (e) the right to harvest resources of the Métis Nation Homeland in keeping with the customs, practices, and traditions of the Métis Nation within Alberta and Otipemisiwak Métis Government laws to benefit and sustain Métis families, the communities of the Territories, and the Métis Nation within Alberta as a whole;
- (f) the right to engage in innovation, economic development, trade, and commerce to enable the well-being of the Métis Nation within Alberta and its Citizens;
- (g) the right to mobility throughout the Métis Nation Homeland;
- (h) the right to speak, transmit, and ensure the vitality of the languages of the Métis Nation within Alberta;
- (i) the right to practice, transmit, and ensure the continuation and evolution of the spirituality, customs, practices, and traditions of the Métis Nation within Alberta without harassment, discrimination, or persecution;
- (j) the right to access, control, possess, and own historic records and other information in order to protect and promote the rights and interests of the Métis Nation within Alberta and the communities of its Territories;
- (k) the right to establish, control, and provide access to educational systems and institutions providing education in a manner appropriate to Métis cultural methods of teaching and learning;
- (l) the right to safety, health, well-being, and the ability of its Citizens to live a good life;
- (m) the right to prompt and fair access to justice and to have Métis customs, traditions, and laws given due consideration in judicial processes;
- (n) the right to the integrity of Métis families consistent with Métis cultural values, the best interests of Métis children, cultural continuity, and self-determination;
- (o) the right to be engaged, consulted, accommodated, and provide informed consent with respect to any decisions or actions that have the potential to impact the rights, interests, claims, and well-being of the Métis Nation within Alberta or the communities of its Territories;
- (p) the right to be engaged, consulted, accommodated, and provide informed consent with respect to the future direction of the Métis Nation as well as any decision that may affect the rights, interests, claims, and well-being of the Métis Nation within

Alberta and the communities of its Territories as indivisible and distinct components of the Métis Nation;

- (q) the right to be free from any kind of discrimination in exercising any of the rights listed herein; and
- (r) without limitation, all of the rights and interests described and recognized in the *United Nations Declaration on the Rights of Indigenous Peoples*.

## **CHAPTER 7: RIGHTS OF CITIZENS**

- 7.1 Every Citizen is entitled to exercise the collectively held inherent rights as well as other rights and interests held by the Métis Nation within Alberta in accordance with this Constitution and any Otipemisiwak Métis Government law.
- 7.2 Every Citizen has the right to retain citizenship in the Métis Nation within Alberta regardless of their place of residence.
- 7.3 Subject to residency or other requirements set out in any Otipemisiwak Métis Government law, every Citizen who is sixteen (16) years of age or older is eligible to vote in Otipemisiwak Métis Government elections and every Citizen who is eighteen (18) years of age or older is eligible to be elected or hold office in the Otipemisiwak Métis Government.
- 7.4 Every Citizen has the right to appeal or apply for review of decisions of the Otipemisiwak Métis Government in keeping with processes set out in Otipemisiwak Métis Government laws.
- 7.5 Every Citizen has the right to transparency and accountability from the Otipemisiwak Métis Government, and the Otipemisiwak Métis Government shall maintain a law providing for access to information held by the Otipemisiwak Métis Government and its Institutions.

## **CHAPTER 8: OFFICIAL LANGUAGES**

- 8.1 The official languages of the Otipemisiwak Métis Government are Michif, Cree, English, and French.
- 8.2 Any official language may be used in the proceedings of the Citizens' Gathering, the Citizens' Council, and the District Councils.
- 8.3 All laws, regulations, and policies of the Otipemisiwak Métis Government must be adopted in English, and the English version is authoritative. Laws, regulations, and policies of the Otipemisiwak Métis Government may also be translated into any other official language.

## **CHAPTER 9: GUARANTEE OF EQUALITY**

- 9.1 The rights of the Métis Nation within Alberta and its Citizens are guaranteed equally regardless of sex, gender, sexual orientation, age, religion, physical and mental disability, or other immutable personal characteristics.

## **CHAPTER 10: REASONABLE LIMITS**

- 10.1 The rights set out in this Part are subject only to reasonable limits prescribed by an Otipemisiwak Métis Government law that can be demonstrably justified in a free and democratic Métis society.

## **PART III: THE OTIPEMISIWAK MÉTIS GOVERNMENT**

### **CHAPTER 11: THE BRANCHES OF THE OTIPEMISIWAK MÉTIS GOVERNMENT**

- 11.1 The Otipemisiwak Métis Government consists of the following branches:

- (a) the Citizens' Gathering;
- (b) the District Councils;
- (c) the Citizens' Council; and
- (d) the Judicial Branch.

### **CHAPTER 12: THE OTIPEMISIWAK MÉTIS GOVERNMENT**

- 12.1 The Otipemisiwak Métis Government is the government of the Métis Nation within Alberta.
- 12.2 The Otipemisiwak Métis Government builds on the self-government of the Métis Nation within Alberta that evolved through the creation of L'Association des Métis d'Alberta et les Territoires du Nord-Ouest, the Métis Association of Alberta, and the Métis Nation of Alberta Association.
- 12.3 The Otipemisiwak Métis Government shall govern in the spirit of the provisional governments led by Louis Riel and shall strive to protect the Métis Nation within Alberta and the Métis Nation for generations to come.
- 12.4 The Otipemisiwak Métis Government shall engage with and be responsive to the needs and ambitions of its Citizens in keeping with the Métis tradition of kapikiskwanaw, meaning "we will talk."
- 12.5 Only the Otipemisiwak Métis Government has the mandate and authority to represent the Métis Nation within Alberta.
- 12.6 The Otipemisiwak Métis Government is authorized to advance and address all rights, interests, and claims of the Métis Nation within Alberta.
- 12.7 The Otipemisiwak Métis Government may, in keeping with the tradition of kapikiskwanaw, engage and enter into collaborative arrangements with other governments, organizations, or institutions, whether international, national, provincial, Indigenous, or otherwise in relation to the interests and jurisdiction of the Métis Nation within Alberta.

## **CHAPTER 13: THE PURPOSE, GOALS, AND RESPONSIBILITIES OF THE OTIPEMISIWAK MÉTIS GOVERNMENT**

13.1 The Otipemisiwak Métis Government's purpose is:

- (a) to advance the social, cultural, and economic well-being; education; and health of the Métis Nation within Alberta, its Citizens, families, and communities of its Territories;
- (b) to advance, address, secure, and protect the rights, interests, and claims of the Métis Nation within Alberta and the communities of its Territories; and
- (c) to provide fair, responsible, transparent, and accountable governance to the Citizens of the Métis Nation within Alberta.

13.2 The Otipemisiwak Métis Government's goals and responsibilities are:

- (a) to protect the planet, land, water, animals, and environment for future generations, including our relationship and responsibilities to all things;
- (b) to repatriate, secure, and protect lands, resources, cultural artifacts, and sacred sites for the benefit of the Métis Nation within Alberta, its Citizens, families, and the communities of its Territories;
- (c) to protect and promote Métis traditional and cultural knowledge;
- (d) to advance and secure the recognition of Métis rights and interests within Alberta and Canada;
- (e) to research, publish, and preserve the distinct history of the Métis Nation within Alberta's places, families, and communities of its Territories;
- (f) to maintain a single, credible, objectively verifiable, and non-political Register of Citizens for the Métis Nation within Alberta;
- (g) to build and maintain mechanisms, structures, and Institutions to enable the Métis Nation within Alberta to be independent and self-determining;
- (h) to operate in a transparent and fiscally responsible manner;
- (i) to enable Citizens to pursue their best life based on their own personal choices and spirituality;
- (j) to improve the quality of life of Citizens by providing social, economic, spiritual, cultural, public safety, justice, and health supports that are specifically designed and tailored for their unique needs and realities;

- (k) to ensure Citizens have meaningful ways to be consulted and participate in the initiatives of the Otipemisiwak Métis Government at all levels;
- (l) to provide mechanisms for dispute resolution that promote reconciliation and the restoration of good relations;
- (m) to ensure the distinct voice of the Métis Nation within Alberta is heard nationally and internationally;
- (n) to collaborate with other Métis governments to coordinate delivery of programs and services to Citizens;
- (o) to work with other Indigenous peoples and their governments by supporting, building, or rekindling relationships, kinships, confederacies, and alliances; and
- (p) to maintain productive relationships with all levels of Canadian government in pursuit of reconciliation through collaborative partnerships.

#### **CHAPTER 14: THE CITIZENS' GATHERING**

14.1 The Citizens' Gathering is convened each summer by the Citizens' Council for the following purposes:

- (a) to bring Citizens together to share in Métis social, cultural, political, and spiritual activities; and
- (b) to serve as a forum where:
  - i. the President shall provide a report to Citizens;
  - ii. the Citizens' Council and Institutions shall provide annual reports to Citizens on the operations and finances of the Otipemisiwak Métis Government;
  - iii. updates on matters of importance facing the Otipemisiwak Métis Government are provided to Citizens;
  - iv. Citizens may ask questions, provide their views, and table proposals;
  - v. Citizens may review and provide their views on any proposed amendments to this Constitution; and
  - vi. Citizens may review and provide their views on any proposed modern-day treaty or land claims agreement.

14.2 All Citizens have a right to attend, participate, and speak at the Citizens' Gathering.

- 14.3 The Citizens' Council may convene additional meetings of the Citizens' Gathering from time to time in order to seek the views of Citizens on matters of importance to the Métis Nation within Alberta.
- 14.4 The Otipemisiwak Métis Government shall maintain a law that addresses the operations of the Citizens' Gathering.

## **CHAPTER 15: DISTRICTS AND DISTRICT COUNCILS**

### **A. DISTRICTS**

- 15.1 For the purposes of good governance and the effective representation of Citizens, the Territories of the Métis Nation within Alberta are subdivided into Districts.
- 15.2 The Otipemisiwak Métis Government shall maintain a law setting out:
- (a) the criteria and process for the establishment or alteration of Districts; and
  - (b) the boundaries of all Districts.

### **B. COMPOSITION OF DISTRICT COUNCILS**

- 15.3 Each District may have a District Council.
- 15.4 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.
- 15.5 The Otipemisiwak Métis Government shall maintain a law setting out the criteria and process for the establishment and operations of District Councils.
- 15.6 A District Council includes:
- (a) a District Captain, who must be a Citizen and resident of the District, elected by the Citizens of the District; and
  - (b) additional Councillors, who must be Citizens and residents of the District, as provided for in an Otipemisiwak Métis Government law.

### **C. AUTHORITY AND RESPONSIBILITY OF DISTRICT COUNCILS**

- 15.7 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 residing in 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 residing in 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 residing in the District;
  - (f) overseeing Institutions to develop and deliver programs and services for the benefit of the Citizens residing in 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 laws.
- 15.8 The District Councils of each Territory shall establish procedures to coordinate their work 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.
- 15.9 Where no District Council has been established for a District, or where a District Council declines authority and responsibility in relation to certain matters listed above, 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.

## **CHAPTER 16: THE CITIZENS' COUNCIL**

### **A. COMPOSITION OF THE CITIZENS' COUNCIL**

- 16.1 The Citizen's Council includes:
- (a) the President, who is a Citizen and resident of Alberta elected by all Citizens every four years through a province-wide election;
  - (b) one Citizens' Representative per District, who is a Citizen elected every four years by the Citizens of the District in which the Citizens' Representative resides;
  - (c) one Women's Representative, who is a woman and Citizen resident of Alberta, elected by all Citizens every four years through a province-wide election; and

- (d) one Youth Representative, who is a Citizen resident of Alberta twenty-five (25) years of age or younger when elected by all Citizens every four years through a province-wide election.

**B. ROLE AND RESPONSIBILITY OF THE PRESIDENT**

16.2 The President is responsible for:

- (a) providing overall leadership and upholding the purpose, goals, and responsibilities of the Otipemisiwak Métis Government
- (b) serving as the chief spokesperson of the Métis Nation within Alberta and the Otipemisiwak Métis Government;
- (c) leading discussions of the Citizens' Council and attempting to seek consensus;
- (d) providing a President's Report to every meeting of the Citizens' Gathering;
- (e) selecting and mandating Provincial Secretaries from the Citizens' Council; and
- (f) voting at meetings only when required to break a tie.

16.3 Within 30 days of being elected, the President shall identify a member of the Citizens' Council to serve as acting President if the President becomes unable to fulfill the President's role and responsibility.

**C. ROLE AND RESPONSIBILITY OF THE CITIZENS' REPRESENTATIVES**

16.4 Every Citizens' Representative is responsible for representing the rights, interests, and claims of the Citizens in their respective District in relation to all matters not assigned to their District Council and for working with other members of the Citizens' Council to advance the purpose, goals, and responsibilities of the Otipemisiwak Métis Government.

**D. ROLE AND RESPONSIBILITY OF THE WOMEN'S REPRESENTATIVE**

16.5 The Women's Representative is responsible for representing the rights, interests, and claims of the Citizens of the Métis Nation within Alberta who are women and for working with other members of the Citizens' Council to advance the purpose, goals, and responsibilities of the Otipemisiwak Métis Government.

**E. ROLE AND RESPONSIBILITY OF THE YOUTH REPRESENTATIVE**

16.6 The Youth Representative is responsible for representing the rights, interests, and claims of the Citizens of the Métis Nation within Alberta who are youths and for working with other members of the Citizens' Council to advance the purpose, goals, and responsibilities of the Otipemisiwak Métis Government.



## **F. OPERATION OF THE CITIZENS' COUNCIL**

- 16.7 The President shall call all meetings of the Citizens' Council.
- 16.8 There are, at a minimum, six (6) meetings of the Citizens' Council annually.
- 16.9 The Citizens' Council shall endeavour to make decisions by consensus; however, where consensus cannot be reached, the Citizens' Council will make decisions by a majority vote.
- 16.10 The Citizens' Council may establish committees of its members to examine selected matters and make recommendations to the Citizens' Council.
- 16.11 The Citizens' Council shall appoint a council made up of elders or knowledge keepers from among the Citizens to provide advice and support.
- 16.12 The Citizens' Council may appoint advisory bodies as needed.
- 16.13 The Otipemisiwak Métis Government shall maintain a law governing the operations of the Citizens' Council.

