



**TK'EMLÚPS TE SECWÉPEMC CUSTOM ELECTION REGULATIONS
PROPOSED AMENDMENTS**

FOR VOTE AT SPECIAL GENERAL BAND MEETING

MAY 10-12, 2021

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AMENDMENT #1: CER HEADING

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of updating outdated information set out in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would update the heading of the Custom Election Regulations (“CER”) by adding a reference to a previous amendment to the CER done by way of Referendum Vote in 2005.

Proposed amendment:

That the heading of the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in **red**):

“Be it hereby acknowledged that these are the Custom Election Regulations of the Tk'emlúps te Secwépemc pertaining to the election of Chief and Councilors as approved at a General Band meeting on the fourth (4th) day of November 1981 and amended at a General Band Meeting on the Twenty-third (23rd) day of April, 1985 and further amended at a General Band Meeting held on the twentieth (20th) day of September 1989 **and further amended at a Referendum Vote held on the twenty-third (23rd) day of July, 2005** and further amended at a General Band Meeting held on the 28th day of July 2009.”

[end of Amendment #1]

AMENDMENT #2: BAND ADMINISTRATION BUILDING ADDRESS

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of updating outdated information set out in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would update the Custom Election Regulations (“CER”) by replacing every reference of the Band Administration Office’s old address at #200-355 Yellowhead Hwy. with the Band Administration Office’s current address at 330 Chief Alex Thomas Way.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them.

Proposed Amendment:

That the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

A) that the defined term “Band Administration Building” in subsection 2(1) be amended as follows:

“Band Administration Building” means the offices of the Band located at ~~#200—355 Yellowhead Hwy., Kamloops, British Columbia~~330 Chief Alex Thomas Way, Kamloops, British Columbia, V2H 1H1;

B) that Appendix “D” Notice of Nomination Meeting be amended at follows:

“A copy of the List of Electors is posted in the Band Administration Building located at ~~#200—355 Yellowhead Hwy.,~~330 Chief Alex Thomas Way, Kamloops, British Columbia, V2H 1H1, and can also be found on the Tk’emlúps te Secwépemc website at:www.kib.ca.”

C) that Appendix “G” Notice of All Candidates Forum be amended as follows:

“A copy of the List of Candidates is posted in the Band Administration Building located at ~~#200—355 Yellowhead Hwy.,~~330 Chief Alex Thomas Way, Kamloops, British Columbia, V2H 1H1, and can also be found on the Tk’emlúps te Secwépemc website at:www.kib.ca.”

D) that Appendix “I” Notice of Polls be amended as follows:

“A copy of the List of Electors is posted in the Band Administration Building located at ~~#200—355 Yellowhead Hwy.,~~330 Chief Alex Thomas Way, Kamloops, British Columbia, V2H 1H1, and can also be found on the Tk’emlúps te Secwépemc website at:www.kib.ca.”

[end of Amendment #2]

AMENDMENT #3: BAND WEBSITE ADDRESS

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of updating outdated information set out in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would update the Custom Election Regulations (“CER”) by replacing every reference of the Band’s old website address of www.kib.ca with the Band’s current website address of www.tkemlups.ca.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them.

Proposed Amendment:

That the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

A) that the defined term “Tk’emlúps te Secwépemc Website” in subsection 2(1) be amended as follows:

“**Tk’emlúps te Secwépemc Website**” means the internet website with the URL: www.kibtkemlups.ca;

B) that Appendix “D” Notice of Nomination Meeting be amended as follows:

“A copy of the List of Electors is posted in the Band Administration Building located at #200 – 355 Yellowhead Hwy., Kamloops, B.C., V2H 1H1, and can also be found on the Tk’emlúps te Secwépemc website at: www.kib.ca/electionstkemlups.ca.”

C) that Appendix “G” Notice of All Candidates Forum be amended as follows:

“A copy of the List of Candidates is posted in the Band Administration Building located at #200 – 355 Yellowhead Hwy., Kamloops, B.C., V2H 1H1, and can also be found on the Tk’emlúps te Secwépemc website at: www.tkemlups.ca.”

D) that Appendix “I” Notice of Polls be amended as follows:

“A copy of the List of Electors is posted in the Band Administration Building located at #200 – 355 Yellowhead Hwy., Kamloops, British Columbia, V2H 1H1, and can also be found on the Tk’emlúps te Secwépemc website at: www.kib.ca/electionstkemlups.ca”

[end of Amendment #3]

AMENDMENT #4: EXECUTIVE OFFICER POSITIONS

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of updating outdated information set out in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would update the Custom Election Regulations (“CER”) by creating a new defined term of “Executive Officer” to replace every reference to the old title of “Service Delivery Manager”, which is no longer in use. For this amendment, “Executive Officer” is defined as an employee who is “appointed to manage the operations of the Band and reports directly to Chief and Counsel”, rather than by reference to specific titles within the Band organizational structure. Defining this term broadly for the purposes of the CER allows for greater longevity for the amendment, as it will not require further amendment if position titles change within the TteS organizational structure, or if new positions are created in the future.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them.

Proposed Amendment:

That the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

- A) that the defined term “Service Delivery Manager” in subsection 2(1) be removed;
- B) that a new defined term “Executive Officer” be added to subsection 2(1) as follows:

“Executive Officer” means any employee or employees of the Band appointed directly by Chief and Council to manage the operations of the Band and who report directly to Chief and Council, and his or her designate(s).
- C) that “Service Delivery Manager” be deleted and replaced with “Executive Officer” in the following places:
 - i. Subsection 4(1);
 - ii. Subsection 6(1)(b);
 - iii. Subsection 8(2)(d);
 - iv. Subsections 16(2)-(4);
 - v. Subsection 16(7)(a);
 - vi. Subsection 20(2)(b);
 - vii. Subsection 21(6);
 - viii. Subsection 22(1)(b); and
 - ix. Appendix “G” Notice of All Candidates Forum.

[end of Amendment #4]

AMENDMENT #5: INFORMATION BULLETIN

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of updating outdated information set out in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would update the Custom Election Regulations (“CER”) by replacing every reference of the old Band newsletter, the Tk’emlúps te Secwépemc Daily, with the current newsletter, the Tk’emlúps te Secwépemc Information Bulletin.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them.

Proposed Amendment:

That the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in **red**):

A) that the defined term “Tk’emlúps te Secwépemc Daily” in subsection 2(1) be amended as follows:

“Tk’emlúps te Secwépemc Daily-Information Bulletin” means the internet newsletter published by the Band;

B) that “Tk’emlúps te Secwépemc Daily” be deleted and replaced with “Tk’emlúps te Secwépemc Information Bulletin” in the following places:

- i. Subsection 8(2)(c)(i);
- ii. Subsection 9(2)(c)(i);
- iii. Subsection 14(1)(c)(i); and
- iv. Subsection 16(3)(c)(i).

