

BINGWI NEYAASHI ANISHINAABEK

CUSTOM ELECTION CODE

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PREAMBLE

Bingwi Neyaashi Anishinaabek peoples continue to occupy their traditional land territories located on the shores of Lake Nipigon. Their forefathers entered into a treaty with the federal government. The treaty covers the area around the northern portions of Lake Superior and is known as the “Robinson Treaty” made in the year 1850 with the Ojibwa Indians of Lake Superior. Bingwi Neyaashi Anishinaabek is also included in the larger nation known as the Ojibway/Anishnabek.

Placed on these lands by the Creator, the Bingwi Neyaashi Anishinaabek peoples continue to exercise their authority and responsibility over their lands, resources and peoples.

As an element of their continuing authority they have adopted the following election code as the manner in which they will regulate the selection of the leadership.

WHEREAS section 35 of the *Constitution Act, 1982*, recognizes and affirms the existing aboriginal and treaty rights of the aboriginal peoples of Canada;

AND WHEREAS section 25 of the *Constitution Act, 1982*, provides the guarantee of individual rights and freedoms shall not be construed so as to abrogate or derogate from any individual rights and freedoms that pertain to the aboriginal peoples of Canada;

AND WHEREAS section 2(1)(b) of the *Indian Act*, R.S.C. 1985, c – 15, recognizes that a Band may assume control of its election process;

AND WHEREAS Bingwi Neyaashi Anishinaabek wishes to enact this election code in accordance with the principles of natural justice and will strive to conform to the *Charter of Rights and Freedoms*.

DEFINITIONS

- A. "Code" means this "custom" Band Election Code
- B. "Electoral Officer" means a person appointed by Band Council before each election who will have the responsibility for maintaining an updated electoral list, conducting the nomination meeting and the election and meet all conditions of this code. All eligible candidates for Electoral Officer must submit a criminal reference check if requested.
- C. "Deputy Electoral Officer" or "deputy" means a person or persons appointed by the electoral officer to assist him or her in the election process.
- D. "Election" means a Band election or by-election held pursuant to the provisions of this Code.
- E. "Elector" means a person who:
1. Is a member of Bingwi Neyaashi Anishinaabek and whose name appears on the Band list.
 2. Is the full age of 18 years on or before the day the election is held.
 3. Resides on or off the First Nation.
- F. "Candidate" means a Band Member:
1. whose name appears on the Band list;
 2. is the full age of 18 years or older on or before the day on which the nomination meeting is held;
 3. has been a Band member for a period of not less than 12 months immediately preceding the day on which the nomination meeting is held;
 4. has been nominated to be a candidate pursuant to the provisions of this Code;
 5. has not been convicted of a criminal offence;
 6. all candidates for office of Chief or Councillor must, at their own expense, provide a criminal record report from the local police department which shall state they have not been convicted of a criminal offence.
- G. "Elder" means a Band member who is fifty-five (55) years of age or over who has been recognized by the Chief and Council as an Elder.
- H. "Polling Station" means a building, hall or room which is selected to be the site for voting to take place.

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- I. "Band Council" means the body composed of those persons elected pursuant to this Code.
- J. "Term of Office" means a mandate not to exceed four (4) years.