## **G. CABINET**

- 16.14 The President shall appoint Provincial Secretaries from among the members of the Citizens' Council.
- 16.15 Each Provincial Secretary shall be responsible for a portfolio regarding specific matters, issues, departments, or Institutions based on a mandate letter from the President that must be made public and available to Citizens.
- 16.16 A Provincial Secretary is accountable to the President and other members of the Citizens' Council.
- 16.17 The President and Provincial Secretaries shall form the Cabinet of the Otipemisiwak Métis Government and, except in relation to matters assigned to District Councils, may exercise all executive authority required to oversee the operations of the Otipemisiwak Métis Government and implement Otipemisiwak Métis Government laws.
- 16.18 The President and Provincial Secretaries shall conduct the affairs of the Otipemisiwak Métis Government in a manner consistent with this Constitution, any Otipemisiwak Métis Government laws, direction received from the Citizens' Council, and the proposals of the Citizens' Gathering.

## **H. AUTHORITY AND RESPONSIBILITY OF THE CITIZENS' COUNCIL**

- 16.19 The authority and responsibility of the Citizens' Council extends to all matters not assigned to District Councils related to the good governance of the Métis Nation within Alberta and the advancement and protection of Métis lands, rights, interests, and claims, including the following:

- (a) repatriation, ownership, and management of lands for the use and benefit of the Métis Nation within Alberta as a whole;
- (b) negotiation, on behalf of the Métis Nation within Alberta, of a modern-day treaty relationship with the Crown through a land claims agreement or other arrangement as called for and contemplated within the meaning of section 35(3) of the *Constitution Act, 1982*;
- (c) negotiation regarding outstanding collective Métis claims against the Crown, including any claims relating to Métis scrip;
- (d) overseeing Institutions to develop and deliver programs and services for the benefit of the Métis Nation within Alberta and its Citizens;
- (e) delegation of authority and responsibility for specified matters to District Councils; and
- (f) approving an annual budget of the Otipemisiwak Métis Government and providing financial accountability to Citizens.

## **I. LEGISLATIVE POWERS OF THE CITIZENS' COUNCIL**

- 16.20 The Citizens' Council has the exclusive power to enact laws in relation to all aspects of the inherent jurisdiction and rights of the Métis Nation within Alberta and all matters falling within the Otipemisiwak Métis Government's purpose, goals, and responsibilities.
- 16.21 Except as provided for in this Constitution, the Citizens' Council may not delegate its exclusive power to enact laws.
- 16.22 The Otipemisiwak Métis Government shall maintain a public registry by electronic means where this Constitution and all Otipemisiwak Métis Government laws are posted.
- 16.23 At least thirty (30) days prior to a meeting of the Citizens' Council at which a decision to enact a law will be made:
- (a) each Citizens' Representative shall consult with the Citizens residing in the District they represent regarding any proposed laws;
  - (b) the Women's Representative shall consult with Citizens who are women regarding any proposed laws; and
  - (c) the Youth Representative shall consult with Citizens who are youths regarding any proposed laws.

## **CHAPTER 17: JUDICIAL BRANCH**

- 17.1 The Otipemisiwak Métis Government shall maintain one or more laws establishing one or more impartial bodies to decide and prescribe the resolution of disputes and addressing the following matters:
- (a) citizenship in the Métis Nation within Alberta;
  - (b) election of leadership of the Otipemisiwak Métis Government;
  - (c) the validity, application, and interpretation of laws, regulations, policies, actions, or decisions of the Otipemisiwak Métis Government or its Institutions;
  - (d) any other matter as identified in an Otipemisiwak Métis Government law;
  - (e) appeals of decisions of the bodies comprising the Judicial Branch; and
  - (f) where decisions of the bodies comprising the Judicial Branch are final and cannot be appealed.

## **CHAPTER 18: ELECTIONS AND REFERENDA**

- 18.1 The Otipemisiwak Métis Government shall maintain a law governing the conduct of its elections and referenda.

### **PART IV: ALBERTA METIS SETTLEMENTS**

## **CHAPTER 19: ALBERTA METIS SETTLEMENTS**

- 19.1 In this Constitution, Metis Settlement and Settlement Member have the meanings as set out in the *Metis Settlement Act*, RSA 2000, c M-14.
- 19.2 The Metis Settlements are the result of the early efforts of the leadership of the Métis Association of Alberta, a predecessor of the Otipemisiwak Métis Government, and serve to provide a Métis land base to preserve and enhance Métis identity, culture, and well-being in Alberta.
- 19.3 The Metis Settlements exist for the benefit of all Métis in Alberta and are an integral part of the Métis Nation within Alberta.
- 19.4 One or more Metis Settlements may seek to join the Otipemisiwak Métis Government on terms to be negotiated with the Citizens' Council and ratified as an amendment to this Constitution.
- 19.5 By participating in the Otipemisiwak Métis Government, none of the existing jurisdiction, powers, or responsibilities of a Metis Settlement, including ownership of Metis Settlement lands, will be diminished in any way.

- 19.6 All Settlement Members who are eligible may register as Citizens of the Métis Nation within Alberta.

## **PART V: MÉTIS LANDS**

### **CHAPTER 20: MÉTIS LANDS**

- 20.1 The Métis Nation within Alberta has a right to and requires the use, benefit, control, and stewardship of appropriate and sufficient lands to maintain, protect, and enhance Métis nationhood, identity, language, culture, gatherings, trade, commerce, and self-government on a land base.
- 20.2 The Otipemisiwak Métis Government shall seek:
- (a) to repatriate land;
  - (b) to protect and hold land;
  - (c) to otherwise secure access, use, benefit, control, and stewardship of land throughout the Territories of the Métis Nation within Alberta; and
  - (d) to secure protection of Metis Settlement lands by the Constitution of Canada for the use and benefit of the Métis Nation within Alberta for generations to come.

### **CHAPTER 21: MÉTIS SCRIP AND OTHER DISPOSSESSIONS**

- 21.1 The Otipemisiwak Métis Government shall secure recognition, reconciliation, and redress for the inter-generational impacts of Métis scrip and other land disposessions on the Métis Nation within Alberta, the communities of its Territories, and its Citizens.
- 21.2 The legacy of Métis scrip must be recognized and redressed through a land claims agreement within the meaning of s. 35(3) of the *Constitution Act, 1982* between the Crown and the Otipemisiwak Métis Government on behalf of the Métis Nation within Alberta.

## **PART VI: OFFICERS AND INSTITUTIONS**

### **CHAPTER 22: THE CHAIR**

- 22.1 Within thirty (30) days following the province-wide elections for the leadership of the Otipemisiwak Métis Government, a committee of the Citizens' Council shall prepare a list of nominees for a Chair, one of whom will be selected by the Citizens' Council by resolution. The Chair must be a Citizen.
- 22.2 The Chair is an officer of the Otipemisiwak Métis Government.
- 22.3 The Chair shall:
- (a) remain neutral and impartial;

- (b) preside over all meetings of the Citizens' Council and the Citizens' Gathering;
- (c) ensure meetings are planned effectively and maintain meeting order;
- (d) ensure matters are dealt with in an efficient manner; and
- (e) following every Citizens' Gathering, prepare a report for the Citizens' Council summarizing the questions, views, and proposals presented by Citizens.

22.4 The Otipemisiwak Métis Government shall maintain a law enabling the work of the Chair.

### **CHAPTER 23: OMBUDSMAN**

23.1 Within thirty (30) days following the province-wide elections for the leadership of the Otipemisiwak Métis Government, a committee of the Citizens' Council shall nominate an Ombudsman to be confirmed by a resolution of the Citizens' Council. The Ombudsman must be a Citizen.

23.2 The Ombudsman is an arm's length officer of the Otipemisiwak Métis Government.

23.3 All Citizens have the right to submit complaints to the Ombudsman regarding the actions, inactions, or decisions of the Otipemisiwak Métis Government, its elected leadership, officers, employees, or Institutions.

23.4 The Ombudsman has the authority to:

- (a) investigate complaints;
- (b) mediate disputes;
- (c) make recommendations to the Otipemisiwak Métis Government or any of its Institutions regarding possible resolutions of complaints; and
- (d) dismiss complaints.

23.5 The decisions of the judicial bodies provided for in Chapter 17 are not reviewable by the Ombudsman. All decisions of the Ombudsman are reviewable by the Judicial Branch.

23.6 The Otipemisiwak Métis Government shall maintain a law enabling and protecting the work of the Ombudsman.

### **CHAPTER 24: AUDITOR GENERAL**

24.1 Within thirty (30) days following the province-wide elections for the leadership of the Otipemisiwak Métis Government, a committee of the Citizens' Council shall nominate an Auditor General to be confirmed by a resolution of the Citizens' Council. The Auditor General must be a Citizen.

24.2 The Auditor General is an arm's length officer of the Otipemisiwak Métis Government.

- 24.3 The Auditor General shall make such examinations and inquiries as they consider necessary to enable them to fulfill their responsibilities as set out in this Constitution or any Otipemisiwak Métis Government law.
- 24.4 The Auditor General shall prepare an annual consolidated audited financial statement for the Otipemisiwak Métis Government and publish it such that it is available to all Citizens.
- 24.5 The Otipemisiwak Métis Government shall maintain a law that governs the financial management of its governance structures and Institutions, including the accountability of the Otipemisiwak Métis Government to its Citizens, and that enables and protects the work of the Auditor General.

## **CHAPTER 25: INSTITUTIONS**

- 25.1 The Institutions of the Otipemisiwak Métis Government will be corporations, not-for-profit organizations, or other entities created by the Citizens' Council or a District Council to administer one or more specific laws, policies, programs, or services of the Otipemisiwak Métis Government in a manner set out in an Otipemisiwak Métis Government law.

## **PART VII: GENERAL PROVISIONS**

### **CHAPTER 26: CODE OF ETHICS**

- 26.1 The Otipemisiwak Métis Government shall maintain a law providing for a code of ethics governing, among other things, conflicts of interest relating to the elected leadership, officers, and employees, and the employees of its Institutions.

### **CHAPTER 27: NO EFFECT ON MÉTIS RIGHTS, CLAIMS, AND INTERESTS**

- 27.1 Nothing in this Constitution limits, prejudices, restricts, or surrenders any right, claim, or interest of the Métis Nation within Alberta, the communities of its Territories, or any components of either.
- 27.2 The Métis Nation within Alberta acts through the Otipemisiwak Métis Government in asserting, claiming, negotiating, or exercising any right, claim, or interest of the Métis Nation within Alberta, the communities of its Territories, or any components thereof.

### **CHAPTER 28: TREATY RATIFICATION**

- 28.1 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 must be adopted by way of a law presented to the Citizens' Gathering, approved by at least three quarters of the members of the Citizens' Council, and then, within a year, ratified by at least three quarters of the District Councils.

## **CHAPTER 29: AMENDMENTS**

- 29.1 Any amendment to this Constitution must be made by way of a law presented to the Citizens' Gathering, approved by at least three quarters of the members of the Citizens' Council, and then ratified by a majority of Citizens having voted in a referendum.
- 29.2 Except as required to give effect to an agreement with one or more Metis Settlements as provided for in Chapter 19, this Constitution may not be amended during the first five years following its coming into force.

## **CHAPTER 30: COMING INTO FORCE**

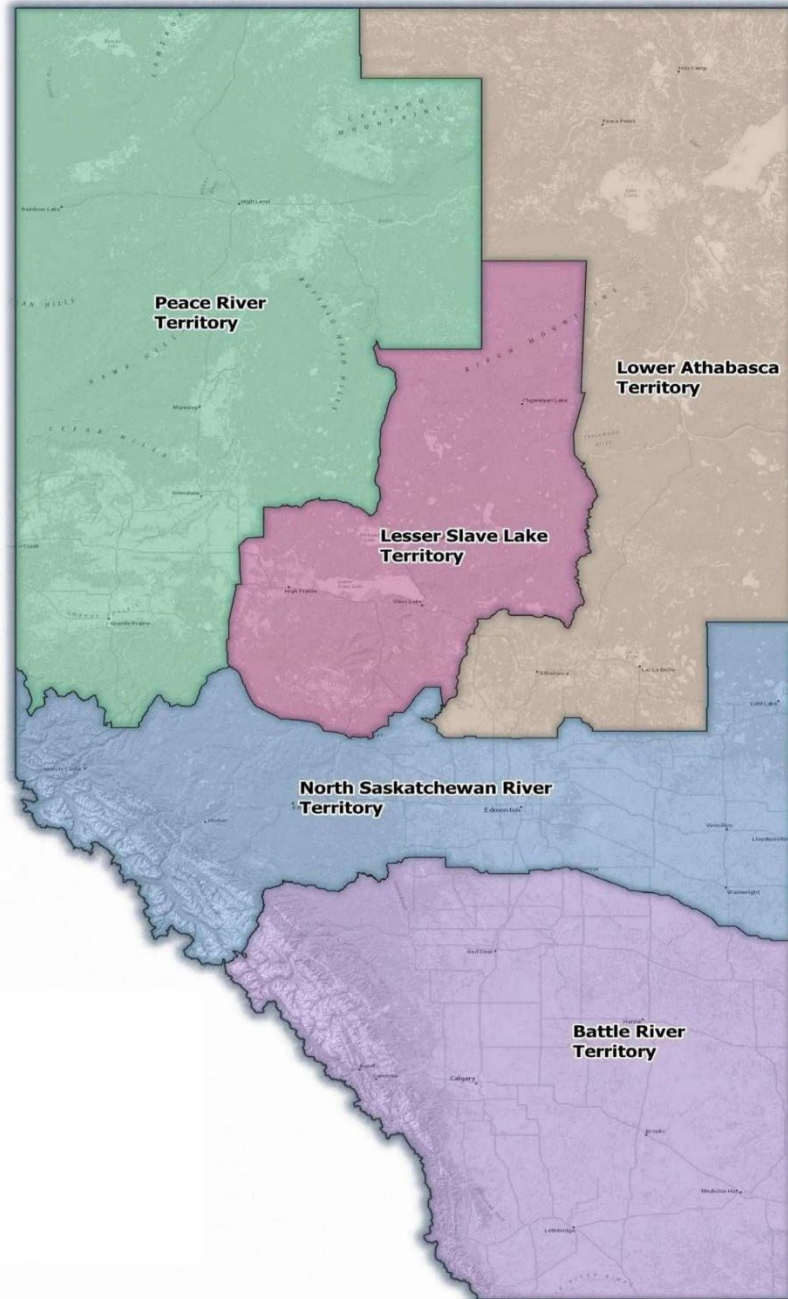
- 30.1 This Constitution will come into force on the date set for the first general election of the Métis Nation of Alberta Association to follow this Constitution's ratification.

