

# WAHNAPITAE FIRST NATION COMMUNITY RATIFICATION PROCESS

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**Wahnapiatae First Nation**  
**COMMUNITY RATIFICATION PROCESS**

**1. TITLE AND PURPOSE**

- 1.1 The title of this document is the Wahnapiatae First Nation Community Ratification Process.
- 1.2 Whereas the exercise of the elections jurisdiction by Wahnapiatae First Nation is recognized pursuant to the Anishinabek Nation Governance Agreement Act; and
- 1.3 Whereas the elections jurisdiction encompasses all community decisions on leadership and direction, including the holding of ratification votes pertaining to agreements as may from time to time be beneficial for Wahnapiatae First Nation to consider;
- 1.4 The purpose of this document is to set out the procedure by which Wahnapiatae First Nation will follow on any Wahnapiatae First Nation Ratification.

**2. DEFINITIONS**

2.1 In this Ratification Process:

- “Ballot Question” means the question asked in the Ratification Vote in Form 1;
- “Council” means the Chief and Councillors of the Wahnapiatae First Nation;
- “Eligible Voter” means a Member of Wahnapiatae First Nation who is 18 years of age or older on the Official Voting Day;
- “First Nation” means the Wahnapiatae First Nation;
- “Constitution” means Wahnapiatae First Nation Supreme Law
- “List of Eligible Voters” means the list of Members who are eligible to vote and where Registered Voters will be recorded;
- “Member” means a person whose name appears or is entitled to appear on the Wahnapiatae First Nation membership list;
- “Official Voting Day” means the date set for holding the Ratification Vote;
- “Ratification Documents” means the Individual Agreement;
- “Ratification Officer” means the person appointed by Council;

“Ratification Process” means this Wahnapiatae First Nation Community Ratification Process;

“Ratification Vote” means a vote by the Registered Voters on the Ballot Question;

“Registered Voter” means an Eligible Voter who has registered to vote in accordance with section 3;

“Regular Ballot” means a paper ballot used to cast a secret vote at the polls on Voting Days;

“Verifier” means an independent person appointed as a Verifier;

“Voter Information Package” means the package of information containing voting information to be sent to all Eligible Voters;

“Voting Day” means the Official Day of Voting; and

“Threshold” means If at least twenty-five (25%) percent of Eligible Voters participate and at least fifty percent plus one (50% plus 1) of the eligible voters.

2.2 Unless otherwise provided, words defined in the Framework Agreement have the same meaning in this Ratification Process.

2.3 When calculating time, where anything is to be done within a time after, from, of, or before a specified day, or where a time is expressed to begin after or to be from a specified day, the time does not include that day.

2.4 Words in the singular include the plural, words in the plural include the singular and words in the masculine include the feminine and words in the feminine include the masculine, as the context may require.

### 3. REGISTRATION OF ELIGIBLE VOTERS

3.1 Council will ensure that a List of Eligible Voters is prepared containing the full names, band numbers, birth dates, addresses and e-mail addresses of the Eligible Voters.

3.2 An Eligible Voter who wishes to vote will register by one of the following methods of registration:

- (a) by appearing in person at the polls and completing and signing a voter registration document.
- (b) by submitting a mail-in ballot and completing and signing the voter registration/declaration envelope as part of the mail-in ballot process.
- (c) by utilizing the appropriate online voting platform as contracted by WFN.

3.3 To be valid, a voter registration will be received by the Ratification Officer no later than the close of the polls on the Official Voting Day.

3.4 The Ratification Officer is responsible for determining if a person is an Eligible Voter.

3.6 The Ratification Officer will record on the List of Eligible Voters the names of all Eligible Voters and ensuring there are no duplication of votes.

#### 4. INFORMATION TO VERIFIER

4.1 At least 40 days before the Official Voting Day, Council will by Resolution confirm and verify a community ratification.

4.2 Prior to the Official Voting Day, Council will by Resolution or cause to be sent to the Verifier an electronic copy of the addendum to the List of Eligible Voters sent in accordance with clause 4.1, listing any changes to the List of Eligible Voters.

4.3 The addendum to the List of Eligible Voters may also include a list of Members who are deceased with accompanying supporting documentation or comments by the person who has confirmed that the Member is deceased and the person's full name, address and relationship to the deceased Member.

4.4 If the Verifier determines that the name of a deceased Member should not be included on the List of Eligible Voters, he or she will, in his or her sole discretion, make the decision and such decision will be final.

4.5 The List of Eligible Voters confirmed by the Verifier under clause 4.4 will determine the number of Eligible Voters.

#### 5. CONFIRMATION BY VERIFIER

5.1 Upon receipt of the documents under clause 4.1, the Verifier will review the Ratification Process.

#### 6. COUNCIL RESOLUTIONS

6.1 Council Resolutions will be passed in order to:

- (a) confirm Ratification Voters List;
- (b) confirm the Ratification Officer; and
- (c) confirm the wording of the Ballot Question.

6.2 Council will pass a Resolution in Form 5 to confirm the Individual Agreement.

## 7. DUTY OF RATIFICATION OFFICER AND APPOINTMENT OF ASSISTANT

7.1 Upon the appointment of the Ratification Officer, the Ratification Officer will execute an Appointment of a Deputy Ratification Officer.