[end of Amendment #5]

AMENDMENT #6: ANCESTRAL LANDS

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of updating outdated information set out in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would update the Custom Election Regulations (“CER”) by replacing every reference to the Tk’emlúps te Secwépemc Traditional Territory with the Tk’emlúps te Secwépemc Ancestral Lands.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them.

Proposed Amendment:

That the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

A) that the defined term “Tk’emlúps te Secwépemc Traditional Territory” in subsection 2(1) be amended as follows:

“Tk’emlúps te Secwépemc Traditional Territory Ancestral Lands” means the traditional territory ancestral lands of the Tk’emlúps te Secwépemc as shown on the map set out in Appendix “C”, as may be amended from time to time as more information becomes available;”

B) that “Tk’emlúps te Secwépemc Traditional Territory” be deleted and replaced with “Tk’emlúps te Secwépemc Ancestral Lands” in the following places:

- i. Appendix “B” Oath of Candidate
- ii. Appendix “C” Tk’emlúps te Secwépemc Traditional Territory Ancestral Lands

[end of Amendment #6]

AMENDMENT #7: ADDING “WITH” TO SUBSECTIONS 5(2) & (3)

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of replacing missing words in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would update the Custom Election Regulations (“CER”) to add “with” where it is missing in subsections (5)2 and 3.

Proposed Amendment:

That subsections 5(2) and (3) of the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

5. TERM OF OFFICE

...

2. The term of office for Council Members begins when all elected Candidates have filed a completed Oath of Office in accordance with subsection 6(1).
3. The term of office for Council Members ends when all Candidates elected in a subsequent Election have filed a completed Oath of Office in accordance with subsection 6(1).

[end of Amendment #7]

AMENDMENT #8: USE OF DEFINED TERM “ALL CANDIDATES MEETING”

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of correcting mistaken wording in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would correct subsection 16(7) of the Custom Election Regulations (“CER”) where “All Candidates Meeting” was mistakenly used in place of the properly defined term “All Candidates Forum”.

Proposed Amendment:

That subsection 16(7) of the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in **red**):

16. ALL CANDIDATES FORUM

...

7. All Candidates must address the All Candidates **MeetingForum**, and, if a Candidate does not address the All Candidates **MeetingForum**:
 - (a) the Executive Director of Member Services must inform the Electoral Officer in writing; and
 - (b) the Electoral Officer must declare the Candidate ineligible to be a Candidate, except where, in the opinion of the Electoral Officer, the Candidate has a reasonable excuse for not addressing at the All Candidates **MeetingForum**.

[end of Amendment #8]

AMENDMENT #9: MISSING "0" IN "TWENTY (20) DAYS"

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of correcting mistaken wording in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would correct subsection 17(4) of the Custom Election Regulations ("CER") where a zero is missing from the number "20".

Proposed Amendment:

That subsection 17(4) of the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

17. ADVANCE POLL

...

4. A Candidate may have one (1) Scrutineer and one (1) alternate at the Advance Poll at any time by Delivering to the Electoral Officer at least twenty (20) days before the Advance Poll a letter signed by the Candidate:

[end of Amendment #9]

AMENDMENT #10: MISSING “(b)” BEFORE SUBSECTION 18(14)(b)

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of correcting missing list numbering in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would correct subsection 18(14) of the Custom Election Regulations (“CER”) where the “(b)” is missing before item (b) in the listed items.

Proposed Amendment:

That subsection 18(14) of the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

18. POLLING DAY

...

14. In order to be allowed to vote, each person attending at a polling station for the purposes of voting must:

(a) present to the Electoral Officer or Deputy Electoral Officer:

(i) the person's status card; or

(i) a letter of verification to vote signed by the Membership Clerk; or

(b) take the Oath of Elector.

[end of Amendment #10]

AMENDMENT #11: USE OF DEFINED TERM “ADVANCE POLL”

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of correcting mistaken wording in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would correct subsection 19(1)(a) of the Custom Election Regulations (“CER”) where “Advance Election” was mistakenly used in place of the properly defined term “Advance Poll”.

Proposed Amendment:

That subsection 19(1)(a) of the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

19. CLOSE OF POLLS

1. Upon the close of polls, the Electoral Officer must:

(a) announce the number of Ballots cast, cancelled and declined at the Advance ~~Election~~ Poll;

...

[end of Amendment #11]

AMENDMENT #12: CORRECTING “THAT” TO “THAN” IN SUBSECTIONS 24(1)(b) & (c)

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of correcting mistaken wording in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would correct the Custom Election Regulations (“CER”) by replacing the incorrectly used word “that” to the intended word “than” in subsections 24(1)(b) and (c).

Proposed Amendment:

That subsections 5(2) and (3) of the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

24. AMENDMENTS

1.

- (b) not less ~~that~~than seven (7) days before the date of the General Band Meeting, a copy of the proposed amendments is Delivered to each Non-resident Elector; and
- (c) not less ~~that~~than three (3) days before the date of the General Band Meeting, a copy of the proposed amendments is Delivered to each Elector to whom a copy of the amendments was not Delivered under subsection (b).

[end of Amendment #12]

AMENDMENT #13: HONORARIUM RATES TO REFLECT TteS MINIMUM RATES

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of updating outdated information in the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would update Schedule "1" Honorarium Rates for Scrutineers and Alternates in the Custom Election Regulations ("CER") to set honorarium rates for the Scrutineers and Alternates to match the then-current TteS minimum hourly rates, rather than setting a specific flat rate.

Proposed Amendment:

That Schedule "1" Honorarium Rates for Scrutineers and Alternates of the *Tk'emlúps te Secwépmc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in **red**):

The honorarium rates for Scrutineers and alternates as authorized by subsections 17(5) and 18(6) of this Regulation are as follows:

Year	Rate
2009- 2012	\$100.00
2013 - 2016	\$125.00
2017-2020	\$150.00
<u>2021 and thereafter</u>	<u>TteS minimum hourly rate for first eight (8) hours plus TteS minimum hourly rate X 1.5 for each additional hour worked after eight (8) hours of work</u>
2021-2024	\$175.00
2025 and thereafter	\$200.00

[end of Amendment #13]

AMENDMENT #14: UPDATE MAP OF ANCESTRAL LANDS

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of updating outdated information in the Custom Election Regulations.