## **CHAPTER 31: TRANSITION**

- 31.1 Wherever this Constitution provides that the Otipemisiwak Métis Government shall maintain a law regarding a matter, the Métis Nation of Alberta Association's Provincial Council shall adopt such laws by resolution, which will be considered laws of the Otipemisiwak Métis Government, prior to the coming into force of this Constitution.
- 31.2 As of the coming into force of this Constitution, all members of the Métis Nation of Alberta Association are Citizens of the Métis Nation within Alberta.
- 31.3 As of the coming into force of this Constitution, the Otipemisiwak Métis Government shall have in place a transition plan that determines, among other things:
- (a) how the rights, titles, interests, assets, obligations, and liabilities of each Local Council and Regional Council of the Métis Nation of Alberta Association are to be vested in the Otipemisiwak Métis Government or a District Council as their successor; and
  - (b) how the relationships of the affiliates of the Métis Nation of Alberta Association are to be maintained with the Otipemisiwak Métis Government.
- 31.4 As of the coming into force of this Constitution, all the rights, titles, interests, assets, obligations, and liabilities of the Métis Nation of Alberta Association are vested in the Otipemisiwak Métis Government as its successor.

## SCHEDULE A

For the purposes of good governance, the Métis Nation within Alberta has defined its Territories as depicted in this map. These Territories are inter-connected and interdependent and have overlapping geographic areas in which Métis rights may be exercised. Each of these Territories is an integral and indivisible component of the Métis Nation within Alberta.





# **Appendix B:**

## **Métis Nation of Alberta Association**

### **Pre-Constitution Bylaws**

**BYLAWS**

**OF THE**

**MÉTIS NATION**

**OF**

**ALBERTA ASSOCIATION**

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**MÉTIS NATION DECLARATION**

**THE MÉTIS NATION VALUES SELF-RELIANCE,  
SELF-SUFFICIENCY AND INDIVIDUAL AND  
COLLECTIVE RIGHTS AND FREEDOMS. THE  
MÉTIS NATION POSSESSES THE RIGHT OF  
SELF-DETERMINATION, INCLUDING THE INHERENT  
RIGHT OF MÉTIS GOVERNANCE WHICH MAY BE  
EXPRESSED AND IMPLEMENTED BY ITS MEMBERS AT  
THE LOCAL, REGIONAL, PROVINCIAL/TERRITORIAL  
AND NATIONAL LEVELS.**

**ADOPTED IN THE MÉTIS HOME LAND  
BY THE MÉTIS NATIONAL COUNCIL\*\* JULY 28, 1994**

ARTICLE 1                    NAME AND OBJECTIVES

We, the Métis Nation of Alberta, are a distinct Nation among the Aboriginal people in Canada and as such our Aboriginal rights are recognized and affirmed under Section 35 of the Constitution Act, 1982.

We, the Métis Nation of Alberta, have the inherent right of self-determination and self-government.

This document contains the Bylaws of the Métis Nation of Alberta and will continue the process of self-determination and self-government of the Métis Nation.

This document gives authority to a body that shall be known as the "Métis Nation of Alberta Association" and this body shall govern its people at the Provincial Council, Regional Council and Local Council in the style and spirit of the Riel government.

1.     The objectives of the Métis Nation of Alberta Association are as follows:
  - 1.1    To promote the cultural, economic, educational, political and social development of Métis in Alberta and Canada;
  - 1.2    To stand as the political representative of all Métis in Alberta and to promote self-determination and self-government for Métis in Alberta and Canada;
  - 1.3    To promote, pursue and defend aboriginal, legal, constitutional, and other rights of Métis in Alberta and Canada;
  - 1.4    Re-establish land and resource bases;



- 1.5 To create awareness of the proud heritage of the Métis Nation of Alberta and to promote the history, values, culture, languages and spiritual traditions of the Métis Nation of Alberta;
- 1.6 To develop prosperity and economic self-sufficiency within the Métis Nation of Alberta;
- 1.7 To promote and ensure participation of Métis Elders, Métis Women, Métis Youth and Métis persons with disabilities in the educational, cultural, political and social development of the Métis Nation of Alberta.
- 1.8 To negotiate, on behalf of the Métis in Alberta, a modern day treaty relationship with the Crown through a “land claims agreement” or other arrangement as called for and contemplated within the meaning of section 35(3) of the *Constitution Act, 1982*.

## ARTICLE 2 POLITICAL-RELIGIOUS AFFILIATION

- 2.1. The Métis Nation shall not be affiliated with any political party or religious denomination.

## ARTICLE 3 DEFINITION OF MÉTIS

- 3.1 "MÉTIS" means a person who self-identifies as a Metis, is distinct from other aboriginal peoples, is of historic Metis Nation ancestry, and is accepted by the Metis Nation.
- 3.2 A Metis must provide historical proof of his or her status as Metis:

- (a) Historical Proof - evidence of an ancestor who received a land grant or a scrip grant under the Manitoba Act or the Dominion Lands Act, or who was recognized as a Metis in other government, church or community records.
- (b) Historic Metis Nation means the Aboriginal people then known as Metis or Half-breeds who resided in the Historic Metis Nation Homeland.
- (c) Historic Metis Nation Homeland means the area of land in west central North America used and occupied as the traditional territory of the Metis or Half-breeds as they were then known.
- (d) Metis Nation means the Aboriginal people descended from the Historic Metis Nation, which is now comprised of all Metis peoples and is one of the "aboriginal peoples of Canada" within the meaning of s.35 of the *Constitution Act 1982* which is attached as Appendix 1.
- (e) Distinct from other Aboriginal peoples means distinct for cultural and nationhood purposes.

ARTICLE 4                    OTHER DEFINITIONS

- 4.1 Annual Assembly - means annual general meeting.
- 4.2 Annual Regional Meeting means annual general meeting of the Region
- 4.3 Annual Local Meeting means annual general meeting of the Local Community
- 4.4 Special Meeting means a special general meeting of the members
- 4.5 Member - means a member of the Mètis Nation of Alberta Association who has met all the requirements of Articles 3.1 and 3.2 as well as the Application for Membership requirements set out in Article 10 as amended from time to time. A member shall also be recognized as being duly registered as a citizen of the Mètis

Nation based on the MNA's authority as the representative government of the Métis Nation within Alberta. For the purposes of these Bylaws, a member and a citizen or membership and citizenship mean the same thing.

- 4.6 Bylaws - means by-laws of the Métis Nation of Alberta Association.
- 4.7 Good Standing - means a Métis Lifetime Member who has not had any rights suspended.
- 4.8 Local Community - is a Métis Local affiliated with the Métis Nation of Alberta Association and means:
- (a) a minimum of ten (10) Métis Lifetime Members in good standing:
    - (i) who have obtained the consent of the Provincial Council to use the name "Métis Nation" in its name; and
    - (ii) who have obtained the consent of a majority of the members of their Regional Council at a meeting of the Regional Council; and
    - (iii) who are presently incorporated pursuant to the Societies Act of Alberta; or
- 4.9 Métis Nation - means Métis Nation of Alberta Association.
- 4.10 Ordinary Resolution - means a resolution passed by a majority of not less than fifty (50%) percent plus one (1) vote of such Métis Lifetime Members entitled to vote as are present in person at any meeting of the Métis Nation at the Provincial, Regional and Local level.

4.11 Special Resolution - means:

(a) A Resolution passed:

- (i) at an Annual Assembly or Special Meeting, notice of which has been duly given not less than twenty-one (21) days before, such notice also specifying the intention to propose the resolution, and
- (ii) by the vote of not less than seventy-five (75%) percent of those Métis Lifetime Members who, if entitled to do so, vote in person.

4.12 Métis Judiciary Council means a judiciary council established under Article 29 of these Bylaws.

4.13 Board of Directors shall mean the Provincial Council of the MÉTIS NATION OF ALBERTA ASSOCIATION; the Regional Board of Directors shall mean the members of the Regional Council; and Local Board of Directors shall mean the members of the Local Council.

## ARTICLE 5 MEMBERSHIP

5.1 No Métis person who has been recognized as a Métis member may lose his or her membership rights by reason of suspension of certain rights in the Métis Nation.

## ARTICLE 6 CATEGORIES OF MEMBERSHIP

6.1 The Métis Nation shall consist of the following categories of membership:

(a) Lifetime Member;

6.2 A Lifetime Member is:

- (a) A Métis who has met all the requirements of the Métis National Definition through the Métis Nation of Alberta Registry and is issued a Métis ID number; or
- (b) A Métis child who has met all the requirements of the Métis National Definition through the Métis Nation of Alberta Registry and is issued a Métis ID number.

## ARTICLE 7                    RIGHTS OF MEMBERS

### 7.1        LIFETIME MEMBER

7.1.1 To participate in the cultural, economic, educational, political, social and spiritual activities of the Métis Nation;

7.1.2 To vote at all meetings of the Métis Nation provided that the Lifetime Member is a minimum sixteen (16) years old;

7.1.3 To hold office provided that the Lifetime Member is a minimum sixteen (16) years old and has not had his or her right to hold office suspended.

7.1.4 Right - means but it is not limited to:

- (a) the opportunity to be a candidate for an elected office in the Métis Nation;
- (b) the opportunity to hold an elected office in the Métis Nation;
- (c) the opportunity to be employed by the Métis Nation;
- (d) the opportunity to be appointed to the Métis Judiciary Council or

Council of Elders;

- (e) the opportunity to be an employee, officer or director of an affiliate;
- (f) the opportunity to receive income or reimbursement of expenses from the Métis Nation or its affiliates.

ARTICLE 8                    TERMINATION OF MEMBERSHIP

8.1     Lifetime Membership shall terminate upon the occurrence of:

- (a)     Entry of a member's name in a Band list or in the Indian Register according to the provisions of the Indian Act, R.S.C.;
- (b)     Withdrawal of Membership by sending or delivering a written notice to the Métis Nation of Alberta;
- (c)     A declaration by the Judiciary Council that a Lifetime Member is not a Métis as defined in Article 3.

8.2     Any member whose membership is terminated shall immediately forfeit all rights as a member in the Métis Nation.

ARTICLE 9                    SUSPENSION OF MEMBER'S RIGHTS

9.1     The Métis Judiciary Council may suspend any member's rights other than the right to vote at an annual assembly, special meeting or general election for any conduct or act which the Métis Judiciary Council determines is, has been, or will be, gravely detrimental to the Métis Nation or the interests of the Métis Nation.

9.2     Any member who has had their rights suspended shall immediately forfeit those rights in the Métis Nation for the period of the suspension.

**ARTICLE 10 APPLICATION FOR MEMBERSHIP**

- 10.1 Any Métis who is a resident of the Province of Alberta for a minimum of ninety (90) consecutive days shall have the right to apply for membership in the Métis Nation.
- 10.2 The Métis Nation shall establish and maintain a registry of Métis members in Alberta together with the following particulars of each person:
- (a) the full name and residential address;
  - (b) the date on which the person is admitted as a member;
  - (c) the date on which the person ceases to be a member;
  - (d) the class of membership of the person;
- 10.3 All applications for membership shall be processed by the Metis Nation of Alberta Registry.
- 10.4 The onus of proof to qualify for membership in the Métis Nation shall rest with the applicant.
- 10.5 Upon approval of membership the Métis Nation shall issue a membership card.
- 10.6 Any membership challenges or rejections may be appealed to the MÉTIS JUDICIARY COUNCIL.
- 10.7 Any Métis who has been accepted as a Member must sign and take an oath of membership to the Métis Nation;
- 10.8 The oath of membership shall be attached as Schedule "A" to these Bylaws and shall

form a part of these Bylaws.

10.9 The oath of membership shall be a requirement for all future individuals to sign as part of their application for membership in the Métis Nation of Alberta

10.10 All existing members shall be provided notice of this new oath of membership.

## ARTICLE 11 REGIONS OF THE MÉTIS NATION

11.1 The Métis Nation shall consist of six (6) regions.

11.2 The boundaries of the six (6) regions are described in Schedule "B" attached to these Bylaws and shall form a part of these Bylaws.

11.3 The process to change boundaries of the Regions shall be as follows:

- (a) The Provincial Council or Regional Council may recommend changes to the boundaries of the Regions to the Métis Judiciary Council;
- (b) The Métis Judiciary Council shall review all boundary recommendations and make its boundary recommendations to the Annual Assembly;
- (c) The Members at the Annual Assembly shall vote on any recommendation to change the boundaries of the Regions and the question shall be decided by special resolution.

## ARTICLE 12 GOVERNMENT OF THE MÉTIS NATION

12.1 The Government of the Métis Nation shall consist of the following:

- (a) Provincial Council;



- (b) Regional Council;
- (c) Local Council.

12.2 The Provincial Council shall consist of the following Métis Lifetime Members:

- (a) President (elected province wide); and
- (b) Vice-President (elected province wide); and
- (c) Six (6) Regional Presidents (one elected from each of the six (6) regions);  
and
- (d) Six (6) Regional Vice - Presidents (one elected from each of the six (6) regions).

