



Mississaugas of the Credit First Nation

Community Approval Process

*Rules and Procedures established under the Mississaugas of the Credit First Nation
Statement of Law-Making Jurisdiction*

Version #	Implemented By	Revision Date	Approved by	Approval Date	Reason
Draft 1	Legal Counsel	11/07/2019	Governance Committee		Introduction
Draft 2	Governance Committee	02/07/2020			Revisions
Draft 3	Governance Committee	03/09/2020			Revisions
Draft 4	Legal Counsel	07/07/2020	Governance Committee		Minor Revisions
Draft 5	Governance Committee	08/31/2020			Minor Revisions
Draft 6	Legal Counsel	09/01/2020	Governance Committee		Minor Revisions
Reading 1	Legal Counsel	10/05/2020	Council	10/14/2020	Minor Revisions
Draft 7	Legal Counsel	10/14/2020			Minor Revisions
Draft 8	Legal Counsel	01/27/2021	Governance Committee	02/05/2021	Minor Revisions
Reading 2	Legal Counsel	03/01/2021	Council	03/09/2021	Minor Revisions
	Governance Committee	07/09/2021			Minor Revisions
Draft 9	Legal Counsel	07/21/2021			Minor Revisions
Draft 10	Governance Committee	09/27/2021	Governance Committee	10/08/2021	Finalize Draft
Reading 3	Council	11/16/2021			Approval to Finalize

Draft 10	Legal Counsel	12/02/2021			Finalize for Council Approval to come into force
Reading 4	Council	12/07/2021			Approved
Draft 10	Legal Counsel	09/05/2024			Review and minor revisions
Draft 11	Legal Counsel	03/19/2025 05/13/2025			Review and Revisions
Draft 12	Legal Counsel	05/29/2025 06/04/2025		06/24/2025	Review and Revisions; Approved

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PART 1 - INTRODUCTION

As the Mississaugas of the Credit First Nation (“MCFN”), we are the direct descendants of the Mississaugas of the Credit River – an Anishinabek people and part of the larger Mississauga Nation. We possess the inherent and inalienable right of *inaaknigewin* (self-governance). This includes the right of *inaaknigewin* (self-government) and autonomy over ourselves, our community, our Members, and our Territory. Flowing from our inherent rights, we possess the jurisdiction to make MCFN *naaknigewenan* (“laws”) for the exercise and protection of our rights and the fulfilment of our responsibilities throughout our Territory, through enacting our own *naaknigewenan* (“laws”) through our own *Constitution*, duly approved by Council and the Members on May 2, 2022. This jurisdiction has always been held by our people. It has never been surrendered or given up. It continues to inform how we live and relate to each other according to Anishinaabe Mino-Bimaadziwin, or “living the way of a good life.”

Council of the MCFN, deems it advisable, and in the best interests of the Mississaugas of the Credit First Nation, through the enactment of the MCFN *Statement of Law-Making Jurisdiction* (the “*Statement*”), to enact the said *Statement* and the following Community Approval Process Rules and Procedures, to set out the process by which the MCFN will make community decisions to enact or amend *naaknigewenan*, agreements, or other Proposed Documents that are put forward to Members for ratification. It provides Members with the opportunity to participate in the MCFN governance process with both input and by casting a vote.

PART 2 - INTENTION

1. The purpose of the Community Approval Process is to outline the MCFN process by which MCFN will make community decisions that are put forward to Members for ratification, as it relates to the approval of any *naaknige* (“law”), by-law, act, agreement, policy, or proposal, when a Ratification Vote by the Members is required.
2. Any reference to a ratification procedure in any *naaknige*, by-law, act, agreement, policy, or proposal, will be superseded by this Community Approval Process.
3. The rules and procedures outlined herein are associated with the *Statement* and shall be applied and followed in accordance with the *Statement*.
4. This Community Approval Process may be cited as the “MCFN Community Approval Process.”

PART 3 - INTERPRETATION

5. In this document:

“**Appeal Body**” means the appeal body or decision-making body established under the Appeal Body Law, to review and make decisions concerning Eligible Voter appeals in accordance with Part 11 of these Rules and Procedures;

“Appeal Body Law” means the law and associated rules and procedures that establishes the Appeal Body;

“Appellant” means an individual who submits an application for appeal in accordance with these Rules and Procedures with respect to a Ratification Vote;

“ballot question” means the question asked of the Eligible Voters in a Ratification Vote (Form B);

“Chief Administrative Officer” means the person responsible for the administration and management of the MCFN organization, including the overseeing of staff and the coordination of activities, or their designate, from time to time;

“community” means any individual or individuals, collectively, who is a Member or non-member of the MCFN and who resides on-reserve and is subject to MCFN naaknigewnan, rules, policies, or procedures, as determined by Council from time to time;

“Council” means the Mississaugas of the Credit First Nation Government; a body composed of those persons elected pursuant to the *Mississaugas of the Credit First Nation Constitution* and the *Indian Act*, as an initial step towards MCFN inaaknigewin (self-governance), or in any MCFN election law and rules or procedures adopted by the MCFN, from time to time;

“Council Resolution” means a resolution of Council approved by, and signed by, a Quorum of Council, and accepted at a duly convened meeting of Council, and is shortened to CR, from time to time. A Council Resolution may also be referred to as a Council Motion;

“corrupt or fraudulent practice” includes, but is not limited to, direct or indirect bribery or providing a financial or material incentive to a Member in exchange for a vote;

“Department’s Registrar” means the officer in the Department of Indigenous Services Canada who is in charge of the Indian Register and the band or membership lists maintained in the Department of Indigenous Services Canada;

“Deputy Ratification Officer” means a person or persons appointed by the Ratification Officer to assist with the Ratification Vote;

“Designated Public Locations” include:

- (a) Administration Building;
- (b) official MCFN website (<http://mncfn.ca/>);
- (c) Lloyd S. King Elementary School;
- (d) MCFN Community Centre;
- (e) Social and Health Services;

- (f) Lands, Membership, and Research; or
- (g) any additional locations as deemed prudent;

“electronic ballot” means a ballot submitted electronically in accordance with Part 8 of these Rules and Procedures;

“electronic device” means a device, such as a desktop or laptop computer, handheld device, smartphone, tablet, or other electronic product or device, that has a platform on which to download, install, or run any software program, code, script, or other content, and is designed for and capable of communicating across a computer network with other computers or devices for the purpose of transmitting, receiving, or storing data;

“Electronic Voting Service Provider” means the contracted online voting and membership management service;

“Eligible Voter” means a person who:

- (a) is a Member of the MCFN; and,
- (b) is at least eighteen (18) years of age on the date of any given Ratification Day;

“Forms” means the forms appended to these Rules and Procedures, for use with these Rules and Procedures, and that have been developed to meet the basic requirements of the described actions and shall only be modified by adding, not removing, detail;

“inaaknigewin” means self-governance or self-government;

“Indian Act” means the *Indian Act*, RSC 1985, c I 5, and any regulations thereto, as amended from time to time;

“Indian Register” means the register of persons that is maintained under section 5 of the *Indian Act*;

“Indigenous Services Canada” means the Department of Indigenous Services, established pursuant to the *Department of Indigenous Services Act*, SC 2019, c 29, s 336, and any regulations thereto, as amended from time to time;

“interpreter” means an individual, other than the Ratification Officer or Deputy Ratification Officer, who understands the language spoken by an Eligible Voter where the language is not English, or where the Eligible Voter is hearing or visually impaired, and shall assist the Eligible Voter at a polling station, by translating communications between the Ratification Officer or Deputy Ratification Officer and the Eligible Voter or translating written communications or documents;

“Kina naaknigewnan teg” means a public law registry where all approved naaknigewnan are registered and kept by the Chief Administrative Officer for retention purposes;

“Master Voters List” means the list that shall include the information outlined in section 10 of these Rules and Procedures, and for greater clarity may be a paper or electronic list;

“Member” means a registered member of the MCFN, whose name appears on a list maintained by the Department’s Registrar, Indigenous Services Canada;

“Membership Administrator” means the MCFN staff member responsible for maintaining the addresses of MCFN’s Members, as set out in the official electoral list provided by the Department’s Registrar, Indigenous Services Canada;

“membership list” means a list of persons that is maintained under section 8 of the *Indian Act*, by a band or in the Department of Indigenous Services Canada;

“Mississaugas of the Credit First Nation” means the ancestors of the River Credit Mississaugas, and is shortened to MCFN from time to time;

“Mississaugas of the Credit First Nation Constitution” means the supreme law under which all other naaknigewnan can be created and under which, we, the Members of MCFN, have our inherent Indigenous and traditional rights to govern ourselves and our Territory;

“polling station” means a building, hall, or room which is selected as the site(s) at which voting takes place;

“Proposed Document” means a naaknige, act, legislation, agreement, consultation, or any possible written document that is to be voted on by Members;

“Quorum of Council” means at least five (5) members of Council as set out in the *Indian Act*, or in any MCFN election law and any associated regulations, rules, or procedures adopted by the MCFN, from time to time;

“Ratification Day” means the day(s) set for holding the Ratification Vote;

“Ratification Officer” means a person, selected by the Chief Administrative Officer and approved of by Council before each Ratification Vote, who has been authorized to conduct the Ratification Vote under these Rules and Procedures, or means the person whom is contracted by the Chief Administrative Officer and approved of by Council to conduct the Ratification Vote;

“Ratification Officer Handbook” means the handbook prepared for the Ratification Officer to conduct a Ratification Vote in accordance with these Rules and Procedures, and is to assist the Ratification Officer in carrying out their duties;

“Ratification Vote” means a general MCFN vote held pursuant to the provisions of the *Statement of Law-Making Jurisdiction* and these Rules and Procedures;

“rejected ballots” means those ballots that cannot be counted but have been submitted into the ballot box, due to improper marking by an Eligible Voter, and shall be marked as such;

“spoiled ballots” means those ballots that are not placed in the ballot box, but rather are marked as spoiled by the Ratification Officer and are set aside. An Eligible Voter will be given another ballot;

“sponsoring MCFN department” means the individual MCFN department or departments that oversee the creation of a Proposed Document;

“Statement of Law-Making Jurisdiction” means the naaknige under which these Rules and Procedures are created and govern the ratification process by which Members will make community decisions, when required, and may be shortened to the “Statement”, from time to time;

“substantive amendment” means an amendment to the *Statement* or a MCFN naaknige that substantially alters the *Statement* or a MCFN naaknige;

“technical amendment” means an amendment to the *Statement* or a MCFN naaknige, as a result of changes in naaknige, defects in the *Statement* or a MCFN naaknige, or to improve the administrative efficiency of the *Statement* or a MCFN naaknige;

“Territory of the Mississaugas of the Credit First Nation” means the geographical area in which the Mississaugas of the Credit First Nation Council holds jurisdiction, and is shortened to “Territory,” from time to time;

“Valid Photo Identification” means a form of identification which is clear and contains the name and photograph of the Member, including such identification as, but not limited to a:

- (a) driver’s license;
- (b) health card;
- (c) age of majority card;
- (d) current student card;
- (e) Certificate of Indian Status card; or
- (f) passport; and

“voters list” means the list of Members eligible to vote in any given Ratification Vote and is posted in the Designated Public Locations, as well as on the Members-only website.

6. The division of these Rules and Procedures into parts, sections, paragraphs, subsections, and clauses, and the insertion of headings and subheadings are for convenience of reference only and shall not affect the legality or interpretation of these Rules and Procedures or the *Statement of Law-Making Jurisdiction*.

7. Unless otherwise specified, words in the singular include words in the plural and words in the plural include words in the singular. Unless otherwise specified, the use of “they,” “their,” or “them,” includes all sexes, social genders, and gender identities.

8. When calculating time, a reference to a number of days between two events is calculated by excluding the day on which the first event occurs and including the day on which the second event occurs. Any reference to days will mean consecutive calendar days, and is inclusive of Saturdays, Sundays, and any holidays. Schedule 1 (*Model Law Ratification Process Flow Chart*) may assist with the ratification process and in calculating time.

PART 4 - COUNCIL RESPONSIBILITIES

9. Council shall pass a CR in the manner of Form A, attached to these Rules and Procedures, to:

- (a) order that a Members’ vote be held, where applicable, to determine if the Members approve of the Proposed Document;
- (b) confirm the wording of the ballot question;
- (c) confirm the Ratification Officer; and
- (d) set the Ratification Day jointly with the Chief Administrative Officer and the sponsoring MCFN department, where necessary, with sufficient advance notice so that the Ratification Officer can comply with all of the requirements of these Rules and Procedures.