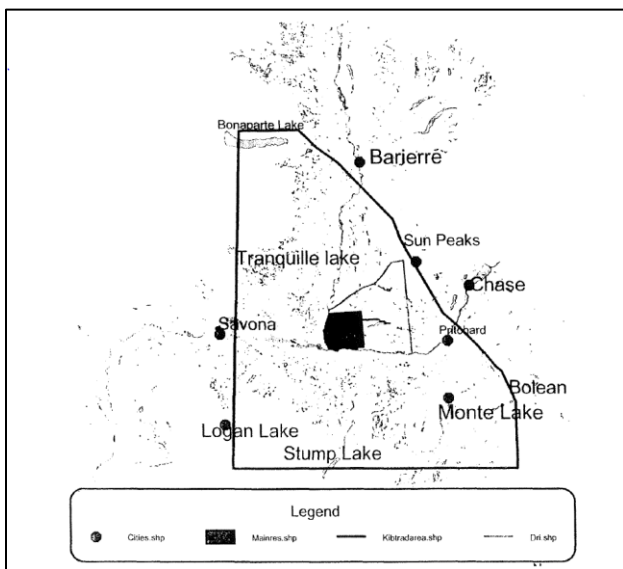
Purpose of amendment:

If passed, this amendment would update the map in Appendix “C” Tk’emlúps te Secwépemc Traditional Lands* in the Custom Election Regulations (“CER”). This updated map covers a larger and more naturally defined area and is consistent with TteS’s current map uses. It also includes a disclaimer that the map is a living document and the boundaries of the Tk’emlúps te Secwépemc Traditional Lands* may change from time to time as more information becomes available.

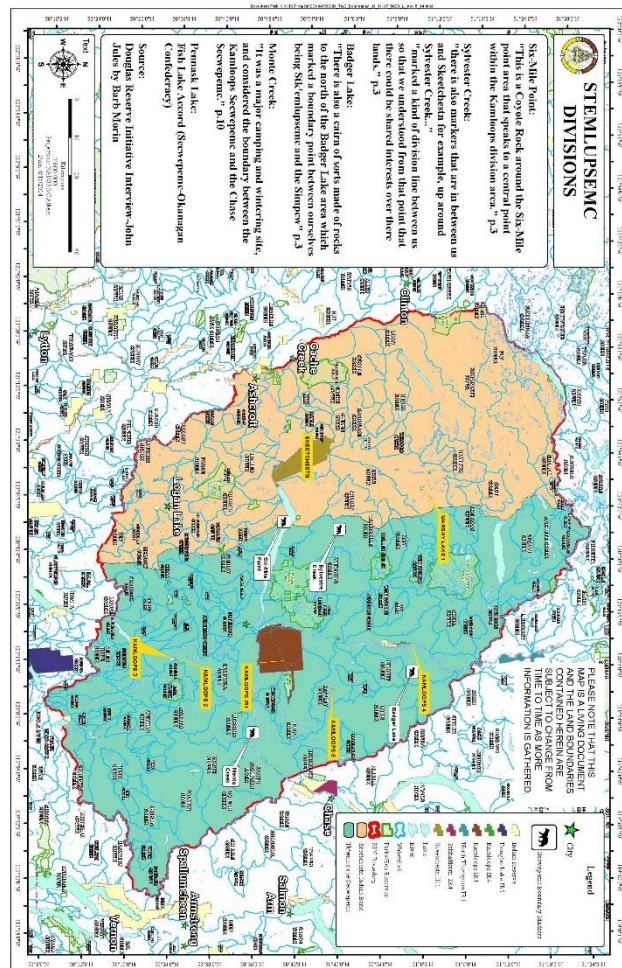
Proposed Amendment:

That the map in Appendix “C” Tk’emlúps te Secwépemc Traditional Lands* of the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be deleted and replaced with the following:

OLD MAP:



NEW MAP:



* to be known as “Appendix “C” Tk’emlúps te Secwépemc Ancestral Lands” if Amendment #6 is passed

AMENDMENT #15: NAME OF NOMINATOR ON MAIL-IN NOMINATION FORM

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of adding required information that is missing on a form set out in the appendices of the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would update the Appendix “E” Mail-In Nomination Form of the Custom Election Regulations (“CER”) to include the name of the Elector making the nomination, as the CER requires that all nominators and seconders must be posted along with the list of Candidates.

Proposed Amendment:

That the Appendix “E” Mail-In Nomination Form of the *Tk’emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in **red**):

<p>APPENDIX "E"</p> <p>MAIL-IN NOMINATION FORM</p> <p><u>NAME OF NOMINATING BAND MEMBER:</u> _____</p> <p>CHIEF</p> <p>CHOOSE 1 (ONE) ONLY</p> <table border="1"><tr><td>NAME OF CANDIDATE</td></tr><tr><td> </td></tr></table> <p>COUNCILLORS</p> <p>CHOOSE UP TO SEVEN (7)</p> <table border="1"><tr><td>NAME OF CANDIDATE</td></tr><tr><td> </td></tr></table>	NAME OF CANDIDATE		NAME OF CANDIDATE	
NAME OF CANDIDATE				
NAME OF CANDIDATE				

[end of Amendment #15]

AMENDMENT #16: SIGNATURE BLOCKS ON VERIFICATION OF BALLOT BOX STATEMENT

Note: This amendment would not change the current Election process. It is a general housekeeping amendment for the purpose of adding required information that is missing on a form set out in the appendices of the Custom Election Regulations.

Purpose of amendment:

If passed, this amendment would correct the Appendix "L" Verification of Ballot Box Statement of the Custom Election Regulations ("CER") to include signature blocks for the Electoral Officer and the two required witnesses to the ballot box verification.

Proposed Amendment:

That the Appendix "L" Verification of Ballot Box Statement of the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in **red**):

<p>APPENDIX "L"</p> <p>VERIFICATION OF THE BALLOT BOX STATEMENT</p>
<p>So help me Creator (I affirm).</p> <p><u>Signature of Electoral Officer</u></p> <p>_____ Signature of Witness</p> <p>_____ Name and address of Witness</p> <p><u>Signature of Witness</u></p> <p>_____ <u>Name and address of Witness</u></p>

[end of Amendment #16]

AMENDMENT #17: NUMBER OF SCRUTINEERS AND ALTERNATES TO TOTAL 2 PER CANDIDATE

Purpose of amendment:

If passed, this amendment would change the number of Scrutineers and Alternates that a Candidate may appoint for Polling Day to be the same number as they may appoint for the Advance Poll: one Scrutineer and one Alternate for a total of two.

Proposed Amendment:

That subsection 18(5) of the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

18. POLLING DAY

...

5. A Candidate may have up to ~~two~~one (2~~1~~) Scrutineers and ~~two~~one (2~~1~~) alternates at each polling station on Polling Day at any time by Delivering to the Electoral Officer at least twenty (20) days before the Advance Poll a letter signed by the Candidate:

....

[end of Amendment #17]

AMENDMENT #18: REMOVING THE ADVANCE POLL OATH

Purpose of amendment:

If passed, this amendment would remove the requirement that an Elector must swear the Advance Poll Oath to vote at the Advance Poll. Instead of swearing that they are unable to attend on Polling Day and why they are unable to attend on Polling Day, and Elector would need to meet the same requirements to vote in person at the Advanced Poll that they would need to meet in order to vote in person on Polling Day.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them

Proposed Amendment:

That the *Tk'emlúps te Secwépmc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

A) that the defined term "Advance Poll Oath" in subsection 2(1) be deleted

~~"Advance Poll Oath" means the Oath set out in Appendix "K";~~

B) that subsection 17(6) be amended as follows:

17. ADVANCE POLL

...