12.3 The Regional Council shall consist of the following Métis Lifetime Members:

- (a) Regional President elected to the Provincial Council for the Region; and
- (b) Regional Vice President elected to the Provincial Council for the Region;  
and
- (c) the Presidents of each Local Council within the Region.

12.4 The Local Council shall consist of the following:

- (a) a President who shall be elected at the Annual General Meeting of the Local Community and who shall be the representative of the Local Community on the Regional Council;
- (b) a Vice-President who shall be elected at the Annual General Meeting of the Local Community;
- (c) A Secretary who shall be elected at the Annual General Meeting of the Local Community;
- (d) a Treasurer who shall be elected at the Annual General Meeting of the Local

Community;

- (e) Such other Council members as the Annual General Meeting of the Local Community may decide and elect.

## ARTICLE 13            POWERS OF THE PROVINCIAL COUNCIL

- 13.1 The Provincial Council shall be responsible to govern the affairs of the Métis Nation including but not limited to the cultural, economic, educational, political and social affairs of the Métis Nation.
- 13.2 The Provincial Council may exercise all powers as are permitted by these Bylaws to govern the affairs of the Métis Nation and carry out the objectives of the Métis Nation.
- 13.3 The Provincial Council may institute and amend policies, standards for the management of the affairs of the Métis Nation provided that such policies, procedures and standards shall be consistent with resolutions approved at the Annual Assembly.
- 13.4 The Provincial Council may establish standing committees and any other committees, as it deems necessary to carry out the business of the Métis Nation, and delegate to such committees specific powers.
- 13.5 The Provincial Council shall approve all budgetary requirements of the Métis Nation and shall provide financial accountability to the Annual Assembly.
- 13.6 Each Provincial Council member shall conduct himself or herself in a dignified manner at all meetings of the Métis Nation and according to his or her oath of office

to the Métis Nation.

ARTICLE 14            POWERS OF THE REGIONAL COUNCIL

- 14.1 Each Regional Council shall govern the affairs of their Region.
- 14.2 Each Regional Council shall approve all budgetary requirements for their Region and shall provide financial accountability to the Annual General Meeting of the Region.
- 14.3 Each Regional Council shall provide direction to the Provincial Council in regards to policies, programs and goals of the Region.
- 14.4 The Regional Council may authorize the employment of such persons as they deem necessary to carry out the objectives of the Regional Council. The employee shall have such authority and perform duties as may be determined by the Regional Council or these Bylaws. The Regional Council shall when employing persons, do the following:
  - (a) advertise the position in the Regional Council office; and
  - (b) where possible, employ members of the Métis Nation based on merit and qualifications.
- 14.5 The Regional Council may institute and amend policies, standards for the management of the affairs of the Region provided that such policies, procedures and standards shall be consistent with resolutions approved by the Provincial Council.
- 14.6 The Regional Council may establish such additional committees, as it deems necessary to carry out the business of the Region, and delegate to such committees

specific powers.

- 14.7 Each Regional Council member shall conduct himself or herself in a dignified manner at all meetings and according to his or her oath of office to the Métis Nation.

ARTICLE 15                    POWERS OF THE LOCAL COUNCIL

- 15.1 Each Local Council shall govern the affairs of the Local Community.
- 15.2 Each Local shall approve all budgetary requirements of the Local Community and shall provide financial accountability to the Annual General Meeting of the Local Community.
- 15.3 Each Local Council shall provide direction to the Regional Council in regards to the policies, programs and goals of the Local Community.
- 15.4 The Local Council may authorize the employment of such persons as they deem necessary to carry out the objectives of the Local Community. The employees shall have such authority and perform duties as may be determined by the Local Council or these Bylaws. The Local Council shall when employing persons, do the following:
- (a) advertise the position in the Local Community; and
  - (b) where possible, employ members of the Métis Nation based on merit and qualifications.
- 15.5 The Local Council may institute and amend policies, standards for the management of the affairs of the Local provided that such policies, procedures and standards shall be consistent with resolutions approved by the Provincial Council.

15.6 The Local Council may establish such additional committees, as it deems necessary to carry out the business of the Local, and delegate to such committees specific powers.

15.7 Each Local Council member shall conduct himself or herself in a dignified manner at all meetings and according to his or her oath of office to the Métis Nation.

ARTICLE 16                    ELECTION AND TERM OF THE PROVINCIAL COUNCIL

16.1 [REPEALED]

16.2 [REPEALED]

16.3 [REPEALED]

ARTICLE 17                    EXECUTIVE OFFICERS OF THE MÉTIS NATION

17.1 The Executive Officers of the Métis Nation shall consist of the following:

- (a) President (elected Province Wide);
- (b) Vice-President (elected Province Wide);

- (c) Secretary;
- (d) Treasurer.

17.2 Within thirty (30) days following the General Election of the Métis Nation the Provincial Council shall meet to elect a Secretary and Treasurer.

17.3 The Secretary and Treasurer shall be elected from the members of the Provincial Council other than President and Vice-President. Such election shall be by secret ballot and require a majority vote.

17.4 The Secretary and Treasurer should be elected to a term of four (4) years effective September 2014.

#### ARTICLE 18 DUTIES OF THE EXECUTIVE OFFICERS

18.1 The President of the Métis Nation shall:

- (a) preside at all meetings of the Métis Nation or allow the Vice - President to preside at all meetings of the Métis Nation in the absence of the President;
- (b) call meetings of the Métis Nation when necessary or called upon to do so;
- (c) shall be an ex-officio member of all Committees of the Métis Nation;
- (d) shall see that all orders and resolutions of the Métis Nation are carried into effect;
- (e) shall be one of the two signing officers required on all documents, to be signed by the Métis Nation or may appoint another Provincial Council Member to sign on behalf of the President;
- (f) make regular political reports to the Provincial Council and to the Annual General Assembly;

- (g) be the spokesperson and chief negotiator for the Métis Nation;
- (h) perform other duties as may be determined by the Provincial Council.

18.2 The Vice-President of the Métis Nation shall:

- (a) preside at all meetings of the Métis Nation in the absence of the President;
- (b) shall have signing authority;
- (c) perform such duties as may be determined by the Provincial Council.

18.3 The Secretary of the Métis Nation shall:

- (a) issue notices of all meetings of the Métis Nation;
- (b) keep minutes or cause to be kept the minutes of all meetings of the Métis Nation;
- (c) be the custodian of all books and documents of the Métis Nation;
- (d) have custody of the seal of the Métis Nation;
- (e) keep a register or cause to be kept a register of all Métis Members and their addresses and shall be responsible for the Métis Membership office;
- (f) register with the Registrar of Corporations of Alberta all special resolutions of an Annual Assembly or Special Meeting within twenty one (21) days of the date of the Annual Assembly or Special Meeting;
- (g) keep a register of current Judiciary Council Members;
- (h) keep a register of suspended members;
- (i) shall be one of four signing authorities;
- (j) perform other duties as may be determined by the Provincial Council.

18.4 The Treasurer of the Métis Nation shall:

- (a) keep or cause to be kept full and accurate account of receipts and

- disbursements and books belonging to the Métis Nation;
- (b) deposit or cause to be deposited, all monies and other valuables or effects in the name and to the credit of the Métis Nation in such Chartered Banks or other financial institutions as designated by the Provincial Council;
  - (c) be one of four signing officers required on Métis Nation cheques;
  - (d) give a financial report at the Annual Assembly;
  - (e) be responsible for and review all travelling expenses of Provincial Council members;
  - (f) perform such other duties as may be determined by the Provincial Council.

ARTICLE 19            VACANCY OF OFFICE OF PRESIDENT, VICE-PRESIDENT,  
SECRETARY, TREASURER

- 19.1    In the event that a vacancy occurs in the office of the President the Vice-President shall be President and shall assume all duties of the President.
- 19.2    In the event that there is no Vice-President to fill the vacancy of President the Provincial Council shall meet within twenty one (21) days of the vacancy of President and shall elect from the remaining members of the Provincial Council a person to fill the vacancy of the office of President. Such election shall be by secret ballot and require a majority vote and must be ratified by a majority of the Regional Councils.
- 19.3    In the event that a vacancy occurs in the office of Vice-President the Provincial Council shall elect from the remaining members of the Provincial Council other than the President a person to fill the vacancy of the office of Vice-President. Such



election shall be by secret ballot and require a majority vote.

19.4 In the event that a vacancy occurs in the office of the Secretary or Treasurer then the Provincial Council shall meet to elect from the Provincial Council, other than the President or Vice-President, a person to fill the vacancy. Such election shall be by secret ballot and require a majority vote.

19.5 In the event that a member of the Provincial Council is convicted of a criminal offence under the Criminal Code of Canada during his or her term then that person shall as soon as possible after the conviction appear before the Métis Judiciary Council who will determine whether the person shall remain in office or whether the office shall be vacated.

## ARTICLE 20 SALARIES OF THE PROVINCIAL COUNCIL

20.1 The Provincial Council shall decide the salary of the President and Vice-President.

20.2 Each Regional Council shall decide the salary of their Provincial Council Representatives on an annual basis.

20.3 The Provincial Council may be paid reasonable travelling expenses for attending business of the Métis Nation, meetings of the Métis Nation and Annual Assemblies and all travelling expenses shall be reviewed and approved by the Treasurer. The Treasurer shall decline all unreasonable travelling expenses.

## ARTICLE 21 MEETINGS OF THE PROVINCIAL COUNCIL

21.1 The Provincial Council shall meet at least six (6) times between the Annual

Assembly at such times and places as the Provincial Council may decide.

- 21.2 A meeting of the Provincial Council may be convened at any time or place upon proper notice by the President or at the request of any eight (8) Provincial Council members.
- 21.3 A quorum at any meeting of the Provincial Council shall be eight (8) members of the Provincial Council.
- 21.4 The President shall be the Chairperson of the Provincial Council meetings or in the event that the President is unable to be Chairperson he or she shall appoint the Vice-President to be Chairperson. In the event that the Vice-President is unable to be Chairperson the President shall appoint another Provincial Council member to be the Chairperson at their discretion. The Chairperson shall only vote in case of a tie vote.
- 21.5 Each member of the Provincial Council other than the Chairperson, shall have one vote and all matters shall be decided by a majority of votes. In cases of any equality of votes the Chairperson of the meeting shall have a deciding vote.
- 21.6 Resolutions in writing signed by all of the members of the Provincial Council shall be as effective as a resolution passed at a meeting of the Provincial Council duly convened and held.
- 21.7 Notice of Provincial Council meetings shall be given to each Provincial Council member at least five (5) days before the meeting. Notice may be delivered, telephoned, faxed or mailed.
- 21.8 A meeting of the Provincial Council may be held without notice if all of the

Provincial Council members are present or those present have waived notice and those absent have signified their consent in writing to the meeting being held in their absence without notice.

- 21.9 Notice or any irregularity in notice may be waived by a Provincial Council member. No error or omission in giving notice of a Provincial Council meeting shall invalidate such meeting or void any proceedings taken at such meeting. Any Provincial Council member may ratify and approve any business at such meeting.
- 21.10 A meeting of Provincial Council members may be held by way of telephone or any other communication facility that permits all persons participating in the meeting to hear each other.
- 21.11 A member of the Provincial Council may participate in a meeting of the Provincial Council by means of telephone or any other communication facility that permits all persons participating in the meeting to hear each other and a member of the Provincial Council participating in a meeting by such means is deemed to be present in person at the meeting.
- 21.12 All meetings of the Provincial Council are open to Métis Members other than in camera meetings.
- 21.13 There shall be no voting by proxy.

ARTICLE 22                    CONFLICT OF INTEREST GUIDELINES FOR PROVINCIAL COUNCIL MEMBERS

- 22.1 A member of the Provincial Council, who is a party to a contract with the Métis

Nation or has a material interest in any company who is a party to a contract with the Métis Nation, shall fully disclose to the Provincial Council the nature and extent of his or her interest.

- 22.2 A member of the Provincial Council, shall not make or participate in making a decision in his or her capacity where the elected member reasonably knows that in the making of the decision there is the opportunity to further, directly, or indirectly, their private interest or that of their family which includes spouse, children, parents, brothers and sisters.
- 22.3 No member of the Provincial Council may do work for the Métis Nation, either as an employee or by contract, other than the fulfilment of the obligations of their elected position.
- 22.4 A member of the Provincial Council shall not conduct personal business while on Métis Nation business or use Métis Nation resources for personal business.
- 22.5 A member of the Provincial Council shall disclose to the Métis Nation the names of all Boards, Commissions, Councils or other memberships held during their term. All compensation received while sitting on any other Boards, Commissions, or Councils must be disclosed to the Provincial Council
- 22.6 No candidate running for office in the Métis Nation shall use any resources of the Métis Nation for his or her election campaign.

ARTICLE 23 VACANCY AND REMOVAL OF A PROVINCIAL COUNCIL MEMBER

- 23.1 A member of the Provincial Council shall automatically cease to be a Provincial

Council member if any of the following events occur:

- (a) the death of the Provincial Council member;
- (b) if any Provincial Council member, without reasonable excuse is absent from three (3) consecutive Provincial Council meetings;
- (c) a Provincial Council member resigns by delivering a written resignation to the Secretary of the Métis Nation;
- (d) if any Provincial Council member's right to hold office is suspended in which case that Provincial Council member will cease to be a Provincial Council member for the duration of the suspension;
- (e) if a Provincial Council member becomes registered in a Band list or in the Indian Register according to the provisions of the Indian Act, R.S.C.;
- (f) if a Provincial Council member other than the President or Vice-President no longer resides in the Region they represent.