PART 5 - VOTERS LIST

10. At least sixty (60) days before the day on which a Ratification Vote is to be held, Council shall pass a CR directing the Membership Administrator to provide to the Ratification Officer a Master Voters List, that shall include:

- (a) the names of all Eligible Voters;
- (b) the registry number of all Eligible Voters set forth in paragraph (a);
- (c) the dates of birth of all Eligible Voters set forth in paragraph (a);
- (d) the last known addresses, if any, of all Eligible Voters who have consented to share their address, set forth in paragraph (a); and
- (e) the last known e-mail addresses, if any, of all Eligible Voters who have consented to share their email address, set forth in paragraph (a).

11. In relation to these Rules and Procedures, and with the exception of providing the information of Eligible Voters to the Ratification Officer, in accordance with section 10, the Ratification Officer shall not disclose any personal information noted in paragraphs 10(b)-(e).

12. To fulfill the requirements of Part 7 of these Rules and Procedures, all Members are responsible for providing the Membership Administrator with their current address and email address. For greater clarity, MCFN assumes no responsibility where a Member fails to provide their accurate address or email address to the Membership Administrator.

13. To be eligible to vote online, each Eligible Voter is responsible for registering with the Electronic Voting Service Provider with their own, separate, email address. A link to the Electronic Service Provider's website will be provided to Eligible Voters at the beginning of every voting event, so as to proceed through a self-guided, step by step process to register. It is the responsibility of each Eligible Voter to ensure their online profile with the Electronic Voting Service Provider is up to date and that they abide by the terms and conditions of use.

Preparation of Voters List

14. A minimum of fifty-three (53) days before the day of the Ratification Vote, the Ratification Officer shall prepare and post a voters list containing only the names of all of the Members in alphabetical order. The voters list shall be posted at the Designated Public Locations, as well as on the Members-only website.

15. For greater clarity, such personal information, as identified in paragraphs 10(b)-(e) of these Rules and Procedures shall not be posted to the voters list.

Revisions to Voters List

16. The Ratification Officer shall revise the voters list upon presentation of documentary evidence by a Member, which demonstrates that:

- (a) the name of a Member has been omitted from the voters list;
- (b) the name of a Member is incorrectly set out on the voters list; or
- (c) the name of a person not qualified to vote is included on the voters list.

Voting Where Name is Not on the Voters List

17. A person whose name does not appear on the voters list shall be entitled to vote on the day(s) of the Ratification Vote if, to the Ratification Officer's satisfaction, they present documentary proof to the Ratification Officer demonstrating their qualifications as an Eligible Voter.

PART 6 - RATIFICATION OFFICER

Selection

18. The Chief Administrative Officer shall be responsible for selecting a Ratification Officer through a tendering process that shall conclude, a minimum of sixty (60) days before Ratification Day.

19. Upon the Chief Administrative Officer selecting a Ratification Officer, Council shall approve the recommendation by Quorum, unless Council provides a suitable reason otherwise.

Service Contract

20. Upon the selection of a Ratification Officer through a tendering process, in accordance with section 18, the Chief Administrative Officer and the Ratification Officer shall enter into a contract for services in which the contract shall include, but not be limited to, the following provisions:

- (a) the Ratification Officer's full name, address, and email address;
- (b) the responsibilities of the Ratification Officer;
- (c) the remuneration of the Ratification Officer;
- (d) the term of the contract for services;
- (e) the date(s) of the Ratification Vote;
- (f) the type of Ratification Vote that is to be conducted, including the Proposed Document;
- (g) that the Ratification Vote shall be conducted in accordance with the *Statement* and these Rules and Procedures;
- (h) the participation of the Ratification Officer in any ratification appeal;
- (i) the completion of the “Appointment of Ratification Officer / Deputy Ratification Officer / Interpreter and Oath of Office” Form (Form C); and
- (j) any special instructions.

Qualifications

21. The Ratification Officer must be a person who:

- (a) is at least eighteen (18) years of age; and
- (b) has experience in conducting Ratification Votes; or
- (c) has received appropriate training, as outlined in the Ratification Officer Handbook, as may be amended from time to time.

Responsibilities

22. The Ratification Officer is responsible for conducting the Ratification Vote, and by their appointment by CR, has the powers necessary for this function.

23. The Ratification Officer will be required to use the Electronic Voting Service Provider to manage the vote, therefore, the Ratification Officer must have access to an electronic device that is kept secure and has access to Internet services.

24. The Ratification Officer shall appoint at least two (2) Deputy Ratification Officers, as set out in section 31. Upon the appointment of a Deputy Ratification Officer, each Deputy Ratification Officer must execute an “Appointment of Ratification Officer / Deputy Ratification Officer / Interpreter and Oath of Office” Form (Form C).

25. The Ratification Officer may appoint at least one (1) interpreter. Upon the appointment of an interpreter, each interpreter must execute an “Appointment of Ratification Officer / Deputy Ratification Officer / Interpreter and Oath of Office” Form (Form C).

26. The Ratification Officer may delegate any of their duties set out in these Rules and Procedures to the Deputy Ratification Officers, except for:

- (a) the initialing of ballots;
- (b) the counting of ballots; or
- (c) where this procedure demands their declaration, certification, or affidavit to confirm that the procedure was followed.

27. For greater clarity, a Deputy Ratification Officer may assist the Ratification Officer in the counting of the votes.

28. If the Ratification Officer becomes incapacitated and no longer is able to perform their functions because of sickness or other reason, the Chief Administrative Officer may appoint one of the Deputy Ratification Officers to become the Ratification Officer, and the functions of the Ratification Officer shall be transferred to a Deputy Ratification Officer, or such other person as appointed by CR.

29. The Ratification Officer shall establish a Ratification Vote file and place in this file copies of all Forms required under this procedure associated with the Ratification Vote. The file shall remain open until such time as the appeal period has expired, as set out in section 78. The file shall then be closed and, unless directed otherwise by the Chief Administrative Officer, be destroyed by the Ratification Officer, in accordance with section 79, whom shall then make a declaration confirming destruction of the file (Form J).

30. A Deputy Ratification Officer shall have such powers as described in these Rules and Procedures, or as delegated by the Ratification Officer.

31. Every Deputy Ratification Officer and interpreter shall be a person who:

- (a) is at least 18 years of age;
- (b) is not a Member of the MCFN; and

(c) has experience in conducting Ratification Votes and/or has received appropriate training, as outlined in the Ratification Officer Handbook, as may be amended from time to time; or

(d) has experience in interpreting and/or has received appropriate training.

32. The Ratification Officer may remove from office any Deputy Ratification Officer or interpreter who has failed to discharge their duties competently, as set out in these Rules and Procedures.