SECTION 1

PRE-NOMINATION PROCEDURE

- 1.1 The Electoral officer shall be appointed not less than thirty-five (35) days before the date selected by the Band Council as the date on which the nomination meeting will be held. In the case of a general election, the date of the nomination meeting shall be held at least forty-five (45) days before the end of the term of the Band Council.
- 1.2 The Electoral officer shall be appointed by Band Council Resolution which will contain his/her full name, the date and time for the nomination meeting, the type of election which is to be conducted (general election or by-election), as well as any special instructions.
- 1.3 The Electoral officer shall prepare a voters list containing the names of all of the electors in alphabetical order.
- 1.4 The Electoral officer shall establish an election file and place copies of all documentation associated with the election in this file, and that file shall remain open until such time as the appeal period of thirty (30) days has expired. The file shall then be closed and kept at the Band Office.
- 1.5 The Electoral officer shall appoint a deputy and, when required, an interpreter as he/she deems necessary and shall document the details of this on the election file, subject to section 4.8.
- 1.6 The Electoral officer shall, at least fourteen (14) days before the date set out for the nomination meeting on his appointing B.C.R. consistent with the code, draft and post a notice of the nomination meeting. The notice of nomination meeting shall be posted in the Band Office and other public places as well as the electoral officer deem necessary.
- 1.7 The notice of nomination meeting shall contain and set out:
 - (a) the voters list;
 - (b) the time, date and place of the nomination meeting;
 - (c) the position or positions open for election;
 - (d) a copy of this Code.

SECTION 2

NOMINATION ELIGIBILITY

- 2.1 Only electors who meet the requirements of a “candidate” as set out in this Code, may be nominated as a candidate.
- 2.2 Only electors may nominate or second a nomination of a candidate.
- 2.3 An elector can nominate or second one candidate for Chief and nominate or second not more than two candidates for Councillor.
- 2.4 A candidate may run for the position of Chief or Councillor, but not both.
- 2.5 To be nominated, a candidate must be present at the nomination meeting.
- 2.6 All nominated candidates must appear before the electoral officer prior to the close of the nomination meeting to accept or decline their nomination.
- 2.7 A deposit of one hundred dollars (\$100.00) must be posted by all candidates for the position of Chief.
- 2.8 A deposit of fifty dollars (\$50.00) must be posted by all candidates for the position of Councillor.
- 2.9 A deposit shall be in the form of cash, money order, or certified cheque. The deposit must be remitted to the electoral officer within 48 hours of the nomination meeting and the electoral officer will provide a written receipt. All certified cheques or money orders shall be made payable to the Band.
- 2.10 All funds received as deposits during the election process, including those funds received pursuant to Paragraph 7.5, shall be placed in a special bank account which contains only these funds. These funds shall be held in trust by the electoral officer in this account until the final results of the election are known, including the outcome of any appeals, and then paid out according to the provisions of this Code.

SECTION 3

NOMINATION MEETING

- 3.1 At the time and place advertised, the electoral officer shall declare the nomination meeting open for the purpose of receiving the nominations of candidates for the positions advertised.
- 3.2 On the date of the nomination, the electoral officer shall open the meeting for two hours, from 4:00 p.m. to 6:00 p.m.
- 3.3 The electoral officer shall maintain order at all times during the nomination meeting and may cause to be removed any person who, in his/her opinion, is disrupting or otherwise interfering with the meeting.
- 3.4 Any elector may propose or second the nomination of any qualified person to serve as the Chief or Councillor, subject to Paragraph 2.3. The electoral officer shall record the name of the candidate, the nominator, and the seconder.
- 3.5 Fourteen (14) days after the date of the nominations, the candidates must provide a written police report (CPIC) to the electoral officer. If the candidate fails to meet these requirements, they will become ineligible to run in the election.