23.2 A President or Vice-President may be removed from office through the following process:

- (a) A minimum of Twenty One (21) days notice of a Local Community Meeting to approve an ordinary resolution demanding the removal of the President or Vice - President must be given to members of all Local Communities in Alberta; and
- (b) A written resolution demanding the removal of the President or Vice - President must be approved by seventy-five (75%) percent of all Local Communities in Alberta who have held meetings and given their members a minimum of twenty-one (21) days notice of the meeting; and
- (c) The written resolution approved and signed by seventy-five (75%) percent of the Local Communities in Alberta shall be sent to their Regional Council; and

- (d) Upon receipt of the written resolution from the Local Council the Secretary of each Regional Council shall give a minimum of twenty-one (21) days notice of a meeting to the members of the Regional Council to vote on the written resolution; and
- (e) A meeting each Regional Council shall be held and if seventy-five (75%) percent of the members of each Regional Council vote to remove the President or Vice - President then each Regional Council shall send a written resolution demanding the removal of the President or Vice - President to the Provincial Council; and
- (f) Within twenty-one (21) days of the receipt of a written resolutions from seventy-five (75%) percent of the Regional Councils signed by seventy-five (75%) percent of the members of each Regional Council the Provincial Council shall remove the President or Vice - President and the position shall be declared vacant.

23.3 A Provincial Council member other than the President or Vice President may be removed from office through the following process:

- (a) A minimum of twenty-one (21) days notice of a Local Community Meeting to approve an ordinary resolution demanding the removal of their Provincial council member must be given to members of the Local Community; and
- (b) A written resolution demanding the removal of the Provincial Council member must be approved by seventy-five (75%) percent of the Local Councils in the Region who have held meetings and given their members a minimum of twenty-one (21) days notice of the meeting; and
- (c) The written resolution approved and signed by seventy-five (75%) percent of the Local Councils in the Region shall be sent to the Regional Council; and
- (d) Upon receipt of the written resolution from the Local Councils the Secretary of the Regional Council shall give a minimum of twenty-one (21) days

notice of a meeting to the members of the Regional Council to vote on the written resolution; and

- (e) A meeting of the Regional Council shall be held and if seventy-five (75%) percent of the members of the Regional Council vote to remove their Provincial Council member then a written resolution demanding the removal of the Provincial Council member shall be sent to the Provincial Council; and
- (f) Within twenty-one (21) days of the receipt of a written resolution from the Regional Council signed by seventy-five (75%) percent of the members of the Regional Council the Provincial Council shall remove the Provincial Council member and the position shall be declared vacant.

23.4 If any Provincial Council member other than the President or Vice-President ceases to be a Provincial Council member the position shall be filled within three (3) months of the vacancy by the Regional Council from that region who shall appoint a Lifetime member in good standing until the next election or in the case of a suspension until the end of the suspension.

## ARTICLE 24 ANNUAL ASSEMBLY

- 24.1 An Annual Assembly shall be held in each calendar year during the first three weeks of August.
- 24.2 An Annual Assembly shall be held at Metis Crossing every second year beginning in 2021 and in every other Region on rotating years or otherwise determined by the Provincial Council.
- 24.3 The Secretary of the Métis Nation shall give at least forty-five (45) days notice in writing of the time and place of the Annual Assembly.

- 24.4 Notice of an Annual Assembly shall be given to all members who are members at the time of the notice at their latest address as shown in the records of the Métis Nation. Notice shall be sufficient if given by newspaper or other media as determined by the Provincial Council. Notice shall be deemed to be received by the member within seven (7) days of the date of publication or mailing.
- 24.5 A quorum at an Annual Assembly shall be a minimum of one hundred (100) Lifetime members in good standing, present in person, who have registered and are qualified to vote at the Annual Assembly. In the event that there is no quorum at a duly called Annual Assembly, the Provincial Council shall call a new meeting within sixty (60) days in accordance with Article 24.4.

ARTICLE 25            VOTING AT ANNUAL ASSEMBLY

- 25.1 Each Lifetime member shall be entitled to one vote.
- 25.2 There shall be no voting by proxy.
- 25.3 Each Lifetime member shall be entitled to vote at the Annual Assembly provided:
- (a) the Lifetime member is personally present at the Annual Assembly;  
and
  - (b) the Lifetime member has registered at the Annual Assembly; and
  - (c) the Lifetime member has not withdrawn from membership.
- 25.4 Every question or resolution at an Annual Assembly shall be decided by a majority of the votes of Lifetime Members present unless otherwise required by these Bylaws



or by the Societies Act. In the event of an equality of votes, the question or resolution shall be considered lost.

25.5 Every question or resolution shall be decided as follows:

- (a) Firstly, by a show of hands; or
- (b) Secondly, by a secret ballot vote if a secret ballot vote is demanded by five (5) Lifetime Members within three (3) minutes of the announcement by the Chairperson of the results of the vote by show of hands. The Chairperson has the authority to decide the procedure of the secret ballot vote.

25.6 In the event that a question or resolution is decided by a show of hands and not a secret ballot vote, a declaration by the Chairperson that a question or resolution has been carried or lost and an entry to that effect in the minutes of the meeting shall be sufficient evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, such question or resolution.

25.7 Special Resolutions passed at an Annual Assembly are effective from the date that they are registered with the Registrar of Corporations of Alberta by the Secretary of the Métis Nation.

## ARTICLE 26 SPECIAL MEETING

26.1 A Special Meeting shall be called by the Provincial Council as follows:

- (a) Upon receipt of a written request to call a Special Meeting signed by a minimum of twenty five (25%) per cent of Lifetime Members of the Métis Nation; or

(b) Upon a resolution approved at a meeting of the Provincial Council where:

- (i) proper notice of the meeting has been given; and
- (ii) seventy-five (75%) percent of the Provincial Council members are present; and
- (iii) seventy-five (75%) percent of the Provincial Council members vote in favour of the resolution to hold a Special Meeting; or

(c) Upon an ordinary resolution at an Annual Assembly.

26.2 The Secretary of the Métis Nation shall give at least twenty-one (21) days notice in writing of the time and place of the Special Meeting and the proposed resolutions.

26.3 Notice of a Special Meeting shall be given to all members who are members at the time of the notice at their latest address as shown in the records of the Métis Nation. Notice shall be sufficient if given by newspaper or other media as determined by the Provincial Council. Notice shall be deemed to be received by the member within seven (7) days of the date of publication or mailing.

26.4 No business shall be transacted or considered at any Special Meeting other than those proposed resolutions for which notice has been given.

26.5 No error or omissions in giving notice of a Special Meeting shall invalidate the Special Meeting or make void any proceedings taken at that Special Meeting and any member may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings.

26.6 A quorum at a Special Meeting shall be a minimum of one hundred (100) Lifetime Members in good standing, present in person, who have registered and are qualified

to vote at the Special Meeting.

- 26.7 Special Resolutions passed at a Special Meeting are effective from the date that they are registered with the Registrar of Corporations of Alberta by the Secretary of the Métis Nation.

ARTICLE 27 VOTING AT A SPECIAL MEETING

- 27.1 Voting at Special Meetings shall be the same as voting at Annual Assemblies. Therefore paragraphs herein 25.1 to 25.7 inclusive shall also govern voting at Special Meetings.

ARTICLE 28 RULES OF ORDER

- 28.1 Robert's Rules of Order shall govern meetings and proceedings of the Métis Nation insofar as they may apply without coming into conflict with these Bylaws.

ARTICLE 29 MÉTIS JUDICIARY COUNCIL

- 29.1 There shall be established a Métis Judiciary Council.
- 29.2 The Métis Judiciary Council shall consist of six (6) Lifetime members selected - one (1) selected by the Regional Council for each region.
- 29.3 The Métis Judiciary Council members will serve a four (4) year term effective September 2014.
- 29.4 In order to be a candidate for the Métis Judiciary Council the individual must have

the following qualifications:

- (a) must be a Métis Lifetime member;
- (b) must be a minimum of Twenty-Five (25) years old;
- (c) must not have been convicted of an indictable offence in Canada.

29.5 A member of the Métis Judiciary Council shall automatically cease to be a Judiciary Council Member if any one of the following events occur:

- (a) death of Métis Judiciary Council Member;
- (b) if any Métis Judiciary Council Member without reasonable excuse is absent from three (3) Métis Judiciary Council meetings;
- (c) a Métis Judiciary Council Member resigns by delivering a written resignation to the secretary of the Métis Nation of Alberta;
- (d) if any Métis Judiciary Council Member's right to hold office is suspended in which the Métis Judiciary Council Member will cease to be a Métis Judiciary Council Member for the duration of the suspension;
- (e) if a Métis Judiciary Council Member becomes registered in a Band list or in the Indian Register according to the provisions of the Indian Act;
- (f) if the Métis Judiciary Council Member no longer resides in the region they represent.

29.6 A Métis Judiciary Council Member may be removed by the same process and procedure as the removal of a Provincial Council member in Article 23.3.

29.7 Each Métis Judiciary Council Member shall be required to take an Oath of Office to be re-selected.

## ARTICLE 30 POWERS OF THE MÉTIS JUDICIARY COUNCIL

30.1 The powers of the Métis Judiciary Council shall be:

- (a) To review and to decide all matters of membership where there is a dispute;
- (b) To review and to decide all matters respecting the Métis Nation of Alberta Association Election By-Laws where there is a dispute;
- (c) To review and decide all matters concerning the suspension of rights of any Métis member and the reinstatement thereof;
- (d) To review and decide all matters concerning conflict of interest;
- (e) To recommend changes of boundaries for Regions and Local Communities to the Annual General Assembly;
- (f) To decide whether a member of the Provincial, Regional or Local Council shall remain in office in the event of a conviction of an indictable offence under the Criminal Code of Canada;
- (g) To provide to the Provincial, Regional, Local Council or a Métis member in good standing a written opinion on any question put to the Judiciary Council;
- (h) To undertake reviews as directed by the Provincial, Regional or Local Council;
- (i) To initially establish rules and procedures of the Métis Judiciary Council which will be valid until the date of the next Annual Assembly. It will then be the responsibility of the Annual Assembly to establish rules and procedures of the Métis Judiciary Council.

30.2 The Métis Judiciary Council shall be the final Métis Judiciary authority of the Métis Nation of Alberta. All decisions of the Métis Judiciary Council shall be final and without appeal.

30.3 The Judiciary Council shall be allocated its own budget.

30.4 A member of the Judiciary Council shall not hold an elected position or employment position with the Métis Nation of Alberta Association.

ARTICLE 31 RIGHTS OF PARTIES BEFORE THE MÉTIS JUDICIARY COUNCIL

31.1 All parties that are required to appear before the Métis Judiciary Council shall have the following rights:

- (a) To receive a minimum of twenty-one (21) days notice of a hearing;
- (b) To be represented by any person including a lawyer at their own expense;
- (c) To be provided a fair and impartial hearing. All parties to an action shall have the right to be personally present at any hearing. The Métis Judicial Council may proceed with the hearing in the event of the non-attendance of any party if proper notice of the hearing has been given.

ARTICLE 32 MÉTIS JUDICIARY COUNCIL PROCEDURE ON CONFLICT OF INTEREST OF PROVINCIAL COUNCIL MEMBERS

32.1 A Lifetime Member who has reason to believe that a Provincial Council member did not comply with the Conflict of Interest guidelines may, by letter, request that the Métis Judiciary Council give an opinion respecting the compliance of the Provincial Council member with the Conflict of Interest guidelines.

32.2 The Métis Judiciary Council may on their initiative, conduct an inquiry to determine whether a Provincial Council member has failed to comply with the Conflict of Interest guidelines.

- 32.3 The Provincial Council may by ordinary resolution, request that the Métis Judiciary Council give an opinion on a matter respecting the compliance of a Provincial Council member with the Conflict of Interest guidelines.
- 32.4 Upon receiving a request under Article 32.1 or 32.3 the Métis Judiciary Council shall conduct an inquiry.
- 32.5 The Métis Judiciary Council shall conduct a fair and impartial inquiry and allow all parties to the inquiry to be present and represented by a lawyer.
- 32.6 The Métis Judiciary Council shall allow all parties to the inquiry to make representations.
- 32.7 After an inquiry has been concluded and the Métis Judiciary Council has decided that there was no failure by the Provincial Council member to comply with the Conflict of Interest guidelines, it shall issue a letter of clearance with an explanation to justify the decision.
- 32.8 Where the Métis Judiciary Council determines that a Provincial Council member has failed to comply with the Conflict of Interest guidelines the Métis Judiciary Council may:
- (a) reprimand the Provincial Council member;
  - (b) order that the Provincial Council member make restitution or pay compensation;
  - (c) may suspend the Provincial Council member's rights.

## ARTICLE 33            MÉTIS COUNCIL OF ELDERS

33.1 The Métis Council of Elders shall consist of six (6) Métis Lifetime Members who are at least fifty-five (55) years old appointed as follows:

(a) One Elder appointed by each of the six (6) Regional Councils.

33.2 Each Elder should be appointed for a four (4) year term and shall be eligible for re-appointment upon expiry of the term effective September 2014.

33.3 Each appointed Elder shall serve as an Ambassador in their region and shall be responsible for the following:

- (a) provide advice and wisdom to Métis Members including Métis leaders;
- (b) promote the history, culture, language, education and spiritual traditions of the Métis Nation;
- (c) promote understanding and tolerance in the Métis Nation;
- (d) attend at schools and other institutions to promote Métis culture and provide guidance to Métis Youth;
- (e) attend Annual General Assemblies of the Métis Nation and Regional Councils.
- (f) to administer the Oath of Office to any Member elected to the Provincial Council.

33.4 An Elder shall cease to be a member of the Council of Elders:

- (a) if the Elder, because of medical problems, is unable to carry out their duties or is otherwise incapable of acting as an Elder in the opinion of a qualified medical practitioner; or



- (b) on the resolution of a majority of the members of the Regional Council which appointed the Elder.

33.5 An Elder shall be paid for expenses and an honorarium by the Provincial Council.

33.6 No Elder shall be involved in any employment position with the Métis Nation.

#### ARTICLE 34 INDEMNITY

34.1 Each member of the Provincial Council, or other person who has undertaken any liability on behalf of the Métis Nation, and their heirs and estate shall at all times, be indemnified by the Métis Nation, against:

- (a) all expenses whatsoever which result from any claims, actions, or proceedings which are brought, commenced or prosecuted against them or in respect of any act, deed, matter or thing whatsoever, made, done, or permitted by them, in the execution of the duties of their office or in respect of any such liability;  
except the Métis Nation shall not be responsible for any costs, charges, expenses whatsoever caused by the negligence or misconduct of the Provincial Council member or other person.