PART 7 - NOTIFICATION

Notice of Vote

33. The Ratification Officer shall, without undue delay, post a “Notice of Vote” (Form D) at least fifty-three (53) days prior to the Ratification Day in the Designated Public Locations, as well as on the Members-only website, where it can be read by the Members. The “Notice of Vote” will contain the following information:

- (a) the date, place, and time of the Vote;
- (b) that Eligible Voters may vote by electronic ballot or in person;
- (c) the ballot question;
- (d) instructions for obtaining paper copies of the Proposed Document;
- (e) the name of the Ratification Officer and their office address, email address, and telephone number;
- (f) how to register for online voting; and
- (g) a statement that the voters list is posted for public viewing and its location, and that the voters list is posted for public viewing on the MCFN’s Members-only website.

Information to Members

34. The Ratification Officer will send, at least fifty-three (53) days prior to Ratification Day, in one or more packages, the following to each Eligible Voter at their last known address or email address, if it has been provided:

- (a) a copy of the “Notice of Vote”; and
- (b) a link to an electronic copy of the Proposed Document.

Available Documents

35. Any Member may, on request, obtain a paper copy of the Proposed Document from the MCFN Administration Building or the Ratification Officer.
36. The Chief Administrative Officer shall ensure that sufficient paper copies of the Proposed Document, the *Statement of Law-Making Jurisdiction*, and these Rules and Procedures are available to Members and are made available to the Ratification Officer.
37. The Proposed Document must be posted on the MCFN Members-only website.

Outreach

38. For the purpose of ensuring that Eligible Voters are fully informed prior to casting their votes on the ballot question, the Chief Administrative Officer, in working with the sponsoring MCFN department, shall engage with Members.
39. For the purpose of ensuring that Eligible Voters are fully informed prior to casting their votes on the ballot question, the following practices may be used to undertake engagement with Members:
 - (a) door to door visits at the homes of Eligible Voters;
 - (b) scheduled local information sessions;
 - (c) live stream of in person information sessions to membership; or
 - (d) urban information sessions for off-reserve membership.

Preliminary Ratification Procedure

40. The Ratification Officer will:
 - (a) establish the polling station or stations;
 - (b) prepare sufficient copies of ballots, which will be uniform in size, appearance, quality, and weight;
 - (c) prepare sufficient copies of the voting instructions;
 - (d) obtain a sufficient number of ballot boxes;
 - (e) provide a space for voting at the polling station so an Eligible Voter can mark the ballot free from observation and maintain their privacy;
 - (f) provide a sufficient number of permanent marking instruments for marking the ballot;

(g) provide all other equipment as necessary to establish and properly equip the polling station; and

(h) ensure that samples of the ballot question are posted or available for examination by Eligible Voters at the polling station.

PART 8 - VOTING METHODS

Electronic Ballots

41. Any Eligible Voter may cast an electronic ballot.

42. Instructions on how to register and vote online will be mailed, emailed, or posted to the MCFN Members-only website for Eligible Voters.

43. For greater clarity, a Member who turns 18 years of age on Ratification Day, will only have access to a ballot as of Ratification Day, and not before.

44. On-line voting shall open to Eligible Voters fourteen (14) days before Ratification Day, at 12:01am (ET).

45. To cast an electronic ballot, an Eligible Voter must:

(a) at minimum, register with the Electronic Voting Service Provider to receive log-in information, in accordance with section 13;

(b) go through the verification process outlined by the Electronic Voting Service Provider by using their own, separate, email address;

(c) provide any further information, as required; and

(d) mark the ballot by clicking either in the box marked “YES” or in the box marked “NO”.

46. On-line voting shall be closed to Eligible Voters at 7:00pm (ET) on Ratification Day.

In-Person

47. An Eligible Voter may cast a ballot in-person on Ratification Day, so long as they have not voted by any other method outlined in these Rules and Procedures.

PART 9 - RATIFICATION DAY

Opening the Poll

48. The polling station shall be kept open from 8:00 am until 7:00 pm (ET) on Ratification Day.

- 49.** All voting at the polls will be by secret ballot only.
- 50.** At the polling station, the Ratification Officer shall, immediately before the opening of the poll:
- (a)** open each ballot box and ask an Eligible Voter to witness that each ballot box is empty before any ballot is placed in it;
 - (b)** properly seal the ballot box and place their signature on the seal in front of the witness (witness must be an Eligible Voter), and ask the witness to place their signature on the seal; and
 - (c)** keep the ballot box in view of the public for the reception of the ballots.
- 51.** When a person at a poll requests to vote, the Ratification Officer will:
- (a)** ensure that the person is an Eligible Voter, by having the Eligible Voter present Valid Photo Identification;
 - (b)** check the Master Voters List to ensure that the person has not already voted; and,
 - (c)** if the Eligible Voter has not already voted, provide the Eligible Voter with a pre-folded ballot, on the back of which are affixed the initials of the Ratification Officer so that the initials can be seen when the ballot is folded.
- 52.** Any person who is a Member of the MCFN over the age of 18 years, but whose name does not appear on the Master Voters List, shall present Valid Photo Identification and evidence of membership, to be verified by the Ratification Officer. If the Ratification Officer is satisfied that the person is eligible to vote pursuant to these Rules and Procedures, the person shall be added to the Master Voters List and allowed to vote at the polling station.
- 53.** The Ratification Officer will place, on the Master Voters List, a line through the name of every Eligible Voter receiving a ballot at a poll, or who has previously voted by electronic ballot.
- 54.** The Ratification Officer will explain the method of voting upon request.
- 55.** An Eligible Voter may request special assistance from the Ratification Officer or a Deputy Ratification Officer at a poll if the Eligible Voter declares that they:
- (a)** are not able to read;
 - (b)** are incapacitated by blindness or other physical limitation; or
 - (c)** require assistance for any other reason.
- 56.** The Ratification Officer or a Deputy Ratification Officer will, on request, and in view of a witness of the Eligible Voter's choice, provide special assistance to the Eligible Voter at a poll by

marking their ballot in secret as directed by the Eligible Voter and immediately folding and depositing it into the ballot box.

57. The Ratification Officer or Deputy Ratification Officer will, after providing special assistance to the Eligible Voter, make an entry on the Master Voters List opposite the name of the Eligible Voter indicating that the ballot was marked by the Ratification Officer or Deputy Ratification Officer at the request of the Eligible Voter, the witness's name, and the reason for the Eligible Voter's request.