6. In order to vote at the Advance Poll, an Elector must:

(a) ~~be unable to attend to vote on Polling Day; and present to the Electoral Officer or Deputy Electoral Officer:~~

~~(i) the person's status card; or~~

~~(ii) a letter of verification to vote signed by the Membership Clerk; or~~

(b) take the ~~Advance Poll~~ Oath ~~of Elector~~.

C) that Appendix "K" Advance Poll Oath be deleted.

APPENDIX "K"

~~ADVANCE POLL OATH [DELETED]~~

[end of Amendment #18]

AMENDMENT #19: DELIVER WRITTEN NOTICE TO ALL ELECTORS

Purpose of amendment:

If passed, this amendment would require the Electoral Officer and Executive Officers to deliver the Notice of Nomination Meeting, Candidate List, Notice of All Candidates Forum, and Notice of Polls to all Electors, not just the Non-Resident Electors. It would also make it clear that all Electors who live on the Reserves always have the option to request the full Mail-In Nomination or Mail-In Ballot packages.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them

Proposed Amendment:

That the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

A) that the following definition be added to subsection 2(1):

“Resident Elector” means an Elector whose Ordinary Residence is within the Electoral Section;

B) that subsection 9(2) be amended as follows:

9. NOTICE OF NOMINATION MEETING

...

2. At least thirty (30) days before the date set for the Nomination Meeting, the Electoral Officer must:

- (a) post a Notice of Nomination Meeting on the bulletin boards in the Band Administration Building;
- (b) cause to be published, for at least three (3) consecutive days, a copy of the Notice of Nomination Meeting:
 - (i) in the Tk'emlúps te Secwépemc Information Bulletin,
 - (ii) on the Tk'emlúps te Secwépemc Website, and
 - (iii) in all local newspapers
- (c) cause to be broadcast, at least once on three (3) consecutive days by a local radio or television station, the same information as that contained in the Notice of Nomination Meeting; ~~and~~
- (d) Deliver to the last known mailing address of every Non-resident Elector:
 - (i) a Notice of Nomination Meeting,
 - (ii) a Mail-in Nomination Form,
 - (iii) an Elector Declaration Form,
 - (iv) a Permission To Release Personal Information Form;
 - (v) instructions for nominating a person by mail-in nomination, and
 - (vi) a postage-paid return envelope, pre-addressed to the Electoral Officer.

(e) Deliver to the last known address of every Resident Elector a Notice of Nomination Meeting and a statement that any Resident Elector may request a Mail-in Nomination package if they are unable to attend the Nomination Meeting,

C) that subsection 14(1) be amended as follows:

14. NOTICE OF POLLS

1. If an Election is to be held, the Electoral Officer must, within ten (10) days after the date set for the Nomination Meeting:

- (a) post a Notice of Polls on the bulletin boards in the Band Administration Building;
- (b) cause to be published, for at least three (3) consecutive days, a copy of the Notice of Polls:
 - (i) in the Tk'emlúps te Secwépemc Information Bulletin,
 - (ii) on the Tk'emlúps te Secwépemc Website, and
 - (iii) in all local newspapers; and
- (c) cause to be broadcast, at least once on three (3) consecutive days by a local radio or television station, the same information as that contained in the Notice of Polls; and
- (d) Deliver to the last known address of every Resident Elector a Notice of Polls and a statement that any Resident Elector may request a Mail-in Ballot package from the Electoral Officer.

D) that subsection 16(3) be amended as follows:

16. ALL CANDIDATE FORUM

....

3. At least thirty (30) days before the date set for the All Candidates Forum, the Executive Director of Member Services must:
- (a) deliver a copy of the Notice of All Candidates Forum to each ~~Non-Resident~~ Elector;
 - (b) post a Notice of All Candidates Forum on the bulletin boards in the Band Administration Building;
 - (c) cause to be published, for at least three (3) consecutive days, a copy of the Notice of All Candidates Forum:
 - (i) in the Tk'emlúps te Secwépemc Information Bulletin,
 - (ii) on the Tk'emlúps te Secwépemc Website, and
 - (iii) in all local newspapers; and
 - (d) cause to be broadcast, at least once on three (3) consecutive days by a local radio or television station, the same information as that contained in the Notice of All Candidates Forum; and

[end of Amendment #19]

AMENDMENT #20: POSTING WRITTEN NOTICE IN MORE PLACES

Purpose of amendment:

If passed, this amendment would require the Electoral Officer and Executive Officers to deliver the Notice of Nomination Meeting, Candidate List, Notice of All Candidates Forum, and Notice of Polls to all Electors, not just the Non-Resident Electors. It would also make it clear that all Electors who live on the Reserves always have the option to request the full Mail-In Nomination or Mail-In Ballot packages.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them

Proposed Amendment:

That the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

A) that subsection 9(2) be amended as follows:

9. NOTICE OF NOMINATION MEETING

...

2. At least thirty (30) days before the date set for the Nomination Meeting, the Electoral Officer must:

- (a) post a Notice of Nomination Meeting on all notice and bulletin boards controlled by Band Administration, including but not limited to the bulletin boards in the Band Administration Building;
- (b) cause to be published, for at least three (3) consecutive days, a copy of the Notice of Nomination Meeting:
 - (i) in the *Tk'emlúps te Secwépemc Information Bulletin*,
 - (ii) on the *Tk'emlúps te Secwépemc Website*, ~~and~~
 - (iii) in all local newspapers; and
 - (iv) on all *Tk'emlúps te Secwépemc social media pages*;
- (c) cause to be broadcast, at least once on three (3) consecutive days by a local radio or television station, the same information as that contained in the Notice of Nomination Meeting;
- (d) Deliver to the last known mailing address of every Non-resident Elector:
 - (i) a Notice of Nomination Meeting,
 - (ii) a Mail-in Nomination Form,
 - (iii) an Elector Declaration Form,
 - (iv) a Permission To Release Personal Information Form;
 - (v) instructions for nominating a person by mail-in nomination, and
 - (vi) a postage-paid return envelope, pre-addressed to the Electoral Officer.
- (e) Deliver to the last known address of every Resident Elector a Notice of Nomination Meeting and a statement that any Resident Elector may request a Mail-in Nomination package if they are unable to attend the Nomination Meeting, and
- (f) make reasonable efforts to post a Notice of Nomination Meeting at all gas stations located within the Electoral Section;

B) that subsection 14(1) be amended as follows:

14. NOTICE OF POLLS

1. If an Election is to be held, the Electoral Officer must, within ten (10) days after the date set for the Nomination Meeting:
 - (a) post a Notice of Polls on all notice and bulletin boards controlled by Band Administration, including but not limited to the bulletin boards in the Band Administration Building;
 - (b) cause to be published, for at least three (3) consecutive days, a copy of the Notice of Polls:
 - (i) in the Tk'emlúps te Secwépemc Information Bulletin,
 - (ii) on the Tk'emlúps te Secwépemc Website, ~~and~~
 - (iii) in all local newspapers; and
 - (iv) on all Tk'emlúps te Secwépemc social media pages;
 - (c) cause to be broadcast, at least once on three (3) consecutive days by a local radio or television station, the same information as that contained in the Notice of Polls; ~~and~~
 - (d) Deliver to the last known address of every Resident Elector a Notice of Polls and a statement that any Resident Elector may request a Mail-in Ballot package if they are unable to attend the from the Electoral Officer; and
 - (e) make reasonable efforts to post a Notice of Polls at all gas stations located within the Electoral Section.