#### ARTICLE 35 ACCOUNTS

35.1 The Provincial Council shall cause accounting details to be kept of all monies received and expended by the Métis Nation.

35.2 The fiscal year of the Métis Nation shall end on the 31st day of March in each year or such other date as may from time to time be determined by the Provincial

Council.

35.3 The books, accounts and records of the Métis Nation shall be audited at least once yearly by an auditor who is duly qualified chartered accountant and is appointed by the Provincial Council.

35.4 A Financial Statement setting out the Métis Nation's income, disbursements, individual expenses of the Provincial Council, assets, liabilities shall be audited and signed by the auditor and presented at the Annual Assembly by the Treasurer.

ARTICLE 36 BOOKS AND RECORDS

36.1 The Provincial Council shall ensure that all necessary books and records of the Métis Nation required by these Bylaws or by any applicable statute or law are regularly and properly kept.

36.2 All accounting records and other books and records of the Métis Nation shall be kept at such place in the Province of Alberta as the Provincial Council may decide and shall at all times be open for inspection by any member of the Métis Nation upon written application to the Provincial Council.

ARTICLE 37 EXECUTION OF CONTRACTS AND OTHER DOCUMENTS

37.1 Contracts and other documents other than Métis Nation cheques requiring the signature of the Métis Nation shall:

- (a) Firstly be approved at a meeting of the Provincial Council where proper notice has been given; and

- (b) Signed by two Provincial Council members as follows:
  - (i) The President; and
  - (ii) Any one (1) of the twelve (12) Provincial Council members.

37.2 The President may delegate his signing authority to another Provincial Council Member.

#### ARTICLE 38 SEAL

38.1 The Métis Nation shall have a seal, which shall be approved by the Provincial Council and may be changed by special resolution of the Annual Assembly.

38.2 The seal shall be kept under the control of the Secretary at the head office of the Métis Nation.

38.3 The seal may, when required, be affixed to contracts, documents, or instruments in writing by persons authorized by these Bylaws to sign on behalf of the Métis Nation.

#### ARTICLE 39 AMENDMENT OF BYLAWS

39.1 The Bylaws of the Métis Nation shall not be rescinded, altered or added to except by Special Resolution.

39.2 No rescission or alteration of or addition to these Bylaws has effect until it has been registered with the Registrar of Corporations of Alberta by the Secretary of the Métis Nation.

ARTICLE 40 INTERPRETATION

40.1 When interpreting these Bylaws, reference shall be made to the Societies Act of Alberta and words and expressions used in these Bylaws shall, so far as the context does not require, have the same meaning as when used in the Societies Act of Alberta.

40.2 Unless the context otherwise requires, words imparting the singular number or the masculine gender shall include the plural number or feminine gender, as the case may be, and vice-versa.

ARTICLE 41 BORROWING POWERS

41.1 For the purpose of carrying out its object the society may borrow or raise or secure payment of money in such manner as it thinks fit and in particular by the issue of debentures, but this power shall be exercised only under the authority of the Society and in no case shall debentures be issued without the sanction of a special resolution of the society.

ARTICLE 42 ELECTION AND TERM OF THE REGIONAL COUNCIL

42.1 Each of the two (2) Representatives elected to the Provincial Council for the Region shall be members of the Regional Council for so long as each individual is a member of the Provincial Council.

42.2 Each Local Council President shall be a member of the Regional Council for so long as he or she is the President of the Local Council.

ARTICLE 43 EXECUTIVE OFFICERS OF THE REGIONAL COUNCIL

43.1 The Executive Officers of the Regional Council shall consist of the following:

- (a) Regional President;
- (b) Regional Vice-President;
- (c) Secretary;
- (d) Treasurer.

43.2 The Regional President shall be the President of the Regional Council.

43.3 The Regional Vice-President shall be the Vice President of the Regional Council.

43.4 The Secretary and Treasurer shall be elected by each Regional Council. Such election shall be by secret ballot and require a majority vote.

43.5 The Secretary and Treasurer should be elected to a term of four (4) years effective September 2014.

ARTICLE 44 DUTIES OF THE EXECUTIVE OFFICERS

44.1 The President of the Regional Council shall:

- (a) preside at all meetings of the Regional Council or allow the Vice President to preside at all meetings of the Regional Council in the absence of the President;
- (b) call meetings of the Regional Council when necessary or called upon to do so;

- (c) shall be an ex-officio member of all Committees of the Regional Council;
- (d) shall see that all orders and resolutions of the Regional Council are carried into effect;
- (e) shall be one of the two signing officers required on all documents, including cheques to be signed by the Regional Council or may appoint another Regional Council Member to sign on behalf of the President;
- (f) perform other duties as may be determined by the Regional Council;
- (g) hold office as a full-time position and not be employed elsewhere during the term of office.

44.2 The Vice-President shall:

- (a) Preside at all meetings of the Regional Council in the absence of the President;
- (b) perform such duties as may be determined by the Regional Council.

44.3 The Secretary of the Regional Council shall:

- (a) issue notices of all meetings of the Regional Council;
- (b) keep minutes or cause to be kept the minutes of all meetings of the Regional Council;
- (c) be the custodian of all books and documents of the Regional Council;
- (d) have custody of the seal of the Regional Council;
- (e) register with the Secretary of the Métis Nation all special resolutions of a Regional Council Meeting or Special Meeting within twenty one (21) days of the date of the Meeting and ensure that the Special Resolution is presented at the Annual Assembly for ratification;
- (f) perform other duties as may be determined by the Regional Council.

44.4 The Treasurer of the Regional Council shall:

- (a) keep or cause to be kept full and accurate account of receipts and disbursements and books belonging to the Regional Council;
- (b) deposit or cause to be deposited, all monies and other valuables or effects in the name and to the credit of the Regional Council in such Chartered Banks or other financial institutions as designated by the Regional Council;
- (c) be one of two signing officers required on Regional Council cheques or in a situation where the Treasurer is not available to sign, appoint another Regional Council member to sign on behalf of the Treasurer;
- (d) perform such other duties as may be determined by the Regional Council.

ARTICLE 45 VACANCY OF OFFICE OF PRESIDENT, VICE-PRESIDENT, SECRETARY, TREASURER

45.1 In the event that a vacancy occurs in the office of the President the Vice President shall be President and shall assume all duties of the President.

45.2 In the event that there is no Vice-President to fill the vacancy of President the Regional Council shall meet within twenty one (21) days of the vacancy of President and shall elect from the remaining members of the Regional Council a person to fill the vacancy of the office of President. Such election shall be by secret ballot and require a majority vote.

45.3 In the event that a vacancy occurs in the office of Vice-President the Regional Council shall elect from the remaining members of the Regional Council other than the President a person to fill the vacancy of the office of Vice-President. Such

election shall be by secret ballot and require a majority vote.

45.4 In the event that a vacancy occurs in the office of the Secretary or Treasurer then the Regional Council shall meet to elect from the Regional Council, other than the President or Vice-President a person to fill the vacancy. Such election shall be by secret ballot and require a majority vote.

45.5 In the event that a member of the Regional Council is convicted of a criminal offence under the Criminal Code of Canada during his or her term then that person shall as soon as possible after the conviction appear before the Métis Judiciary Council who will determine whether the person shall remain in office or whether the office shall be vacated.

ARTICLE 46 SALARIES OF THE REGIONAL COUNCIL

46.1 Each Regional Council shall decide the salary of their Provincial Council Representatives.

46.2 The Regional Council may be paid reasonable travelling expenses for attending business of the Regional Council, meetings of the Regional Council and all travelling expenses shall be reviewed and approved by the Treasurer. The Treasurer shall decline all unreasonable travelling expenses.

ARTICLE 47 MEETINGS OF THE REGIONAL COUNCIL

47.1 The Regional Council shall meet at least six (6) times between the Annual Regional Meeting at such times and places as the Regional Council may decide.



- 47.2 A meeting of the Regional Council may be convened at any time or place upon proper notice by the President or at the request of the majority of Regional Council members.
- 47.3 A quorum at any meeting of the Regional Council shall be a majority of members of the Regional Council.
- 47.4 The President shall be the Chairperson of the Regional Council meetings or in the event that the President is unable to be Chairperson he or she shall appoint the Vice-President to be Chairperson. In the event that the Vice-President is unable to be Chairperson the President shall appoint another Regional Council member to be the Chairperson at their discretion. The Chairperson shall only vote in case of a tie vote.
- 47.5 Each member of the Regional Council other than the Chairperson, shall have one vote and all matters shall be decided by a majority of votes. In cases of any equality of votes the Chairperson of the meeting shall have a deciding vote.
- 47.6 Resolutions in writing signed by all of the members of the Regional Council shall be as effective as a resolution passed at a meeting of the Regional Council duly convened and held.
- 47.7 Notice of Regional Council meetings shall be given to each Regional Council member at least twenty-one (21) days before the meeting. Notice may be delivered, telephoned, faxed or mailed.
- 47.8 A meeting of the Regional Council may be held without notice if all of the Regional Council members are present or those present have waived notice and those absent have signified their consent in writing to the meeting being held in their absence



the Regional Council, shall fully disclose to the Regional Council the nature and extent of his or her interest.

- 48.2 A member of the Regional Council, shall not make or participate in making a decision in his or her capacity where the elected member reasonably knows that in the making of the decision there is the opportunity to further, directly, or indirectly, their private interest or that of their family which includes spouse, children, parents, brothers and sisters.
- 48.3 No member of the Regional Council may do work for the Regional Council, either as an employee or by contract, other than the fulfilment of the obligations of their elected position unless such work has been approved by a majority of the members of the Regional Council at a meeting of the Regional Council.
- 48.4 A member of the Regional Council shall not conduct personal business while on Regional Council business or use Regional Council resources for personal business.
- 48.5 A member of the Regional Council shall disclose to the Regional Council the names of all Boards, Commissions, Councils or other memberships held during their term. All compensation received while sitting on any other Boards, Commissions, or Councils must be disclosed to the Regional Council.
- 48.6 No candidate running for office in the Regional Council shall use any resources of the Métis Nation, Regional Council or Local Council for his or her election campaign.

#### ARTICLE 49                    REMOVAL AND VACANCY OF A REGIONAL COUNCIL MEMBER

- 49.1 A member of the Regional Council shall automatically cease to be a Regional

Council member if any of the following events occur:

- (a) the death of the Regional Council member;
- (b) if any Regional Council member, without reasonable excuse is absent from three (3) consecutive Regional Council meetings;
- (c) a Regional Council member resigns by delivering a written resignation to the Secretary of the Regional Council;
- (d) if any Regional Council member's right to hold office is suspended in which case that Regional Council member will cease to be a Regional Council member for the duration of the suspension;
- (e) if a Regional Council member becomes registered in a Band list or in the Indian Register according to the provisions of the Indian Act, R.S.C.;
- (f) if a Regional Council member no longer resides in the Region they represent;
- (g) if the Regional Council member is no longer President of a Local Council;
- (h) if the Provincial Council Representative is no longer a member of the Provincial Council.

ARTICLE 50            ANNUAL REGIONAL MEETING

- 50.1 An Annual Regional Meeting shall be held in each calendar year on a date to be determined by the Regional Council.
- 50.2 The Secretary of the Regional Council shall give at least twenty-one (21) days notice in writing of the time and place of the Annual Regional Meeting.
- 50.3 Notice of an Annual Regional Meeting shall be given to all members who are members at the time of the notice at their latest address as shown in the records of

the Métis Nation. Notice shall be sufficient if given by newspaper or other media as determined by the Regional Council. Notice shall be deemed to be received by the member within seven (7) days of the date of publication or mailing.

- 50.4 A quorum at an Annual Regional meeting shall be a minimum of twenty five (25) Lifetime Members in good standing, present in person, who have registered and are qualified to vote at the Annual Regional Meeting.
- 50.5 No error or omissions in giving Notice of an Annual Regional Meeting shall invalidate the Annual Regional Meeting or make void any proceedings taken at that Annual Regional Meeting and any member may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings
- 50.6 The Regional Council may recommend the order of business and the Annual Regional Meeting shall decide the order of business.

#### ARTICLE 51 VOTING AT ANNUAL REGIONAL MEETING

- 51.1 Each Lifetime Member of the Region shall be entitled to one vote.
- 51.2 There shall be no voting by proxy.
- 51.3 Each Lifetime Member of the Region shall be entitled to vote at the Annual Regional Meeting provided:
- (a) the Lifetime Member is personally present at the Annual Regional Meeting;  
and
  - (b) the Lifetime Member has registered at the Annual Regional Meeting, and;

(c) the Lifetime Member has not withdrawn from membership.

51.4 Every question or resolution at an Annual Regional Meeting shall be decided by a majority vote of Lifetime Members present unless otherwise required by these Bylaws or by the Societies Act. In the event of an equality of votes, the question or resolution shall be considered lost.

51.5 Every question or resolution shall be decided as follows:

- (a) Firstly, by a show of hands; or
- (b) Secondly, by a secret ballot vote if a secret ballot vote is demanded by five (5) Lifetime Members within three (3) minutes of the announcement by the Chairperson of the results of the vote by show of hands. The Chairperson has the authority to decide the procedure of the secret ballot vote.

51.6 In the event that a question or resolution is decided by a show of hands and not a secret ballot vote, a declaration by the Chairperson that a question or resolution has been carried or lost and an entry to that effect in the minutes of the meeting shall be sufficient evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, such question or resolution.

51.7 Special Resolutions passed at an Annual Regional Meeting must be ratified by Special Resolution at an Annual Assembly, and are effective from the date that they are registered with the Registrar of Corporations of Alberta by the Secretary of the Métis Nation.