58. Except for an Eligible Voter requiring special assistance, as set out in section 55, every Eligible Voter receiving a ballot at a poll will:

- (a) proceed immediately to a designated voting area;
- (b) mark the ballot by placing a cross (X) or check mark (✓) that clearly indicates the Eligible Voter's choice either in the box marked "YES" or in the box marked "NO;" and
- (c) fold the ballot concealing the mark, exposing the initials of the Ratification Officer, and, immediately give the folded ballot to the Ratification Officer.

59. Upon receiving a marked ballot, the Ratification Officer, without unfolding it, will:

- (a) verify their initials; and
- (b) deposit the ballot into the ballot box.

60. An Eligible Voter at a poll who receives a spoiled or improperly printed ballot, or who accidentally spoils their ballot when marking it, is entitled to receive another ballot from the Ratification Officer after returning the original ballot. The returned ballot will be recorded as spoiled.

61. An Eligible Voter at a poll who receives a ballot and does not return it to the Ratification Officer will forfeit the right to vote. The Ratification Officer will make an entry on the Master Voters List stating that the Eligible Voter left the designated voting area without delivering the ballot and the ballot will be recorded as rejected.

62. At the time set for closing the polls, the Ratification Officer will declare the polls closed and entry will be denied to the polling station with the exception of all remaining Eligible Voters in the polling station at the time of the close of the polls. For greater clarity, all remaining Eligible Voters inside the polling station at the close of polls shall have the right to vote.

63. The Ratification Officer shall indicate upon opening of the polling station, which time piece is being used to measure the appropriate closing time of the polling station.

Orderly Voting

- 64. The Ratification Officer will ensure that peace and good order is maintained at the polling station.
- 65. The Ratification Officer will allow only one Eligible Voter at a time into a designated voting area, except for an Eligible Voter receiving special assistance as provided for in section 55.
- 66. The Ratification Officer shall note upon the Master Voters List any irregularities in connection with voting.
- 67. An Eligible Voter who is present and available to vote at a poll before the closing of the poll, will be entitled to vote.
- 68. During the vote, no person, or persons, shall gather at, or near, the polling station.
- 69. For greater clarity, during the vote, no person shall:
 - (a) interfere or attempt to interfere with an Eligible Voter when they are voting. If they do, they will be removed from the polling station; or
 - (b) obtain or attempt to obtain information as to how an Eligible Voter is about to vote or has voted at a poll. If they do, they will be removed from the polling station.
- 70. For greater clarity, the Ratification Officer may appoint security to assist in maintaining order at a polling station.

At the Closing of the Polls

- 71. At the close of the polls, the Ratification Officer will, with respect to electronic ballots, execute the “Declaration of Ratification Officer, Electronic Ballots” Form (Form E).
- 72. The Ratification Officer, in the presence of a witness, and any other Eligible Voters who may be present, will print the electronic voting online report at the close of polls and deposit it into a ballot box.

PART 10 - RESULTS

- 73. After the electronic voting online report has been deposited into a ballot box, the Ratification Officer, in the presence of any other Eligible Voters who may be present, will:
 - (a) examine all ballots contained in the ballot boxes;
 - (b) reject any ballots required by section 80;
 - (c) identify any spoiled ballots and set them aside;

(d) subject to recount or appeal, take note of any objections made by an Eligible Voter to any of the ballots found in the ballot box on the Objections Form (Form F), decide any questions arising out of an objection, sign to acknowledge the objection, and place the corresponding number on the back of the ballot with the word “allowed” or “disallowed” with their initials;

(e) count the number of ballots marked “YES,” the number marked “NO,” and the number of rejected and spoiled ballots and add the results to the electronic voting online report results; and,

(f) declare the results of the vote as a percentage of the total number of votes cast, as well as whether the threshold was achieved, as set out in section 5.4 of the *Statement*, on the “Statement As To Voting Results” Form (Form G).

74. The Ratification Officer will then, within 48 hours of the final count, execute three copies of the “Ratification Officer Certification” (Form H): one copy to be posted to the Designated Public Locations, one copy to be sent to the Chief Administrative Officer, and one copy to be kept with the voting file.

75. In the event of a tie vote, the following applies:

(a) a recount may be held by the Ratification Officer immediately following the Ratification Vote; and

(b) the results of the recount shall be final, subject to appeal.

76. For greater clarity, if, following a recount, as set out in section 75, a tie vote is still maintained, the Ratification Officer will declare the Proposed Document rejected and the Proposed Document will be returned to the Chief Administrative Officer and Council.

77. The Ratification Officer will declare the Proposed Document approved if at least twenty-five percent (25%) plus one (1) of Eligible Voters vote, and the majority of Eligible Voters who voted, vote “YES”. For example, if there are 100 Eligible Voters of MCFN, 26 of them must vote at the Ratification Vote, and at least 14 (50% + 1) must vote “yes” to the Proposed Document.

78. The Ratification Officer will seal in separate envelopes: spoiled ballots, rejected ballots, ballots cast in favour, ballots cast against, and any unused ballots. The Ratification Officer will then affix their signature to the seals and will retain the separate envelopes in a sealed box, for at least sixty (60) days or until a decision on an appeal is rendered, whichever date is later.

79. After sixty (60) days from Ratification Day, the contents of the separate envelopes, as set out in section 78, shall be destroyed by the Ratification Officer, who will then complete the Declaration of Destruction of Ballots & Ratification Material Form (Form J).

Rejected Ballots

80. A cast ballot will be rejected if it:

- (a) was not supplied by the Ratification Officer;
- (b) was not marked as either “YES” or “NO”;
- (c) was marked as both “YES” and “NO”; or
- (d) has any writing or mark which identifies the Eligible Voter.

81. A ballot marked with something other than an “X” or check mark (✓) in a box, will not be rejected if:

- (a) the mark does not identify the Eligible Voter; or
- (b) the intent of the Eligible Voter is clear in the opinion of the Ratification Officer.

Complaints to the Ratification Officer

82. Any Eligible Voter who voted may make a complaint to the Ratification Officer relating to the Ratification Vote process.

83. Any complaint made against the conduct of the Ratification Officer may be made directly to the Appeal Body, and section 82 will not apply. For greater clarity, Part 11 of these Rules and Procedures will apply as it relates to this section.

84. The Ratification Officer is responsible for determining the outcome of any written complaints made to them by an Eligible Voter regarding all pre-ratification, Ratification Day, and post-ratification processes and procedures included in the *Statement* and these Rules and Procedures.

85. A written complaint may be made to the Ratification Officer at any time during the ratification process, but no later than two (2) days following the date of the Ratification Vote.

86. Any complaint made shall be decided by the Ratification Officer within five (5) days after receiving the complaint.

87. Any decision made by the Ratification Officer may be appealed to the Appeal Body, as set out in Part 11 of these Rules and Procedures.