C) that subsection 16(3) be amended as follows:

16. ALL CANDIDATE FORUM

....

3. At least thirty (30) days before the date set for the All Candidates Forum, the Executive Director of Member Services must:
 - (a) deliver a copy of the Notice of All Candidates Forum to each Elector;
 - (b) post a Notice of All Candidates Forum on all notice and bulletin boards controlled by Band Administration, including but not limited to the bulletin boards in the Band Administration Building;
 - (c) cause to be published, for at least three (3) consecutive days, a copy of the Notice of All Candidates Forum:
 - (i) in the Tk'emlúps te Secwépemc Information Bulletin,
 - (ii) on the Tk'emlúps te Secwépemc Website, ~~and~~
 - (iii) in all local newspapers; and
 - (iv) on all Tk'emlúps te Secwépemc social media pages;
 - (d) cause to be broadcast, at least once on three (3) consecutive days by a local radio or television station, the same information as that contained in the Notice of All Candidates Forum; and
 - (e) make reasonable efforts to post a Notice of All Candidates Forum at all gas stations located within the Electoral Section;

[end of Amendment #20]

AMENDMENT #21: TIMELINE AMENDMENTS

Purpose of amendment:

If passed, this amendment would extend the timeline for the Election by:

- a) extending the appointment of the Electoral Officer from at least 90 days prior to Polling Day to at least 120 days prior to Polling day in order to allow additional time for the Electoral Officer to familiarize themselves with the Tk'emlúps te Secwépemc people, culture, and processes;
- b) moving the Nomination Meeting up to at least 45 days prior to Polling Day in order to allow at least 35 days, instead of 20, for Mail-in Ballots to reach Non-resident Electors, for those Non-resident Electors to fill in their Ballots, and for the Mail-in Ballots to be returned prior to the close of polls (*Canada Post currently estimates delivery within British Columbia averages 14 days*); and
- c) requiring that Candidates fulfill their eligibility requirements within 7 days of the Nomination Meeting instead of 20 days so that Mail-in Ballots only include the names of those Candidates who are eligible to run in the Election.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them

Proposed Amendment:

That the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in **red**):

A) that Subsection 7(1) be amended as follows:

7. APPOINTMENT AND DUTIES OF ELECTORAL OFFICER

1. At least **ninety-one-hundred and twenty (90-120)** days before Polling Day, Council must appoint:
 - (a) an Electoral Officer; and
 - (b) a Judge.

B) that Subsections 8(1) and (2) be amended as follows:

8. PREPARATION OF ELECTORS LIST

1. At least **eighty-one-hundred and ten (80-110)** days before Polling Day, the Membership Clerk must provide the Electoral Officer with a complete and up to date list of every Member, which includes the following information for each Member;
 - (a) full name;
 - (b) membership number;
 - (c) date of birth; and

(d) 90 DAYS last known mailing address.

2. At least ~~seventy-ninety~~ (70-90) days before Polling Day, the Electoral Officer must:

(a) prepare the Electors List;

(b) certify that the Electors List is correct;

(c) arrange for copies of the Electors List to be posted:

(i) on the Tk'emlúps te Secwépemc Information Bulletin, and

(ii) on the Tk'emlúps te Secwépemc Website; and

(d) Deliver a copy of the Electors List to the Executive Director of Member Services.

C) that Subsection 8(4) be amended as follows:

8. PREPARATION OF ELECTORS LIST

...

4. No later than ~~seventy-fourteen~~ (714) days before Polling Day, a person may apply to the Electoral Officer to have the Electors List corrected, and, if the Electoral Officer is satisfied that there is an error in the Electors List, the Electoral Officer may correct the error.

D) that Subsection 9(1) be amended as follows:

9. NOTICE OF NOMINATION MEETING

1. A Nomination Meeting must be held at least ~~thirty-fourty-five~~ (30-45) days before Polling Day.

E) that Subsection 11(1)(b) be amended as follows:

11. QUALIFICATIONS OF CANDIDATES

1.

(b) Within ~~seven-twenty~~ (7-20) days of being declared to be a Candidate by Electoral Officer at the Nomination Meeting, provide the Electoral Officer with an up-to-date:

(i) Criminal Record check;

(ii) Bankruptcy Check; and

(iii) Band Account clearance check.

in a form acceptable to the Electoral Officer.

[end of Amendment #21]

AMENDMENT #22: RESIDENCY REQUIREMENTS FOR COUNCIL MEMBERS

Purpose of amendment:

If passed, this amendment would remove the requirement that Band Members must currently live within the Tk'emlúps te Secwépemc ancestral lands in order to be eligible to in the election and would allow any Candidate who was elected as Chief or Councilor to live anywhere in the Tk'emlúps te Secwépemc ancestral lands during their term, not just on Reserve 1.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them

Proposed Amendment:

That the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

A) that subsection 22(4) be amended as follows:

22. VACANCIES

....

4. If a Council Member to whom subsection 2(b) of the Oath of Candidate applies does not move their Ordinary Residence to within Tk'emlúps te Secwépemc Ancestral Lands Reserve Number 1 within 90 days of taking office, that Council Member is immediately disqualified from holding office.

B) that paragraph 2 of Appendix "B" Oath of Candidate be amended as follows:

2. Either: (circle one)

- (a) I have my Ordinary Residence within the Tk'emlúps te Secwépemc Reserve Number 1; or Traditional Territory*; or
- (b) I ~~have my Ordinary Residence within the Tk'emlúps te Secwépemc Traditional Territory and~~ undertake to move my Ordinary Residence to within Tk'emlúps te Secwépemc Traditional Territory* ~~Reserve Number 1~~ within ninety (90) days of Polling Day if I am elected.

**NOTE: If Amendment #6 is passed, "Traditional Territory" will be replaced with "Ancestral Lands"*

[end of Amendment #22]

AMENDMENT #23: ELECTRONIC VOTING

Purpose of amendment:

If passed, this amendment would allow for electronic ballots to be a voting option in the Election. Electronic ballots would not replace in-person Ballots or Mail-in Ballots, but they would be an additional option available to Electors who wish to vote in that way.