## ARTICLE 52 SPECIAL MEETING

52.1 A Special Meeting shall be called by the Regional Council as follows:

- (a) Upon receipt of a written request to call a Special meeting signed by a minimum of twenty five (25%) per cent of Lifetime Members of the Region;  
or
- (b) Upon a resolution approved at a meeting of the Regional Council where:
  - (i) proper notice of the meeting has been given; and
  - (ii) seventy five (75%) per cent of the Regional Council members are present; and
  - (iii) seventy-five (75%) per cent of the Regional Council members vote in favour of the resolution to hold a Special Meeting.

52.2 The Secretary of the Regional Council shall give at least twenty-one (21) days notice in writing of the time and place of the Special Meeting and the proposed resolutions.

52.3 Notice of a Special Meeting shall be given to all members who are members at the time of the notice at their latest address as shown in the records of the Métis Nation. Notice shall be sufficient if given by newspaper or other media as determined by the Regional Council. Notice shall be deemed to be received by the member within seven (7) days of the date of publication or mailing.

52.4 No business shall be transacted or considered at any Special meeting other than those proposed resolutions for which notice has been given.

52.5 No error or omissions in giving notice of a Special Meeting shall invalidate the Special Meeting or make void any proceedings taken at that Special Meeting and any member may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings.

52.6 A quorum at a Special meeting shall be a minimum of twenty five (25) Lifetime Members in good standing, present in person, who have registered and are qualified to vote at the Special Meeting.

52.7 Special Resolutions passed at a Special meeting must be ratified by Special Resolution at an Annual Assembly and are effective from the date that they are registered with the Registrar of Corporations of Alberta by the Secretary of the Métis Nation.

ARTICLE 53 VOTING AT A SPECIAL MEETING

53.1 Voting at Special Meetings shall be the same as voting at the Annual Regional Meetings. Therefore paragraphs herein 51.1 to 51.7 inclusive shall govern voting at Special Meetings.

ARTICLE 54 RULES OF ORDER

54.1 Robert's Rules of Order shall govern meetings and proceedings of the Region and Regional Council insofar as they may apply without coming into conflict with these Bylaws.

ARTICLE 55 MÉTIS JUDICIARY COUNCIL PROCEDURE ON CONFLICT OF INTEREST OF REGIONAL COUNCIL MEMBERS

55.1 A Lifetime Member who has reason to believe that a Regional Council member did



not comply with the Conflict of Interest guidelines may, by letter, request that the Métis Judiciary Council give an opinion respecting the compliance of the Regional Council member with the Conflict of Interest guidelines.

- 55.2 The Métis Judiciary Council may on their initiative, conduct an inquiry to determine whether a Regional Council member has failed to comply with the Conflict of Interest guidelines.
- 55.3 The Regional Council may by ordinary resolution, request that the Métis Judiciary Council give an opinion on a matter respecting the compliance of a Regional Council member with the Conflict of Interest guidelines.
- 55.4 Upon receiving a request under Article 55.1 or 55.3 the Métis Judiciary Council may conduct an inquiry.
- 55.5 The Métis Judiciary Council shall conduct a fair and impartial inquiry and allow all parties to the inquiry to be present and represented by a lawyer.
- 55.6 The Métis Judiciary Council shall allow all parties to the inquiry to make representations.
- 55.7 After an inquiry has been concluded and the Métis Judiciary Council has decided that there was no failure by the Regional Council member to comply with the Conflict of Interest guidelines, it shall issue a letter of clearance with an explanation to justify the decision.
- 55.8 Where the Métis Judiciary Council determines that a Regional Council member has failed to comply with the Conflict of Interest guidelines the Métis Judiciary Council may:

- (a) reprimand the Regional Council member;
- (b) order that the Regional Council member make restitution or pay compensation;
- (c) may suspend the Regional Council member or declare his or her office vacant.

ARTICLE 56            INDEMNITY

56.1 Each member of the Regional Council, or other person who has undertaken any liability on behalf of the Regional Council, and their heirs and estate shall at all times, be indemnified by the Regional Council, against:

- (a) all expenses whatsoever which result from any claims, actions, or proceedings which are brought, commenced or prosecuted against them or in respect of any act, deed, matter or thing whatsoever, made, done, or permitted by them, in the execution of the duties of their office or in respect of any such liability;

except the Regional Council shall not be responsible for any costs, charges, expenses whatsoever caused by the negligence or misconduct of the Regional Council member or other person.

ARTICLE 57            ACCOUNTS

57.1 The Regional Council shall cause accounting details to be kept of all monies received and expended by the Regional Council.

- 57.2 The fiscal year of the Regional Council shall end on the 31st day of March in each year or such other date as may from time to time be determined by the Regional Council.
- 57.3 The books, accounts and records of the Regional Council shall be audited at least once yearly by an auditor appointed by the Regional Council who shall be a duly qualified Chartered Accountant.
- 57.4 A Financial Statement setting out the Regional Council's income, disbursements, individual expenses of the Regional Council, assets, liabilities shall be audited and signed by the auditor and presented at the Annual Regional Meeting on a year basis by the Treasurer.

**ARTICLE 58                    BOOKS AND RECORDS**

- 58.1 The Regional Council shall ensure that all necessary books and records of the Regional Council required by these Bylaws or by any applicable statute or law are regularly and properly kept.
- 58.2 All accounting records and other books and records of the Regional Council shall be kept at such place in the Province of Alberta as the Regional Council may decide and shall at all times be open for inspection by any member of the Métis Nation upon written application to the Regional Council.

**ARTICLE 59                    EXECUTION OF CONTRACTS AND OTHER DOCUMENTS**

- 59.1 Contracts and other documents including Regional Council cheques requiring the signature of the Regional Council shall:

- (a) Firstly be approved at a meeting of the Regional Council where proper notice has been given; and
- (b) Signed by two Regional Council members as follows:
  - (i) The President; and
  - (ii) Any other Regional Council member;

59.2 The President may delegate his signing authority to another Regional Council Member.

ARTICLE 60 SEAL

60.1 The Regional Council shall have a seal, which shall be approved by the Regional Council and may be changed by special resolution.

60.2 The seal shall be kept under the control of the Secretary at the head office of the Regional Council.

60.3 The seal may, when required, be affixed to contracts, documents, or instruments in writing by persons authorized by these Bylaws to sign on behalf of the Regional Council.

ARTICLE 61 ELECTION AND TERM OF THE LOCAL COUNCIL

61.1 The Local Council shall be elected at an Annual General Meeting of the Local Community.

61.2 The Local Council should be elected to a term of four (4) years effective September 2014.

61.3 The Members of the Local Council shall be eligible for re-election to the Local Council.

ARTICLE 62 EXECUTIVE OFFICERS OF THE LOCAL COUNCIL

62.1 The Executive Officers of the Local Council shall consist of the following:

- (a) President;
- (b) Vice-President;
- (c) Secretary;
- (d) Treasurer.

and shall be elected at the Annual General Meeting of the Local Community and such election shall be by secret ballot and require a majority vote.

ARTICLE 63 DUTIES OF THE EXECUTIVE OFFICERS

63.1 The President of the Local Council shall:

- (a) preside at all meetings of the Local Council or allow the Vice President to preside at all meetings of the Local Council in the absence of the President;
- (b) call meetings of the Local Council when necessary or called upon to do so;
- (c) shall be an ex-officio member of all Committees of the Local Council;
- (d) shall see that all orders and resolutions of the Local Council are carried into effect;

- (e) shall be one of the two signing officers required on all documents including cheques, to be signed by the Local Council or may appoint another Local Council member sign on behalf of the President;
- (f) be the representative of the Local Council on the Regional Council;
- (g) perform other duties as may be determined by the Local Council.

63.2 The Vice-President shall:

- (a) preside at all meetings of the Local Council in the absence of the President;
- (b) perform such duties as may be determined by the Local Council.

63.3 The Secretary of the Local Community shall:

- (a) issue notices of all meetings of the Local Council;
- (b) keep minutes or cause to be kept the minutes of all meetings of the Local Council;
- (c) be the custodian of all books and documents of the Local Council;
- (d) have custody of the seal of the Local Council;
- (e) register with the Secretary of the Métis Nation of Alberta all special resolutions of an Annual Local Meeting or a Special Meeting within twenty-one (21) days of the date of the Meeting and ensure that the Special Resolution is presented at the Annual Assembly for ratification;
- (f) perform other duties as may be determined by the Local Council.

63.4 The Treasurer of the Local Community shall:

- (a) keep or cause to be kept full and accurate account of receipts and disbursements and books belonging to the Local Council.
- (b) deposit or cause to be deposited, all monies and other valuables or

effects in the name and to the credit of the Local Council in such Chartered Banks or other financial institutions as designated by the Local Council;

- (c) be one of two signing officers required on Local Council cheques or in a situation where the Treasurer is not available to sign, appoint another Local Council member to sign on behalf of the Treasurer;
- (d) perform such other duties as may be determined by the Local Council.

ARTICLE 64            VACANCY OF OFFICE OF PRESIDENT, VICE-PRESIDENT  
SECRETARY, TREASURER

- 64.1 In the event that a vacancy occurs in the office of the President the Vice-President shall be the President and shall assume all duties of the President.
- 64.2 In the event that there is no Vice-President to fill the vacancy of President the Local Council shall meet within twenty one (21) days of the vacancy of President and shall elect from the remaining members of the Local Council a person to fill the vacancy of the office of President. Such election shall be by secret ballot and require a majority vote.
- 64.3 In the event that a vacancy occurs in the office of Vice-President the Local Council shall elect from the remaining members of Local Council other than the President a person to fill the vacancy of the office of Vice-President. Such election shall be by secret ballot and require a majority vote.
- 64.4 In the event that a vacancy occurs in the office of the Secretary or Treasurer then the Local Council shall meet to elect from the Local Council other than the President or Vice-President a person to fill the vacancy. Such election shall be by secret ballot

and require a majority vote.

- 64.5 In the event that a member of the Local Council is convicted of a criminal offence under the Criminal Code of Canada during his or her term then that person shall as soon as possible after the conviction appear before the Métis Judiciary Council who will determine whether the person shall remain in office or whether the office shall be vacated.

ARTICLE 65 SALARIES OF THE LOCAL COUNCIL

- 65.1 The annual general meeting of the Local Community shall decide the salary of their Local Council.
- 65.2 The Local Council may be paid reasonable travelling expenses for attending business of the Local Council, meetings of the Local Council and Annual Assemblies and all travelling expenses shall be reviewed and approved by the Treasurer. The Treasurer shall decline all unreasonable travelling expenses.

ARTICLE 66 MEETINGS OF THE LOCAL COUNCIL

- 66.1 The Local Council shall meet at least four (4) times between the Annual General Meeting at such times and places as the Local Council may decide.
- 66.2 A meeting of the Local Council may be convened at any time or place upon proper notice by the President or at the request of any one (1) Local Council member.
- 66.3 A quorum at any meeting of the Local Council shall be the majority members of the Local Council.



- 66.4 The President shall be the Chairperson of the Local Council meetings or in the event that the President is unable to be the Chairperson he or she shall appoint the Vice-President to be Chairperson. In the event that the Vice-President is unable to be Chairperson the President shall appoint another Local Council member to be the Chairperson at their discretion. The Chairperson shall only vote in case of a tie vote.
- 66.5 Each member of the Local Council other than the Chairperson, shall have one vote and all matters shall be decided by a majority of votes. In cases of any equality of votes the Chairperson of the meeting shall have a deciding vote.
- 66.6 Resolutions in writing signed by all of the members of the Local Council shall be as effective as a resolution passed at a meeting of the Local Council duly convened and held.
- 66.7 Notice of Local Council meetings shall be given to each Local Council member at least twenty-one (21) days before the meeting. Notice may be delivered, telephoned, faxed or mailed.
- 66.8 A meeting of the Local Council may be held without notice if all of the Local Council members are present or those present have waived notice and those absent have signified their consent in writing to the meeting being held in their absence without notice.
- 66.9 Notice or any irregularity in notice may be waived by a Local Council member. No error or omission in giving notice of a Local Council meeting shall invalidate such meeting or void any proceedings taken at such meeting. Any Local Council member may ratify and approve any business at such meeting.

- 66.10 A meeting of Local Council members may be held by way of telephone or any other communication facility that permits all persons participating in the meeting to hear each other.
- 66.11 A member of the Local Council may participate in a meeting of the Local Council by means of telephone or any other communication facility that permits all persons participating in the meeting to hear each other and a member of the Local Council participating in a meeting by such means is deemed to be present in person at the meeting.
- 66.12 All meetings of the Local Council are open to Métis Members other than in camera meetings and only Métis Lifetime Members of the Local Community can participate in the Local Council Meeting.
- 66.13 There shall be no voting by proxy.

ARTICLE 67                    CONFLICT OF INTEREST GUIDELINES FOR LOCAL COUNCIL MEMBERS

- 67.1 A member of the Local Council, who is a party to a contract with the Local Community or has a material interest in any company who is a party to a contract with the Local Community, shall fully disclose to the Local Council the nature and extent of his or her interest.
- 67.2 A member of the Local Council, shall not make or participate in making a decision in his or her capacity where the elected member reasonably knows that in the making of the decision there is the opportunity to further, directly, or indirectly, their private interest or that of their family which includes spouse, children, parents,

brothers and sisters.

67.3 No member of the Local Council may do work for the Local Council, either as an employee or by contract, other than the fulfilment of the obligations of their elected position unless such work has been approved by a majority of the members of the Local Council at a meeting of the Local Council.

67.4 A member of the Local Council shall not conduct personal business while on Local Council business or use Local Council resources for personal business.

67.5 A member of the Local Council shall disclose to the Local Council the names of all Boards, Commissions, Councils or other memberships held during their term. All compensation received while sitting on any other Boards, Commissions, or Councils must be disclosed to the Local Council

67.6 No candidate running for office in the Local Council shall use any resources of the Métis Nation, Regional Council or Local Council for his or her election campaign.