SECTION 4

PRE-ELECTION PROCEDURE

- 4.1 The electoral officer shall, if the number of candidates nominated does not exceed the number of positions open at the end of the meeting, declare such candidates elected by acclamation, subject to section 3.5 of this Code.
- 4.2 If the number of candidates nominated exceeds the number of positions open for election, the electoral officer will announce the date of the election. The date of the election shall be within thirty (35) days of the nomination meeting.
- 4.3 The electoral officer or his deputy shall, without undue delay, post a notice setting out the time and place and date for voting. Such notice shall be posted in the Band Office and other conspicuous public places as deemed necessary by the electoral officer. The notice shall be posted for not less than thirty-five (35) days prior to the date scheduled for the election.
- 4.4 There will be established one (1) polling station at a central location as determined by the electoral officer.
- 4.5 The electoral officer or his/her deputy shall have ballot papers prepared in the form prescribed and place on the ballot papers the full and complete names, listed in alphabetical order, of all the candidates for Chief and for Councillors.
- 4.6 At least thirty-five (35) days before the date of the election, the electoral officer shall mail to every voter of the historic community of Bingwi Neyaashi Anishinaabek, a package consisting of:
 - (a) a ballot;
 - (b) a postage paid return envelope;
 - (c) a pre-addressed envelope to the electoral officer
 - (d) a second envelope marked "ballot";
 - (e) a voter declaration form;
 - (f) instructions regarding voting by mail-in ballot;
 - (g) the location of the central polling stations;
 - (h) the option that the voter may vote in person as opposed to voting by mail-in ballot.

And, if necessary, a list of the name of any candidates who were acclaimed.

- 4.7 The electoral officer or his/her deputy shall obtain a ballot box, a sufficient number of ballot papers for the purposes of the election, instruments for marking, a sufficient number of directions-for-voting as may be required and all other equipment necessary to establish and equip the voting location.
- 4.8 The electoral officer or his/her deputy shall construct or erect a polling booth at the location set out in the notice, and the polling booth shall be such that the privacy of the voter is maintained.

- 4.9 Any candidate who has been nominated may withdraw his/her nomination at any time, but such withdrawal is invalid if done less than forty-eight (48) hours before the opening of the polls. A candidate may withdraw by filing, with the electoral officer before his forty-eight (48) hour period, a written withdrawal of his nomination, signed by him/herself in the presence of the electoral officer, a Justice of the Peace, a Notary Public, or a commissioner of Oaths and their name will be removed from the ballot. If the candidate fails to withdraw before the forty-eight (48) hours, their name will remain on the ballot.

SECTION 5

ELECTION POLL

- 5.1 The electoral officer and the deputy shall be in attendance at the time and place as set out in the notice of the poll. Neither the electoral officer nor the deputy shall be a candidate in the election nor shall they be members of council.
- 5.2 The electoral officer shall, immediately before the commencement of the poll, open the ballot box(es) and call such persons as may be present to witness that it is empty; he/she shall then lock the box to prevent it from being opened and shall place it in full view for the reception of the ballots and the box shall not be unlocked during the time appointed for taking the poll.
- 5.3 The electoral officer shall hold the polling booth open from 10:00 a.m. to 8:00 p.m.
- 5.4 The electoral officer and the deputy shall maintain order at all times in the polling station and may cause to be removed a person(s) who in any way interferes, disrupts or attempts to influence the orderly conduct of the poll.
- 5.5 An elector presenting him/herself for the purpose of voting shall, upon verification that the person's name appears on the voter's list, be given one (1) ballot upon which to register his/her votes and on which to register his/her votes and on which the electoral officer or a deputy has placed his/her initials.
- 5.6 All candidates shall be entitled to one (1) agent in the polling area. The candidate will provide the name of the agent to the electoral officer in writing.
- 5.7 Each elector, after receiving the ballot, shall proceed directly to the place provided for marking ballots and shall mark his/her ballot by placing an X or other such mark that clearly indicates the elector's choice in the space provided on each ballot opposite the name of the candidate, and shall then deposit the ballot in the presence of the electoral officer for the deputy in the ballot box supplied. While any elector is in the place provide for marking ballots, not other person, except as provided in paragraph 5.8, shall be allowed in the same compartment.
- 5.8 The electoral officer shall, where necessary, assist all voters who are unable to read or are unable because of blindness or other physical cause, to vote in the manner prescribed by section 5.8, in the presence of a witness.
- 5.9 The electoral officer, or a deputy, shall note upon the voters list any irregularity in connection with voting and shall specifically note on the voters list any ballots marked by the electoral officer or the deputy at the request of an elector pursuant to paragraph 4.8, but shall not note the candidate for whom the ballot was cast.
- 5.10 A voter who is inadvertently dealt with his ballot paper in such a manner that it cannot be conveniently be used, shall return it to the electoral officer or deputy who shall write the word "cancelled" upon the ballot paper and preserve it, and provide the voter with another ballot.