This Proposed Amendment requires the following series of amendments in order to implement voting by electronic ballot:

- a) amending the definitions to:
 - i. include four new defined terms, “Electronic Ballot”, “Electronic Voting Period”, “Electronic Ballot Data”, and “Remote Ballot” (Remote Ballot will include both Mail-In Ballot and Electronic Ballot);
 - ii. redefine “Mail-in Ballot” as a written ballot to be delivered by mail; and
 - iii. change the defined terms “Mail-In Nomination Form” and “Elector Declaration Form” to “Remote Nomination Form” and “Remote Elector Declaration Form”, respectively;
- b) amending section 8 (Preparation of Electors List) to require the Membership Clerk to provide the Electoral Officer with the email addresses for the Members, where available, and to make it clear that the Electoral Officer must provide the Band Administration with any updated Elector contact information that the Electoral Officer receives during the course of the Election, in order to keep the Band contact list up to date;
- c) amending section 15 (Preparation and Mailing of Ballots) to:
 - i. include electronic voting instructions and information along with the Mail-in Ballot packages sent to the Non-resident Elector;
 - ii. include electronic voting instructions and information along with the Notice of Polls sent to the Resident Electors; and
 - iii. to make it clear that any Resident Elector may request a full Mail-in Ballot package from the Electoral Officer;
- d) clarifying the rules for how to vote remotely by:
 - i. amending subsection 15(5) regarding how a Non-Resident Elector may vote in person to include any Resident electors who have received a Remote Ballot Package;
 - ii. moving the rules for Mail-in Ballots to their own subsection 15.1 (Voting by Mail-in Ballot);
 - iii. and creating a new subsection 15.2 (Voting by Electronic Ballot);
- e) establishing the following requirements for electronic voting procedures in a new section 17.1 (Electronic Voting):
 - i. requiring the Electoral Officer to use an electronic voting mechanism that maintains the integrity of the Election by:
 - A. enabling the Elector’s identity to be verified prior to the Elector cast an Electronic Ballot;
 - B. preventing Electors who voted at the Advance Poll from submitting an Electronic Ballot;
 - C. only allowing Electors to submit one Electronic Ballot;

- D. tracking which Electors have submitted an Electronic Ballot to prevent them from voting on Polling Day; and
- E. maintaining the secrecy of each Elector's vote;

NOTE: the CER will not specify what electronic voting platform an Electoral Officer must use, in order to allow for flexibility as electronic voting platforms are improved and refined and/or new platforms become available, in order to allow for opportunity to select from the best resources available for any given Election.

- ii. that electronic ballots will only be accepted after Advance Polls have closed and before Polling Day, in order to ensure that the Electoral Officer has an opportunity at each step to identify Electors who have already voted and prevent any overlap which could allow an Elector to vote again before the Electors List has been updated.
- f) amending section 18 (Polling Day) to require that the Electors List be updated prior to opening the polls to show Electors who submitted an electronic ballot and to make it clear that Electors may only vote in person at on Polling Day if they have not already voted by Electronic Ballot;
- g) amending section 19 (Close of Polls) to accommodate for the counting of Electronic Ballots at the close of polls and prevent the Electoral Officer from accepting Mail-In Ballots from Electors who have already submitted Electronic Ballots.
- h) amending section 20 (Disposal of Ballots) to make it clear that the Electoral Officer is to save the Electronic Ballot Data along with the Ballots for the designated time period following the Election.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them

Proposed Amendment:

That the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended as follows (changes underlined in red):

Amending the Definitions:

A) that four new definitions be added to subsection 2(1) as follows:

“Electronic Ballot” means a ballot submitted electronically in accordance with these regulations;

“Electronic Ballot Data” means the data collected by the electronic voting mechanisms used for the Election, including, but not limited to, the names and membership numbers of the Electors who submitted an Electronic Ballot and the number of Electronic Ballot votes cast for each Candidate;

“Electronic Voting Period” means the time period in which Electronic Ballots may be submitted through the electronic voting mechanisms;

“Remote Ballot” means both Electronic Ballots and Mail-In Ballots;

B) that “Mail-In Ballot” be deleted and replaced with “Remote Ballot” in Subsection 7(4)(g)(iii)

C) that the following definitions in subsection 2(1) be amended as follows:

"Mail-in Ballot" means a physical Ballot that is mailed or otherwise delivered in accordance with these rules~~delivered by the Electoral Officer to a Non-resident Member~~;

"Remote Elector Declaration Form" means the declaration to be signed by an Elector to nominate eligible persons as Candidates for an Election if that Elector is unable to attend the Nomination Meeting in person, in the form set out in Appendix "H";

"Mail-in-Remote Nomination Form" means the document to be used by an Elector to nominate eligible persons as Candidates for an Election if that Elector is unable to attend the Nomination Meeting, in the form set out in Appendix "E";

D) that "Elector Declaration Form" be deleted and replaced with "Remote Elector Declaration Form" in the following places:

- Subsection 9(2)(f)(iii);
- Subsection 10(5)(a)(ii);
- Subsection 10(7)(a)(i) through (iv);
- Subsection 15(2)(d);
- Subsection 15(3)(d) through (f);
- Subsection 19(3)(a)(i) through (iv);
- Subsection 19(3)(b)(i); and
- Appendix "B"

E) that "Mail-in Nomination Form" be deleted and replaced with "Remote Nomination Form" in the following places:

- Subsection 9(2)(f)(ii);
- Subsection 10(5)(a)(i);
- Subsection 10(7),
- Subsection 10(7)(a) and (b); and
- Appendix "E"

F) that "mail-in" be deleted and replaced with "remote" in the following places:

- Subsection 9(2)(f)(v)
“(v) instructions for nominating a person by remote mail-in nomination ...”
- Subsection 10(8)
“Where the same person is nominated twice for the same office by remote mail-in nomination ...”

Amending Section 8

A) Subsection 8(1) be amended as follows:

8. PREPARATION OF ELECTORS LIST

1. At least one-hundred and ten (110) days before Polling Day, the Membership Clerk must provide the Electoral Officer with a complete and up to date list of every Member, which includes the following information for each Member;

- (a) full name;
- (b) membership number;
- (c) date of birth; ~~and~~
- (d) last known mailing address; and
- (e) last known email address, where available.

B) A new Subsection 8(5) be added as follows:

8. PREPARATION OF ELECTORS LIST

...

- 5. After an Election, the Electoral Officer shall provide the Membership Clerk with any updated addresses, email addresses, or other contact information for Electors received during the course of the Election.

Amending Section 15

A) that Appendix "I" Notice of Polls be amended to include the following notice of electronic polls:

NOTICE OF ELECTRONIC POLLS

Notice is hereby given to the electors of the Tk'emlúps te Secwépemc that the Electronic Voting Period will:

begin on the _____ day of _____, 20____, at _____
Kamloops Local Time

and

end on the _____ day of _____, 20____, at _____
Kamloops Local Time.

B) that subsection 15(2) be amended as follows:

15. PREPARATION AND MAILING OF BALLOTS

...