88. Where an appeal has been submitted to the Appeal Body, and the Appeal Body is hearing the appeal, during the period that the appeal is being heard, and until a decision by the Appeal Body is rendered, the Proposed Document will neither be declared approved nor rejected.

PART 11 - APPEALS

89. The Appeal Body, established under the Appeal Body Law, shall oversee and administer, in accordance with the provisions of the Appeal Body Law, and any associated rules, procedures,

or policies, the *Statement*, and these Rules and Procedures, as it relates to all *Statement* or Community Approval Process-related appeals.

90. An Eligible Voter who participated in the Ratification Vote, may file an appeal to the Appeal Body, if the person has reasonable grounds for believing that:

- (a) there was a violation of the *Statement* or these Rules and Procedures or an irregularity in that process; and,
- (b) the final result of the Ratification Vote might have been different but for the violation or irregularity.

91. The request for an appeal must be submitted in writing to the Chief Administrative Officer, within seven (7) days of the Ratification Vote by mail, email, or in person, and must also:

- (a) identify the name, address, email address, and any telephone number of the objector;
- (b) summarize the grounds for the appeal; and,
- (c) be accompanied by a statutory declaration or affidavit setting out the grounds for the appeal.

92. A non-refundable application fee shall be required for each application filed with the Chief Administrative Officer or administration building, and shall be paid to the Mississaugas of the Credit First Nation, care of the Appeal Body, on filing the application for appeal.

93. In accordance with section 92, the application fee shall be set at fifty dollars (\$50.00 CAD), and shall be in the form of cash, debit, electronic transfer, money order, or certified cheque, payable to the Mississaugas of the Credit First Nation.

94. For greater clarity, all monies received, as outlined in section 93, shall be placed into a MCFN bank account for the purposes of supporting the Appeal Body.

95. For greater clarity, the time set out in section 91, is inclusive of any complaint made to the Ratification Officer, following the date of the Ratification Vote, and subsequent decision made by the Ratification Officer, as set out in sections 84-86.

96. For greater clarity, all documents filed in accordance with section 91, shall constitute and form the record for the purpose of the Appeal Body rendering a decision.

97. The Ratification Officer may participate in the appeal process as may be determined by the Appeal Body.

98. If the material submitted by the Appellant is not sufficient to decide the validity or the grounds of the appeal, the Appeal Body will dismiss the appeal.

99. For greater clarity, if the Chief Administrative Officer finds an application to be lacking in completion, the Chief Administrative Officer will contact the Appellant and allow them the opportunity to complete the application and resubmit it for consideration by the Appeal Body, as long as the application is resubmitted within the initial seven (7) days noted in section 91.

100. Subject to section 98, the Appeal Body may allow an appeal and recommend to the Chief Administrative Officer that a new vote take place.

101. For greater clarity, where the Appeal Body allows an appeal, as set out in section 100, the Chief Administrative Officer will recommend to Council that a new vote take place.

102. Based on recommendations by the Chief Administrative Officer, as set out in section 100, where Council agrees that a new vote will take place, Council will approve by CR a new Ratification Day, in accordance with section 5.3 of the Naaknige and section 9 of these Rules and Procedures.

103. The Appeal Body will dismiss the appeal if it is of the opinion that:

(a) there was neither a violation of the *Statement* nor any irregularity in these Rules and Procedures; or,

(b) there was a violation or an irregularity, but the final result of the Ratification Vote was not affected by it.

104. The Appeal Body shall make a decision, with respect to an appeal within seven (7) days of receiving the application and supporting documentation, or following the conclusion of an oral hearing, whichever is later.

105. Where the Appeal Body cannot make a decision within the timeline set out in section 104, the Appeal Body shall inform the Appellant(s) and any other individual involved in the matter in writing, as soon as is practicable, and shall provide a reasonable timeline for making the decision.

106. Any decision of the Appeal Body rendered pursuant to sections 104 or 105, shall be given in writing to the Appellant, the Ratification Officer, the Chief Administrative Officer, and any other individual involved in the matter, with substantive reasons to support its decision.

PART 12 - AMENDMENTS

Technical Amendments

107. Technical amendments to the *Statement* or a MCFN naaknige may be made at the direction of the Chief Administrative Officer or Council, without a requirement for the *Statement* or a MCFN naaknige to be re-presented to Members for a Ratification Vote and shall be approved by passing a CR.

Substantive Amendments

108. Where the Chief Administrative Officer proposes a substantive amendment to the *Statement* or a MCFN naaknige, the Chief Administrative Officer will table the proposal for the amendment, in writing, to Council.

109. The procedure for doing so, shall be as follows:

- (a) a notice of review shall be added to the agenda of a duly called Council meeting;
- (b) Council shall be provided with a copy of the *Statement*, the MCFN naaknige, if applicable, and these Rules and Procedures, as are in force at the time, for their review;
- (c) at the following or a future duly called Council meeting, a motion shall be put forward to either accept or amend the proposed amendment to the *Statement* or the MCFN naaknige;
- (d) if the proposed amendment to the *Statement* or the MCFN naaknige is accepted, a CR shall be signed to reflect that decision;
- (e) if the *Statement* or the MCFN naaknige is to be amended, Council shall decide the method of revision: designate an individual(s) or Council as a whole to amend the *Statement* or the MCFN naaknige based on the proposal put forward by the Chief Administrative Officer; and
- (f) the amended copy of the MCFN naaknige shall be put forward to a vote by the Members upon Council approving the amended MCFN naaknige in draft. Once approved by Members, a CR shall be signed by Council to reflect this approval.

110. For greater clarity, any substantive amendment to the *Statement*, shall be approved by Council by way of CR, as set out in section 6.5 of the *Statement*.

111. For greater certainty, the *Statement* and these Rules and Procedures shall be followed to conduct a Ratification Vote on a proposed amendment.

Review of Statement and Rules and Procedures

112. The *Statement* and these Rules and Procedures shall be reviewed by the Chief Administrative Officer after the first year that the *Statement* and these Rules and Procedures are in force, to determine whether any proposed amendments should be brought forward for approval.

113. Following the first year that the *Statement* and these Rules and Procedures are in force, the Chief Administrative Officer shall review the *Statement* and these Rules and Procedures every twelve to eighteen (12-18) months after an election of Council, to determine whether any proposed amendments should be brought forward for approval.