- 5.11 Any person who has received a ballot and who leaves the polling place without delivering the same to the electoral officer or a deputy in the manner provided, or after receiving the ballot, refuses to vote, shall forfeit his/her right to vote at the election and the electoral officer or a deputy shall make an entry in the voters list in the column for remarks opposite the name of such person to show that such person received the ballot and declined to vote, in which case the electoral officer or the deputy shall mark upon the face of the ballot the word "declined" and all ballots so marked shall be preserved.
- 5.12 Every elector who is inside the polling place at 8:00 p.m. shall be entitled to vote before the poll is closed.

SECTION 6

ELECTION TABULATION

- 6.1 Immediately following the close of the poll, the electoral officer shall, in the presence of such candidates or their agents, and any electors as may be present, open the ballot box and:
- (a) Examine the ballots and reject any that are not initialed by the electoral officer or a deputy, or any other ballots that, in the electoral officer's opinion, do not give clear indication of the voter's preference. If any of the ballots have more votes than there are vacancies for that position, that ballot shall be rejected. All rejected ballot papers shall be preserved;
 - (b) Examine all the mail-in ballots and reject any that are not initialed by the electoral officer or a deputy, ballots that are not witnessed or any other ballots that, in the electoral officer's opinion, do not give clear indication of the voter's preference. If any of the ballots have more votes than there are vacancies for that position, that ballot shall be rejected. All rejected ballot papers shall be preserved;
 - (c) Reject any ballot papers upon which anything appears by which the voter can be identified;
 - (d) A mail-in ballot will be rejected if the voters list show that the elector voted at the poll;
 - (e) Subject to review on recount or on an election appeal, take a note of any objections made by any candidate of his/her agent to any of the ballots found in the box and decide any questions arising out of the objection;
 - (f) Number such objections and place a corresponding number on the back of the ballot paper with the word allowed or disallowed as the case may be, with his/her initials;
 - (g) Tally the votes given for each candidate from the ballots not rejected and make a written statement of the number of votes given to each candidate and of the number of ballots rejected and not counted by him/her, which statement shall be then signed by him/her and other persons authorized to be present as may desire to sign the same.
- 6.2 After tabulation, the electoral officer shall announce the names of the candidates that received the highest number of votes and publicly declare these candidates elected.
- 6.3 Following the announcement, the electoral officer shall post in some conspicuous place a statement signed by him/her showing the number of votes cast for each candidate.

6.4 Following the election announcement, the electoral officer shall complete and sign an election report, in triplicate, which shall contain:

- (a) list of all candidates;
- (b) the number of ballots cast;
- (c) the number of votes for each candidate;
- (d) the number of spoiled ballots; and,
- (e) the number of rejected ballots.

6.5 The electoral officer shall forward:

- 1. one copy to the Department of Indian Affairs;
- 2. one copy to the Band's Manager/Administrator.

Any elector may request, and shall be provided, a copy of the election report from the Band Manager/Administrator.

6.6 In the event of a tie vote for Chief, or for the successful Councillor position receiving the fewest votes, the following shall take place.

- (a) A recount shall be held by the electoral officer within 24 hours of the election, in the presence of all of the affected candidates or a person chosen by the individual candidate to attend on their behalf;
- (b) The results of the recount shall be final;
- (c) **Option I** If a tie still results after the recount, the candidates that are tied shall take part in a run-off election to determine a winner conducted according to the procedure of this Code. The run-off election shall take place as promptly as possible consistent with this Code.

Option II If a tie still results after the recount, the method used to break the tie will be discussed and determined with the candidates and the electoral officer in advance of the polling day.