- 2. Within ten (10) days after the date set for the Nomination Meeting, the Electoral Officer must Deliver to the last known mailing address of every Non-resident Elector, a Remote Ballot package consisting of:

(a) a Mail-in Ballot package consisting of:

- (i) a Ballot initialed on the back by the Electoral Officer;
- (ii) an inner postage-paid return envelope, pre-addressed to the Electoral Officer;
- (iii) a second inner envelope marked "Ballot" for insertion of the completed Ballot;
- (iv) a Remote Elector Declaration Form; and
- (v) a letter of instruction regarding voting by Mail-In Ballot;

(b) a letter of instructions regarding voting by Electronic Ballot;

(c) a copy of the Notice of Polls;

(d) a statement advising that the Non-resident Elector may vote in person at any polling station at the Advance Polls or on Polling Day if the Non-resident Elector has not submitted an Electronic Vote and:

(i) returns the Mail-in Ballot to the Electoral Officer at the polling station, or

(ii) swears a written declaration before the Electoral Officer, a justice of the peace, notary public or duly appointed commissioner for taking oaths that the Mail-in Ballot is lost or destroyed;

(e) and a list of the names of Candidates who were acclaimed.

C) that two new subsections 15(2.1) and (2.2) be added as follows:

15. PREPARATION AND MAILING OF BALLOTS

...

2.1 A Resident Elector may, at any time up to Polling Day, request a Remote Ballot package from the Electoral Office and the Electoral Officer, upon satisfying him or herself that the individual requesting the Remote Ballot package is the Elector they purport to be, must deliver a Remote Ballot package to any Elector who requests it.

2.2 The Electoral Officer must record on the Electors List all Electors who have been provided with Remote Ballot packages, including their address and the date on which the package was mailed or otherwise delivered.

Clarifying Rules for How to Vote Remotely

A) that subsection 15(5) be amended as follows:

15. PREPARATION AND MAILING OF BALLOTS

...

5. ~~Any Non-resident~~ Elector who has received a Remote Ballot package may vote in person at a polling station, but only if such Elector has not submitted an Electronic Ballot and:

(a) returns their Mail-in Ballot to the Electoral Officer at the polling station, or

(b) swears a written declaration before:

(i) the Electoral Officer,

(ii) a Justice of the Peace,

(iii) a Notary Public or

(iv) a Commissioner for Taking Oaths

that they did not receive a Mail-in Ballot, or that their Mail-in Ballot is lost or destroyed.

B) Subsections 15(3),(4), and (6) be moved to a new section 15.1 VOTING BY MAIL-IN BALLOT as subsections 15.1(1),(2), and (3), respectively, and amended as follows:

15. PREPARATION AND MAILING OF BALLOTS

...

- 3. [\[moved to 15.1\(1\)\]](#)
- 4. [\[moved to 15.1\(2\)\]](#)
- 5. ...
- 6. [\[moved to 15.1\(3\)\]](#)

[15.1 VOTING BY MAIL-IN BALLOT](#)

1. An ~~Non-resident~~ Elector may vote by Mail-In Ballot by:

- (a) marking the Mail-in Ballot by placing a cross "X", or other mark that does not identify the Elector, in the appropriate space next to the name of the Candidate of the Elector's choice;
- (b) folding the Mail-in Ballot in a manner that conceals the names of the Candidates and any marks and exposes the initials of the Electoral Officer;
- (c) placing the Mail-in Ballot in the inner envelope marked "Ballot" and sealing that envelope;
- (d) completing and signing the Remote Elector Declaration Form in accordance with the instructions on that form;
- (e) placing the inner "Ballot" envelope and the completed Remote Elector Declaration Form in the outer postage-paid, return envelope pre-addressed to the Electoral Officer; and
- (f) Delivering the completed Mail-in Ballot and Remote Elector Declaration Form to the Electoral Officer before the time at which the polls close on Polling Day.

2. An ~~Non-resident~~ Elector who:

- (a) inadvertently spoils a Mail-in Ballot, may obtain another Ballot by Delivering the spoiled Ballot to the Electoral Officer; or
- (b) did not receive or loses a Mail-in Ballot, may obtain another Ballot by Delivering to the Electoral Officer a written affirmation, signed by the Elector in the presence of:
 - (i) the Electoral Officer,
 - (ii) a Justice of the Peace,
 - (iii) a Notary Public, or
 - (iv) a Commissioner for Taking Oaths

stating that the Elector did not receive a Mail-in Ballot, or that their Mail-in Ballot is lost or destroyed.

3. Mail-in Ballots that are not received by the Electoral Officer before the time at which the polling

stations close on Polling Day are void.

C) that a new section 15.2 (Voting by Electronic Ballot) be added as follows:

15.2 VOTING BY ELECTRONIC BALLOT

1. An Elector may vote by Electronic Ballot by following the letter of instruction for how to vote by Electronic Ballot.
2. Electronic Ballots will only be accepted during the Electronic Voting Period.

Establishing the Requirements for Electronic Voting Procedures

A) that a new section 17.1 (Electronic Voting) be added as follows:

17.1 ELECTRONIC VOTING

1. The Electoral Officer shall select an electronic voting mechanism that maintains the integrity of the Election by:
 - (a) enabling the Elector's identity to be verified prior to the Elector casting an Electronic Ballot;
 - (b) preventing Electors that voted at the Advance Poll from submitting an Electronic Ballot;
 - (c) only allowing Electors to submit one Electronic Ballot;
 - (d) tracking which Electors have submitted an Electronic Ballot; and
 - (e) maintaining the secrecy of each Elector's vote.
2. The Electronic Voting Period shall occur after the Advance Poll and prior to Polling Day and the Electoral Officer shall select an Electronic Voting Period which does not overlap with the time that polling stations are open for Advance Poll or Polling Day.

Amending Section 18

A) that subsection 18(3) be amended as follows:

18. POLLING DAY

...

3. Before the polls open, the Electoral Officer must:

- (a) As soon as practicable after the close of the Electronic Voting Period, the Electoral Officer or Deputy Electoral Officer shall, in the presence of two witnesses, download and save the Electronic Ballot Data, and update the Electors List to show which Electors have already voted by Electronic Ballot; and
- (b) ensure that each polling station has:
 - (i) a ballot box;

- (ii) sufficient voting compartments to ensure the secrecy of voting;
- (iii) a sufficient supply of Ballots;
- (iv) sufficient materials for marking the Ballots;
- (v) an Electors List, updated to show which Electors have already voted at Advance Polling or by Electronic Ballot;
- (vi) all other materials and supplies necessary to the operation of the polling stations; and
- (vii) conspicuously posted directions to the polling stations.

B) that subsection 18(17) be amended as follows:

17. If the Electoral Officer or Deputy Electoral Officer is satisfied that a person is an Elector who has not yet voted in the Election, the Electoral Officer or Deputy Electoral Officer must:
 - (a) place their initials on the back of a Ballot;
 - (b) provide the Elector with that Ballot; and
 - (c) place a mark in the proper column opposite the name of the Elector on the Electors List.