PART 13 – DECLARATION OF EMERGENCY

114. Under a declaration of state of emergency, Council may, after obtaining legal advice, approve a naaknige in order to preserve public safety, whereby a Ratification Vote would have otherwise taken place.

115. For greater clarity, “public safety” may include, but is not limited to, hazards, and possible consequences of those hazards, as is outlined in a MCFN emergency management law, as drafted by Council, from time to time.

116. Any naaknige approved under section 114, shall expire three (3) months from the date of the approval or at the end of the declaration of emergency, whichever comes first.

117. Any naaknige approved under section 114, may be renewed for an additional three (3) months, prior to the expiration of the naaknige in accordance with section 116.

PART 14 - CERTIFICATION

118. If the Proposed Document before the Members is approved, upon receipt of the Ratification Officer Certification (Form H) and fifteen (15) days have passed without an appeal, Council shall approve and sign, by way of CR (Form I), four (4) copies of the approved Proposed Document and provide them to the Chief Administrative Officer for safe keeping and posting to the Kina naaknigewnan teg, as well as may post the approved Proposed Document to the First Nations Gazette, in accordance with its policies, as amended from time to time.

119. For greater certainty, where an appeal occurs, as set out in these Rules and Procedures, and is dismissed by the Appeal Body, the Proposed Document will be approved in accordance with section 118, whereby the fifteen (15) days have passed since the Ratification Vote, or one (1) day has passed after a decision on an appeal has been rendered, whichever date is later.

PART 15 - COMING INTO FORCE

120. These Rules and Procedures will come into force on the _____ day of _____, 20____ after the *Statement of Law-Making Jurisdiction* has been made naaknige, by way of Council Resolution, and in accordance with the MCFN *Constitution*.

FORM A: COUNCIL RESOLUTION

Commencement of Vote

The Council of the MCFN, pursuant to the Statement of Law-Making Jurisdiction and the associated Rules and Procedures, do hereby resolve to:

1. Direct that a vote to determine if the Members approve of the *(Proposed Document)*, be held in accordance with the Statement of Law-Making Jurisdiction and the associated rules and procedures;
2. Confirm the ballot question in the form annexed as Form B, Ballot Question;
3. Confirm the recommendation of the Chief Administrative Officer that _____ *(name)* _____ be appointed as Ratification Officer for the Ratification Vote of the *(Proposed Document)*;
4. Set the Ratification Day(s) to be the Day, Month, Year; and
5. Set the electronic voting period to begin Day, Month, Year, at 12:01am (ET) and be open until Day, Month, Year at 7:00pm (ET), at which time electronic voting will be closed.

Approved and passed at a duly convened meeting of the Council of the Mississaugas of the Credit First Nation this _____ day of _____, 20__.

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FORM B: BALLOT QUESTION

Do you approve:

(The Proposed Document), dated Day, Month, Year:

YES

☐

NO

☐

Mark this Ballot by placing an “X” or check mark (✓) in one of the above boxes

FORM C: APPOINTMENT OF RATIFICATION OFFICER / DEPUTY RATIFICATION OFFICER / INTERPRETER AND OATH OF OFFICE

Day, Month, Year

I, _____ (name) _____, of _____ (address) _____, appointed under the MCFN Community Approval Process Rules and Procedures, to carry out the Ratification Vote of the (Proposed Document), to be held on the ____ day of (month), 20____, accept the position of ____ (Ratification Officer / Deputy Ratification Officer) / Interpreter____ and agree to:

- *comply with the Statement and the rules and procedures, and all the laws of MCFN;*
- *fulfill the duties and responsibilities of my office as set out in the Statement and rules and procedures;*
- *carry out my duties faithfully, honestly, impartially, and with integrity, and to the best of my abilities;*
- *keep confidential, both during and after my term of office, any matter or information which, under the Statement, the rules and procedures, community law, or policy, is considered confidential; and*
- *always act in the best interests of the Eligible Voter and MCFN in carrying out my duties.*

Any violation of this Oath or failure to discharge my duties competently, as set out in the *Statement* or the rules and procedures, shall render me liable to dismissal from service by the Chief Administrative Officer.

Signature

Date

Commissioner for Taking Oaths

Date

FORM D: NOTICE OF VOTE**TO: MEMBERS of the Mississaugas of the Credit First Nation**

TAKE NOTICE that a Ratification Vote will be held pursuant to the MCFN *Statement of Law-Making Jurisdiction* and the Community Approval Process Rules and Procedures on Day, Month, Year, in order to determine if Eligible Voters approve the (*Proposed Document*).

The following question will be asked of the Mississaugas of the Credit First Nation Eligible Voters by secret ballot:

“Do you approve:
(*The Proposed Document*) dated Day, Month, Year?”

The vote will take place on Day, Month, Year, from 8:00a.m. until 7:00p.m (ET) at: (*Polling Location(s)*)

Electronic voting will begin on Day, Month, Year, at 12:01a.m (ET) and close on Day, Month, Year, at 7:00p.m (ET).

Copies of the (*Proposed Document*), the MCFN *Statement of Law-Making Jurisdiction* and the Community Approval Process Rules and Procedures may be obtained from the Ratification Officer or the MCFN Administration Building, who can be reached at PHONE NUMBER ext. XXXX, or online at WEBSITE.

AND FURTHER TAKE NOTICE that all Mississaugas of the Credit First Nation Members 18 years of age or over, as of the date of the Ratification Vote, are eligible to vote by electronic ballot or in-person. The voters list is posted for public viewing in the Designated Public Locations and on the MCFN Members-only website.

To vote electronically, an Eligible Voter must register with the Electronic Voting Service Provider with their own, separate, email address. A link to register can be found here: (*include link to Electronic Voting Service Provider*). A guide to registering for electronic voting is appended to this Notice of Vote (*if applicable*). If an Eligible Voter forgets their password, to obtain a new online password for electronic voting, an Eligible Voter should select the “forgot password” link on the Electronic Voting Service Provider’s website and follow the steps to reset the password. If an Eligible Voter has any questions regarding electronic voting, the following individuals may be contacted:

_____, Ratification Officer, (*address, phone number, and email address*); or

_____, Deputy Ratification Officer, (*address, phone number, and email address*)

_____, Deputy Ratification Officer, (*address, phone number, and email address*)

DATED at _____, this ____ day of _____, 20____.