#### ARTICLE 68                    REMOVAL AND VACANCY OF A LOCAL COUNCIL MEMBER

68.1 A member of the Local Council shall automatically cease to be a Local Council member if any of the following events occur:

- (a) the death of the Local Council member;
- (b) if any Local Council member, without reasonable excuse is absent from three (3) consecutive Local Council meetings;
- (c) a Local Council member resigns by delivering a written resignation to the Secretary of the Local Council;

- (d) if any Local Council member's right to hold office is suspended in which case that Local Council member will cease to be a Local Council member for the duration of the suspension;
- (e) if a Local Council member becomes registered in a Band list or in the Indian Register according to the provisions of the Indian Act, R.S.C.;
- (f) if a Local Council member no longer resides in the Local Community he or she represents.

ARTICLE 69            ANNUAL LOCAL MEETING

- 69.1 An Annual Local Meeting shall be held in each calendar year on a date to be determined by the Local Council.
- 69.2 The Secretary of the Local Council shall give at least twenty-one (21) days notice in writing of the time and place of the Annual Local Meeting.
- 69.3 Notice of an Annual Local Meeting shall be given to all members who are members at the time of the notice at their latest address as shown in the records of the Métis Nation. Notice shall be sufficient if given by newspaper or other media as determined by the Local Council. Notice shall be deemed to be received by the member within seven (7) days of the date of publication or mailing.
- 69.4 A quorum at an Annual Local Meeting shall be a minimum of ten (10) Lifetime members in good standing, present in person, who have registered and are qualified to vote at the Annual Local Meeting.
- 69.5 No error or omissions in giving Notice of an Annual Local Meeting shall invalidate the Annual Local Meeting or make void any proceedings taken at that Annual Local Meeting and any member may at any time waive notice of any such meeting and

may ratify, approve and confirm any or all proceedings.

- 69.6 The Local Council may recommend the order of business and the Annual Local meeting shall decide the order of business.

## ARTICLE 70 VOTING AT ANNUAL LOCAL MEETING

70.1 Each Lifetime member who is a member of the Local Community shall be entitled to one vote.

70.2 There shall be no voting by proxy.

70.3 Each Lifetime member of the Local Community shall be entitled to vote at the Annual Meeting provided:

- (a) the Lifetime member is personally present at the Annual Meeting;  
and
- (b) the Lifetime member has registered at the Annual Meeting; and
- (c) the Lifetime member has not withdrawn from membership.

70.4 Every question or resolution at an Annual Meeting shall be decided by a majority of the votes of the Lifetime Members present unless otherwise required by these Bylaws or by the Societies Act. In the event of an equality of votes, the question or resolution shall be considered lost.

70.5 Every question or resolution shall be decided as follows:

- (a) Firstly, by a show of hands; or

- (b) Secondly, by a secret ballot vote if a secret ballot vote is demanded by five (5) Lifetime Members within three (3) minutes of the announcement by the Chairperson of the results of the vote by show of hands. The Chairperson has the authority to decide the procedure of the secret ballot vote;

70.6 In the event that a question or resolution is decided by a show of hands and not a secret ballot vote, a declaration by the Chairperson that a question or resolution has been carried or lost and an entry to that effect in the minutes of the meeting shall be sufficient evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, such question or resolution.

70.7 Special Resolutions passed at an Annual Meeting must be ratified by Special Resolution at an Annual Assembly and are effective from the date that they are registered with the Registrar of Corporations of Alberta by the Secretary of the Métis Nation.

## ARTICLE 71 SPECIAL MEETING

71.1 A Special Meeting shall be called by the Local Council as follows:

- (a) Upon receipt of a written request to call a Special Meeting signed by a minimum of twenty five (25%) per cent of Lifetime Members of the Local Community; or
- (b) Upon a resolution approved at a meeting of the Local Council where:
  - (i) proper notice of the meeting has been given; and
  - (ii) seventy-five (75%) percent of the Local Council members are present; and

- (iii) seventy-five (75%) percent of the Local Council members vote in favour of the resolution to hold a Special Meeting.

- 71.2 The Secretary of the Local Community shall give at least twenty-one (21) days notice in writing of the time and place of the Special Meeting and the proposed resolutions.
- 71.3 Notice of a Special Meeting shall be given to all members who are members at the time of the notice at their latest address as shown in the records of the Métis Nation. Notice shall be sufficient if given by newspaper or other media as determined by the Local Council. Notice shall be deemed to be received by the member within seven (7) days of the date of publication or mailing.
- 71.4 No business shall be transacted or considered at any Special Meeting other than those proposed resolutions for which notice has been given.
- 71.5 No error or omissions in giving notice of a Special Meeting shall invalidate the Special Meeting or make void any proceedings taken at that Special Meeting and any member may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings.
- 71.6 A quorum at a Special Meeting shall be a minimum of ten (10) Lifetime Members in good standing, present in person, who have registered and are qualified to vote at the Special Meeting.
- 71.7 Special Resolutions passed at a Special Meeting must be ratified by Special Resolution at an Annual Assembly and are effective from the date that they are registered with the Registrar of Corporations of Alberta by the Secretary of the Métis Nation.

ARTICLE 72 VOTING AT A SPECIAL MEETING

72.1 Voting at Special Meetings shall be the same as voting at Annual Local Meetings. Therefore paragraphs herein 70.1 to 70.7 inclusive shall also govern voting at Special Meetings.

ARTICLE 73 RULES OF ORDER

73.1 Robert's Rules of Order shall govern meetings and proceedings of the Local Community and Local Council insofar as they may apply without coming into conflict with these Bylaws.

ARTICLE 74 MÉTIS JUDICIARY COUNCIL PROCEDURE ON CONFLICT OF INTEREST OF LOCAL COUNCIL MEMBERS

74.1 A Lifetime Member who has reason to believe that a Local Council member did not comply with the Conflict of Interest guidelines may, by letter, request that the Métis Judiciary Council give an opinion respecting the compliance of the Local Council member with the Conflict of Interest guidelines.

74.2 The Métis Judiciary Council may on their initiative, conduct an inquiry to determine whether a Local Council member has failed to comply with the Conflict of Interest guidelines.

74.3 The Local Council may by ordinary resolution, request that the Métis Judiciary Council give an opinion on a matter respecting the compliance of a Local Council member with the Conflict of Interest guidelines.



- 74.4 Upon receiving a request under Article 74.1 or 74.3 the Métis Judiciary Council may conduct an inquiry.
- 74.5 The Métis Judiciary Council shall conduct a fair and impartial inquiry and allow all parties to the inquiry to be present and represented by a lawyer.
- 74.6 The Métis Judiciary Council shall allow all parties to the inquiry to make representations.
- 74.7 After an inquiry has been concluded and the Métis Judiciary Council has decided that there was no failure by the Local Council member to comply with the Conflict of Interest guidelines, it shall issue a letter of clearance with an explanation to justify the decision.
- 74.8 Where the Métis Judiciary Council determines that a Local Council member has failed to comply with the Conflict of Interest guidelines the Métis Judiciary Council may:
- (a) reprimand the Local Council member;
  - (b) order that the Local Council member make restitution or pay compensation;
  - (c) may suspend the Local Council member or declare his or her office vacant.

ARTICLE 75            INDEMNITY

- 75.1 Each member of the Local Council, or other person who has undertaken any liability on behalf of the Local Council, and their heirs and estate shall at all times, be indemnified by the Local Council, against:

- (a) all expenses whatsoever which result from any claims, actions, or proceedings which are brought, commenced or prosecuted against them or in respect of any act, deed, matter or thing whatsoever, made, done, or permitted by them, in the execution of the duties of their office or in respect of any such liability;

except the Local Council shall not be responsible for any costs, charges, expenses whatsoever caused by the negligence or misconduct of the Local Council member or other person.

#### ARTICLE 76            ACCOUNTS

- 76.1 The Local Council shall cause accounting details to be kept of all monies received and expended by the Local.
  
- 76.2 The fiscal year of the Local Community shall end on the 31st day of March in each year or such other date as may from time to time be determined by the Local Council.
  
- 76.3 A financial statement of the Local Council shall be prepared and audited at least once yearly.
  
- 76.4 An audited financial statement of the Local Council shall be presented for approval at the Annual Meeting of the Local Council.

ARTICLE 77            BOOKS AND RECORDS

77.1    The Local Council shall ensure that all necessary books and records of the Local Council required by these Bylaws or by any applicable statute or law are regularly and properly kept.

77.2    All accounting records and other books and records of the Local Council shall be kept at such place in the Province of Alberta as the Local Council may decide and shall at all times be open for inspection by any member of the Métis Nation upon written application to the Local Council.

ARTICLE 78            EXECUTION OF CONTRACTS AND OTHER DOCUMENTS

78.1    Contracts and other documents including Local Council cheques requiring the signature of the Local Council shall:

- (a)    Firstly be approved at a meeting of the Local Council where proper notice has been given; and
- (b)    Signed by two Local Council members as follows:
  - (i)    The President; and
  - (ii)   Any one (1) of the Local Council members.

78.2    The President may delegate his signing authority to another Local Council Member.

ARTICLE 79            SEAL

79.1    The Local Council shall have a seal, which shall be approved by the Local Council

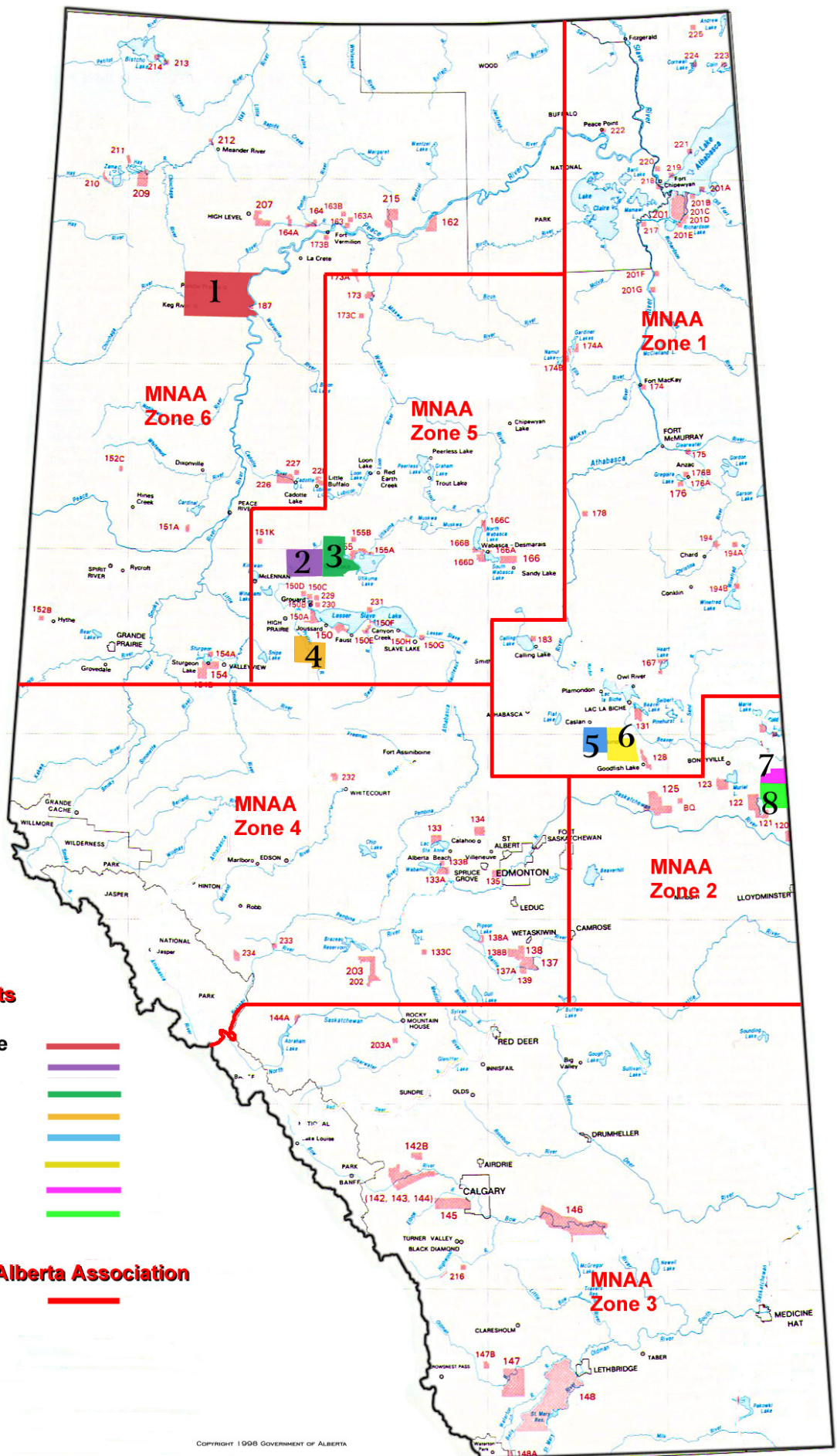
and may be changed by special resolution.

- 79.2 The seal shall be kept under the control of the Secretary at the head office of the Local Council.
- 79.3 The seal may, when required, be affixed to contracts, documents, or instruments in writing by persons authorized by these Bylaws to sign on behalf of the Local Council.

**SCHEDULE A**

I agree to the Metis Nation's Bylaws and Policies, as amended from time to time and voluntarily authorize the Metis Nation to assert and advance collectively-held Metis rights, interests and claims on behalf of myself, my community and the Metis in Alberta, including negotiating and arriving at agreements that advance, determine, recognize and respect Metis rights. In signing this oath, I also recognize that I have the right to end this authorization at any time, by terminating my membership within the Métis Nation.

**Schedule "B"  
Boundaries of  
Six (6) Regions**



1998

**Metis Settlements**

- 1. Paddle Prairie
- 2. Peavine
- 3. Gift Lake
- 4. East Prairie
- 5. Buffalo Lake
- 6. Kikino
- 7. Elizabeth
- 8. Fishing Lake



**Metis Nation of Alberta Association  
Regional Zones**