6.7 An Oath of Office shall be taken by each newly elected Chief and Councillor. (See attached Appendix "A").

6.8 An Oath of Confidentiality shall be taken by the newly elected Chief and Councillor. (See attached Appendix "B").

6.9 All elected officials must abide by the Conflict of Interest guidelines. (See attached Appendix "C").

SECTION 7

ELECTION APPEAL BOARD

- 7.1 An Appeal Board shall be appointed by the outgoing Chief and Council at least 100 days before the election. The Appeal Board shall be composed of three persons:
- (a) an Elder who must be a member of the Band;
 - (b) a First Nation person who is not a member of the Band and who is over twenty-five (25) years of age, and is of good character and reputation, and who does not have a vested interest in the outcome of the election; and
 - (c) a Band member, at least 18 years of age, who is familiar with the traditions, values and language of the Band.
- 7.2 The Appeal Board shall supervise and administer all election appeals, in accordance with this code.
- 7.3 The members of the Appeal Board shall hold office until all appeals have been determined. No member of the Election Appeal Board shall be a member of the outgoing Council, or a candidate in the upcoming election.
- 7.4 Any candidate, or any elector who tendered a vote at the election, may within thirty (30) days of the election, appeal the election if he/she has grounds consistent with section 7.5.
- 7.5 The appeal documents must sufficiently outline one or more of the following grounds:
- The person declared elected was not a qualified candidate;
 - There was a violation of this code in the conduct of the election that might have affected the outcome of the election;
 - There was a corrupt or fraudulent practice in relation to the election.
- 7.6 An appeal of a Band election must be launched in the following manner:
- (a) Notice of appeal in writing, containing sufficient details, verified by affidavit, shall be sent by registered mail to the Appeal Board, c/o the Band Office, along with a deposit in the form of a money order or certified cheque for one hundred dollars (\$100.00) in favour of the Band. This notice of appeal and the deposit must be received by the Band Office within thirty (30) days of the election. If the appeal is upheld, the deposit will be returned.
- 7.7 Where appeals are received by the Appeal Board pursuant to this Code:

- (a) The Appeal Board shall, within seven (7) days of the end of the thirty (30) day appeal period described in paragraph 7.4, forward a copy of all appeals received together with supporting documents by registered mail to each candidate in the election and to the electoral officer.
- (b) Any candidate or the electoral officer may within seven (7) days of the receipt of the appeal(s), forward to the Appeal Board by registered mail, a written response to the appeal allegations, together with any supporting documentation.
- (c) The Appeal Board may conduct or authorize such further investigation into the appeal allegation as it deems appropriate and necessary.

7.8 After a review of all of the evidence that it has received, the Appeal Board shall:

- (a) Deny the appeal on the grounds that the evidence presented did not reveal an infraction of this Code or a corrupt practice or on the grounds that an infraction of this Code was revealed but the infraction did not affect the result of the election, or,
- (b) Uphold the appeal, and call for a new election for the positions affected. This new election shall take place as soon as possible and shall be conducted pursuant to the provisions of this Code. The Appeal Board shall, if necessary, give instructions to the electoral officer on how the problems identified in the appeal can be corrected.