Ratification Officer Name

Ratification Officer Signature

FORM E: DECLARATION OF RATIFICATION OFFICER, ELECTRONIC BALLOTS**(Electronic Ballots)**

I, _____, Ratification Officer for the Mississaugas of the Credit First Nation, in _____ (*place*), DO SOLEMNLY MAKE OATH AND SAY AS FOLLOWS:

- (1) I followed the rules and procedures outlined in the Statement of Law Making Jurisdiction and the Community Approval Process Rules and Procedures; and
- (2) I make this affidavit in fulfillment of my role as Ratification Officer and for no improper purpose.

Sworn before me at City/Town of _____)
 _____, in the Province of _____)
 _____, this ____ day of _____)
 _____, 20____.)

A Commissioner, etc

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Ratification Officer

FORM F: OBJECTIONS

[illegible]

FORM G: STATEMENT AS TO VOTING RESULTS

The following are the results of the Ratification Vote, held by the Mississaugas of the Credit First Nation, for *(Proposed Document)*, held on Day, Month, Year:

- (a) _____ Members were entitled to vote;
- (b) _____ Members voted;
- (c) _____ % of eligible Members voted;
- (d) The 25% + 1 threshold _____ met;
(was/was not)
- (e) _____ Members voted **in favour** of ratifying the *(Proposed Document)*;
- (f) _____ Members voted **against** ratifying the *(Proposed Document)*;
- (g) _____ ballots were rejected; and
- (h) _____ ballots were spoiled.

The 25% + 1 threshold _____ achieved.
(was/was not)

Dated at _____, this _____ day, _____, 20____.

Name of Ratification Officer

Signature of Ratification Officer

FORM H: RATIFICATION OFFICER CERTIFICATION

I, _____ (*name*), _____, Ratification Officer for the Mississaugas of the Credit First Nation, in _____ (*place*), DO SOLEMNLY MAKE OATH AND SAY AS FOLLOWS:

- (1) I followed the rules and procedures outlined in the Statement of Law Making Jurisdiction and the Community Approval Process Rules and Procedures;
- (2) I have confirmed the results of the Ratification Vote for the (*Proposed Document*), and the 25% + 1 threshold (*was / was not*) achieved; and
- (3) I make this affidavit in fulfillment of my role as Ratification Officer and for no improper purpose.

Sworn before me at City/Town of _____)
 _____, in the Province of _____)
 _____, this _____ day of _____)
 _____, 20____.)

A Commissioner, etc

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Ratification Officer

FORM I: COUNCIL RESOLUTION
(Approval of Law following Vote)

Whereas the Mississaugas of the Credit First Nation desires to provide a naaknige appropriate to our culture and traditions respecting...; and

Whereas....;

(however many Whereas statements as the sponsoring MCFN department or Council would like to include in its CR regarding context of the Proposed Document, principles followed, etc)

Whereas a Ratification Vote was held on Day, Month, Year; and

Whereas *(number of voters)* cast ballots representing *(percent)* of Eligible Voters; and

Whereas *(number of voters)* voted in favour of the *(Proposed Document)*, representing *(percent)* of the ballots cast;

Therefore, be it resolved that the Mississaugas of the Credit First Nation's *(Proposed Document)* has been approved and comes into force on Day, Month, Year.

Dated at _____, this ____ day of _____, 20__.

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FORM J: DECLARATION OF DESTRUCTION OF BALLOTS & RATIFICATION MATERIAL

I, _____ (*name*) _____, Ratification Officer for the Mississaugas of the Credit First Nation, in _____ (*place*), DO SOLEMNLY MAKE OATH AND SAY AS FOLLOWS:

- (1) I followed the rules and procedures outlined in the Statement of Law Making Jurisdiction and the Community Approval Process Rules and Procedures;
- (2) I confirm that I have destroyed all of the ballots and Ratification Vote materials from the (*Proposed Document*); and
- (3) I make this affidavit in fulfillment of my role as Ratification Officer and for no improper purpose.

Sworn before me at City/Town of _____)
 _____, in the Province of _____)
 _____, this ____ day of _____)
 _____, 20____.)

A Commissioner, etc

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Ratification Officer

SCHEDULE 1: MODEL LAW RATIFICATION PROCESS FLOW CHART

SCHEDULE 2: RATIFICATION VOTE ON MCFN ELECTION LAW, 2025

Purpose

1. This schedule shall only apply to the Ratification Vote on the Mississaugas of the Credit First Nation (“MCFN”) *Election Law*.
2. For greater certainty, the MCFN Statement of Law-Making Jurisdiction and its associated Rules and Procedures shall still apply to the Ratification Vote on the MCFN *Election Law* except for the processes specifically outlined herein.

Definitions

3. Part 3 of the MCFN Statement of Law-Making Jurisdiction and Part 3 of its associated Rules and Procedures, as may be amended from time to time, shall apply for the purposes of this Schedule, and will include the following definition:

“**MCFN Election Law**” means the law and rules and procedures by which MCFN will elect its leadership.

Appeal Body

4. For the purposes of the Ratification Vote on the MCFN *Election Law*, the Appeal Body, as referenced in Part 11 of the MCFN Statement of Law-Making Jurisdiction Rules and Procedures, shall consist of one (1) Appeal Officer appointed by the MCFN Senior Director of Intergovernmental Affairs.
5. The MCFN Senior Director of Intergovernmental Affairs shall appoint the Appeal Officer, as set out in section 4 of this Schedule, at least fifty-three (53) days prior to the Ratification Vote on the MCFN *Election Law*.
6. The Senior Director of Intergovernmental Affairs shall appoint an Appeal Officer who demonstrates the following criteria:
 - (a) is not a member of MCFN; and
 - (b) is legally trained, be it by holding a law degree (LLB/JD) from a recognized granting institution, or by holding a diploma or other certification accredited by the Law Society of Ontario, as a paralegal, and is in good standing with the Law Society of Ontario.
7. Without limiting the foregoing, and for the purposes of greater clarity, the Appeal Officer shall be at arm’s length from the MCFN.
8. For the purposes of the Ratification Vote on the MCFN *Election Law*, the Appeal Officer shall enter into an agreement with the MCFN, stating that they are prepared to accept all terms and conditions of their potential appointment as Appeal Officer, as set out in the MCFN Statement of Law-Making Jurisdiction and its associated Rules and Procedures, which includes the possibility

of being replaced as the Appeal Officer at any time, at the discretion of the Senior Director of Intergovernmental Affairs, should the Appeal Officer be found to be in breach of the noted terms and conditions as set out herein.

9. The Appeal Officer appointed, as set out in section 4 of this Schedule, shall serve a term of service starting fifty-three (53) days prior to the Ratification Vote and ending either fifteen (15) days after the Ratification Vote or one (1) day after a decision on an appeal has been rendered, whichever date is later.