Amending Section 19

A) that subsection 19(1) be amended as follows:

19. CLOSE OF POLLS

1. Upon the close of polls, the Electoral Officer must:

- (a) announce the number of Ballots cast, cancelled and declined at the Advance Polls and record that number on the Electors List;
- (b) announce the number of Mail-in Ballots received and record that number on the Electors List; ~~and~~
- (c) announce the number of Ballots cast, cancelled and declined on Polling Day and record that number on the Electors List; and
- (d) announce the number of Electronic Ballots received and record that number on the Electors List.

B) that subsection 19(4) be amended as follows:

19. CLOSE OF POLLS

...

4. Immediately after the Mail-in Ballots have been deposited in a ballot box, the Electoral Officer must, in the presence of the Candidates and Scrutineers:
 - (a) open all ballot boxes and examine each Ballot;
 - (b) reject all Ballots that:

- (i) have not been initialed by the Electoral Officer or Deputy Electoral Officer,
 - (ii) contain more votes than there are Candidates to be elected,
 - (iii) are marked in such a way that the Elector can be identified, or
 - (iv) are marked in such a way that the Elector's choice of Candidates cannot be unambiguously determined;
- (c) in any other case, call out the names of the Candidates for whom the votes were cast on each valid Ballot; and
- (d) call out the Electronic Ballot data results for each Candidate.

Amending Section 20

A) that subsection 20(1) be amended as follows:

20. CLOSE OF POLLS

1. The Electoral Officer must:

- (a) place all Ballots and the Electronic Ballot data in a sealed box;
- (b) retain the Ballots and the Electronic Ballot data in the sealed box in the Electoral Officer's possession; and
- (c) unless an appeal is made under section 21, destroy the Ballots and the Electronic Ballot data the presence of two (2) Scrutineers fifty-six (56) days after Polling Day.

[end of Amendment #23]

AMENDMENT #24: ALLOW VARIANCES TO CER DURING A STATE OF EMERGENCY

Purpose of amendment:

If passed, this amendment would allow for variances to be made to this CER to the minimum extent necessary to allow the CER to comply with an Emergency Order made by Council under the *Emergency Measures Law* (such as an order to comply with a Provincial Health Order limiting the number of people allowed to gather).

This amendment, if passed, would create a new section 26 in the CER “Variances During a State of Emergency”

Proposed Amendment:

That the *Tk'emlúps te Secwépmc Custom Election Regulations Amendment By-Law 2009-1* be amended by adding a new section 26 (Variances During a State of Emergency) as follows:

A) that a new definition be added to subsection 2.1 as follows:

“Emergency Order” means an order made by Council pursuant to the *TieS Emergency Measures Law and Bylaw*, No. 2021-01.

B) that a new section 26 (Variances During State of Emergency) be added as follows.

26 VARIANCES DURING STATE OF EMERGENCY

1. In the event that Council has passed an Emergency Order that would otherwise prevent the doing of an act contemplated in these Custom Election Regulations, the Electoral Officer shall have the power to vary any part of these Custom Election Regulations to the minimum extent necessary to comply with the Emergency Order.

[end of Amendment #24]

AMENDMENT #25: REMOTE ELECTION DURING A STATE OF EMERGENCY

NOTE: this amendment is conditional upon Amendment #23 passing. If Amendment #23 is not passed, this proposed amendment cannot take effect and all votes cast pursuant to this amendment will be rendered void.

Purpose of amendment:

If passed, this amendment would allow for an Election to take place despite a State of Emergency that prevents in-person voting.

Note: In order to be effective, this amendment requires that a series of changes be made to the CER. Therefore, the vote on this proposed amendment will be either to approve all of the below changes or to approve none of them

Proposed Amendment:

That the *Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law 2009-1* be amended by adding a new section 19.1 (Remote Election During State of Emergency) as follows:

A) that new definitions be added to subsection 2.1 as follows:

“Remote Election” means an Election pursuant to section 19.1 during a State of Emergency wherein votes are cast by Remote Ballot only.

“Notice of Remote Election” means a notice of Remote Election in the form set out in Appendix “P”.

“Emergency Order” means an order made by Council pursuant to the *TteS Emergency Measures Law and Bylaw*, No. 2021-01.

B) that new section 19.1 (Remote Election During State of Emergency) be added as follows:

19.1 REMOTE ELECTION DURING STATE OF EMERGENCY

1. In the event of an Emergency Order that prevents the ability to conduct in-person Ballot polling at either the Advance Poll or Polling Day, the Electoral Officer may elect for the Election to proceed by way of Remote Election by delivering to all Electors the Notice of Remote Election, and:

a) if the Emergency Order has been made before the Notice of Nomination Meeting has been delivered to the Electors, the Notice of Remote Election shall include the Remote Nomination package and a virtual Nomination Meeting shall be set for a date no sooner than 30 days after the Notice of Remote Election is delivered;

b) if the Emergency Order has been made after the Notice of Nomination Meeting has been delivered but prior to the Nomination Meeting, the Notice of Remote Election shall include:

(i) an updated Notice of Nomination Meeting either:

1. confirming that the Nomination Meeting will proceed virtually on the date and time set out in the original Notice of Nomination Meeting, provided such date is at least 14 days after the date on which the Notice of Remote Election is delivered;
- or

2. rescheduling the Nomination Meeting to the date that is fourteen (14) days after the date set out in the original Notice of Nomination Meeting, at the same time as originally scheduled; and

(ii) a Remote Nomination package for all Electors who have not previously received one; and

c) if the Emergency Order has been made after the Nomination Meeting, the Notice of Remote Election shall include a Notice of Remote Election Polls and a Remote Ballot package for all Electors.

2. In the event of a Remote Election:

a) Sections 17 and 18 shall not apply;

b) the Electronic Voting Period must begin no sooner than fourteen (14) days after the date on which the Notice of Remote Election has been sent and must be open for no fewer than twenty-one (21) days; and

c) Polling Day shall be deemed to be the final day in which the Electronic Ballot Period is open; and

d) upon the close of the Electronic Voting Period, the Electoral Officer must, in the presence of two (2) witnesses:

(i) download and save the Electronic Ballot Data and update the Electors List to show which Electors have already voted by Electronic Ballot;

(ii) open the ballot box, confirm that it is empty, seal the ballot box, and sign the Verification of Ballot Box Statement; and

(iii) proceed with the close of polls regulations as set out in section 19 in the virtual presence of the Candidates and/or their Scrutineers.

C) that a new Appendix "P" be added as follows:

APPENDIX "P"	
NOTICE OF REMOTE ELECTION	
Notice is hereby given to the Electors of the Tk'emlúps te Secwépemc that the <u> (year) </u> Election will be held as a Remote Election under s. 20.1 of the <i>Tk'emlúps te Secwépemc Custom Election Regulations Amendment By-Law</i> due to the declaration of a State of Emergency.	
Given under my hand at _____ this _____ day of _____, 20	
_____ ELECTORAL OFFICER	_____ VERIFIED BY THE MEMBERSHIP CLERK

[end of Amendment #25]