SECTION 8

CHIEF OR COUNCILLORS' POSITION BECOMING VACANT

- 8.1 A Chief or Councillor position on the Band Council shall automatically become vacant if, while in office:
- (a) the Chief or Councillor in question is convicted of a criminal offence and has been sentenced for that offence. The provision shall not apply where the individual in question was exercising an aboriginal or treaty right. In order for a Chief or Councillor to receive this protection clause, the breach of any law must have been sanctioned by resolution by the members of the Band at a Band meeting held for that purpose.
 - (b) The Chief or Councillor in question is found to be a mentally incompetent person, resigns, dies or ceases to be a member of the Band.
- 8.2 A Chief or Councillor position on the Band Council may become vacant if, while in office:
- (a) The Chief or Councillor in question misses three (3) consecutive regular Council meetings without authorization from quorum of Council.
 - (b) Accepts or offers bribes, forges documents or otherwise acts dishonestly in carrying out the duties of office.
- 8.3 If a situation described in section 8.2 occurs, a motion must be presented at a duly convened regular Council meeting, calling for the position of the Chief or Councillor in question to become vacant. Thereafter, a Band Council Resolution outlining the situation and declaring the position to become vacant, must be signed by a quorum of the Council. If the position is declared vacant, the Chief or Councillor in question will be disqualified from being a candidate at the next election.
- 8.4 A Chief or Councillor may also be removed from office by a vote held at a special meeting where at least 2/3 of the Band's electors present vote in favour. Such a meeting shall be called by Council upon presentation of a petition signed by at least 30% of all eligible electors of the Band.

SECTION 9

SPECIAL PROVISIONS

- 9.1 An advanced poll may, when required, be ordered as part of special instructions given to the electoral officer upon his appointment by Council and shall take place as follows:
- (a) the advanced poll shall be held within thirty (30) days after the nomination and shall follow all procedures prescribed for the regular poll;
 - (b) all ballots from the advanced poll shall be kept in a sealed box and the sealed box shall only be opened and the ballots therein counted during the ballot count for the regular election; and,
 - (c) the advanced polls shall be open from 10:00 a.m. to 4:00 p.m.

SECTION 10

TERM OF OFFICE

- 10.1 The Band Council shall be composed of one (1) Chief and two (2) Councillors. The term of office for a Band Council shall be four (4) years. The quorum of Council shall consist of two (2).
- 10.2 If a vacancy occurs on Council, and there is more than three (3) months remaining in the Council's term of office, then there shall be a by-election held in accordance with the provisions of this Code for the vacant position. A person filling such a vacancy shall, subject to the provisions of this Code, serve until the four (4) year term of the ongoing/current Band Council expires.
- 10.3 No sitting council member is eligible to be a candidate in a by-election unless he/she resigns their council position prior to the nomination meeting for the by-election.
- 10.4 If, by the way of an appeal, there is a new general election, the four (4) year term of the newly elected Band Council shall commence on the day following the expiration of the thirty (30) day appeal period related to the general election.

SECTION 11

AMENDMENTS

- 11.1 Any proposed changes to this Code must be presented to the Band Council in writing accompanied by the signatures of at least twenty-five (25) eligible electors who support the proposed amendments. The Band Council shall mail the proposed changes to all electors and give them at least thirty (30) days to submit comments on the proposed changes. The Chief and Council shall call a meeting of the electors within sixty (60) days to consider the changes. Any proposed changes to this election code shall be ratified using the procedures set out in section 12.1 of this code.
- 11.2 The Chief and Council may approve, by Band Council Resolution, any administrative changes including procedures (including the Oath of Office and procedural rules for meeting of Band Council), forms, and collection of fees, for the better administration of this Code. All other substantive amendments must follow the above section 11.1.

SECTION 12

AUTHORITY

- 12.1 The Bingwi Neyaashi Anishinaabek Custom Election Code must be put to a community referendum and will come into effect if at least 50% plus one of all eligible electors vote in favour of the adoption of the code.
- 12.2 The Chief and Council of that term will provide a minimum of forty (40) days notice of the ratification process of this election code and on the same day appoint a ratification officer. The document shall be mailed at least thirty-five (35) days before the date of the vote to all electors of the historic community of Bingwi Neyaashi Anishinaabek, a package consisting of:
- a) instructions on voting by mail in ballot;
 - b) a ballot;
 - c) a postage paid pre addressed envelope to the ratification officer;
 - d) a second envelope marked "ballot";
 - e) a voter declaration form;
 - f) the location of the central polling station;
 - g) the option that the voter may vote in person as opposed to voting by mail-in ballot.
- 12.3 The counting of all ballots will follow the same guides as the election procedures under section
- 12.4 In the event that this Election Code cannot be ratified by a majority of electors (50 percent + 1), then this Code may be ratified at a duly called meeting specifically for ratifying this Election Code. 50% plus 1 of those eligible electors present at the meeting must vote in favour of the adoption of this Code for it to come into effect.

CHIEF

COUNCILLOR

COUNCILLOR

SECTION 13

CODE OF ETHICS

The Election Process

Our peoples have been taught self-discipline and respect for the land and have passed on this knowledge from generation to generation. The peoples are guided by the teachings and gifts that describe our way of life, especially the Seven Grandfather teachings.

In conjunction with these understandings, they will be applied to the process of leadership selection:

- THAT all candidates will conduct themselves in a respectful manner
- THAT all candidates will respect the Electoral Officer and Deputy Electoral Officer and not interfere in any way with the performance of their duties
- THAT all candidates will focus on the issues and not on the candidates in the election (no smear campaigns)
- THAT all candidates will adhere to the regulations adopted by the Election Code
- THAT all citizens have a right to organize and outreach to the electorate
- TO respect the right of voters to support any candidate, free or coercion or intimidation
- THAT no candidate will coerce or buy votes or otherwise provide remuneration for electoral support
- ACCEPT and comply will all official election results and final decisions of the Appeals Board.

OATH OF OFFICE

I, _____, do declare that I will bear true allegiance to Bingwi Neyaashi Anishinaabek and its peoples and govern according to its vision, mission, policies, cultural teachings and way of life.

I will carry out the duties of this office with integrity and honour in all business that arises before this council.

I commit that I will work with the people honestly and faithfully, treating all citizens with respect, not use this office for personal or family gain, but for the benefit of all Bingwi Neyaashi Anishinaabek citizens.

I will be accountable for my personal actions and behaviours and strive to be respectful at all times and observe moderation and balance in my life.

I make these commitments in the name of the Creator and before all assembled here.

Signed this _____ day of _____, 200__.

OATH OF CONFIDENTIALITY

I, _____, do so solemnly pledge that I shall preserve and maintain the confidentiality and secrecy of all information entrusted to me during my term in office and that I shall keep secret and confidential:

1. All confidential information obtained during the course of my term of office as a Councillor of Bingwi Neyaashi Anishinaabek;
2. All business affairs, records, reports or other information made available to me as a result of my position as a Councillor; and,
3. All other information of a sensitive or private nature regarding Bingwi Neyaashi Anishinaabek and its citizens.
4. I shall maintain and be bound by this Oath of Confidentiality during and after my term of office as a Councillor of Bingwi Neyaashi Anishinaabek has expired, regardless of the reasons or means of this expiration.

Signed this _____ day of _____, 200__.

CONFLICT OF INTEREST

1. Any Councillor who, in any way, directly or indirectly, has an interest that conflicts or reasonably might be expected to conflict with the interests of the First Nation, or whose conduct or behaviour may call into question the dignity or integrity of the Councillor, shall disclose the nature and extent of their interest, conduct or behaviour and excuse himself/herself from any discussion or voting on the matter in which he/she is deemed to be in conflict.
2. Where a Councillor or their immediate family has a financial interest in a corporation, partnership, sole proprietorship or is a director of a non-profit society or organization that may benefit from any contract, loan, grant, financial guarantee or other similar financial relationship entered into by the First Nations Council, the Councillor shall be deemed to be in a conflict of interest, and excuse himself/herself from any discussion or voting on the matter in which he/she has deemed to be in conflict.
3. No Councillor shall receive or agree to receive any fee, compensation or reward, directly or indirectly, either alone or with another, for services rendered or to be rendered to any person, either by himself or another, in relation to the preparation or promotion of any draft enactment, resolution, question, petition, proceeding, controversy, charge or other matter before the First Nations Council or any committee established by the First Nations Council in order to influence any Councillor or any committee.