7.2 The Ratification Officer is responsible for overseeing the conduct of the Ratification Vote and has all the powers necessary to carry out that responsibility.

7.3 The Ratification Officer may appoint assistants and may delegate any of the duties set out in the Ratification Process to the assistants, except:

- (a) the initialling of ballots;
- (b) the determination to hold an additional day for voting under clause 14.1;
- (c) the deposit of the mail-in ballots in the ballot box under clauses 12.12 (i) and 17.1(c);
- (d) the appointment of a vendor to facilitate electronic voting;
- (e) the safekeeping of ballot boxes under clause 14.19;
- (f) securing the totals of electronic votes from the chosen vendor platform; and
- (g) the counting of ballots under section 19.

7.4 Upon the appointment of an assistant, the Ratification Officer and each assistant will execute an Appointment of an Assistant Ratification Officer.

7.5 If the Ratification Officer is unable to perform his or her duties, Council may appoint an acting Ratification Officer.

## 8. NOTICE OF VOTE

8.1 The Ratification Officer, in consultation with Council, will post a Notice of Vote at least 30 days prior to the Official Voting Day in public places where it can be read by the Members.

8.2 Forthwith after posting the Notice of Vote, the Ratification Officer will e-mail a true copy of the Notice of Vote to the Verifier.

8.3 The Verifier will publish the Notice of Vote at the band office, in community newsletter/platforms at least 35 days prior to Official Voting Day.

8.4 The Notice of Vote will contain the following information:

- (a) the date, place and time of the Poll and Official Voting Day;
- (b) the Ballot Question;
- (c) the procedure for registering as a Registered Voter;

- (d) a mail-in ballot process; and
- (e) the electronic voting process and vendor which will be facilitating electronic votes.

## 9. VOTER INFORMATION PACKAGE

9.1 The Ratification Officer will, at least 30 days prior to the Official Voting Day, send a Voter Information Package to each Eligible Voter who has provided a mailing address and/or email address to the First Nation.

9.2 Voter Information Packages may be e-mailed, mailed or couriered to the Eligible Voter.

9.3 The Voter Information Package will contain:

- (a) a copy of the Notice of Vote;
- (b) instructions on obtaining copies of the Ratification Documents, Background Documents and the Ratification Process;
- (c) a mail-in ballot package containing a pre-folded and initialed ballot, a secrecy envelope, a registration/ declaration envelope, a return envelope and voting instructions to each Eligible Voter.
- (d) instructions for submitting an electronic vote via a specified vendor.

9.4 The Voter Information Package will advise Eligible Voters that the Ratification Documents, Background Documents and the Ratification Process will be available on

- (a) an online members only secured area; and
- (b) in the band administration building.

9.5 Eligible Voters may request to receive a paper copy of the information in clause 9.4 by contacting the Ratification Officer.

9.6 Council may conduct or cause to be conducted:

- (a) visits at the homes of Eligible Voters;
- (b) telephone contact with Eligible Voters;
- (c) information meetings at Wahnapiatae First Nation and other appropriate places; and
- (d) such other information activities as may be deemed appropriate.

9.7 Activities conducted in accordance with clause 9.6 may take place up until the day before the Official Voting Day.

9.8 Notwithstanding clause 9.7, personal visits, text, email, telephone or other contact with an Eligible Voter on Official Voting Day may take place for the purposes of assisting such Eligible Voter to vote.

## 10. AVAILABILITY OF DOCUMENTS

10.1 The Ratification Officer will ensure that sufficient paper copies of the Ratification Documents, Background Documents and Ratification Process are available at the administrative offices of Wahnapiitae First Nation and that electronic copies are available upon request.

10.2 Any Member may, on request, obtain a copy of the Ratification Documents, Background Documents and Ratification Process.

## 11. PRELIMINARY PROCEDURES

11.1 The Ratification Officer, in consultation with Council, will:

- (a) designate the polling places;
- (b) prepare sufficient copies of the registration documents;
- (c) work with the Executive Director to choose and secure an appropriate electronic voting system;
- (d) familiarize themselves with the necessary electronic voting processes, including but not limited to:
  - 1. registering a list of eligible voters on the platform;
  - 2. voting security and voter verification; and
  - 3. electronic ballot counting.
- (e) prepare and initial sufficient copies of Regular Ballots and mail-in ballots, which will be uniform in size, appearance, quality and weight;
- (f) prepare sufficient copies of the secrecy envelopes, the registration/declaration envelopes, and the return envelopes, with prepaid postage where necessary;
- (g) prepare sufficient copies of the voting instructions;
- (h) obtain a sufficient number of ballot boxes;
- (i) provide for a designated voting area at the polls such that a Registered Voter can mark a ballot free from observation;
- (j) provide a sufficient number of lead pencils and blue or black ink pens for marking the ballot;
- (k) ensure that samples of the Ballot Question are posted or available for examination at the polls;
- (l) ensure that a Commissioner for taking Oaths or Notary Public will be available as required; and
- (m) determine if advanced polling will be administered.



## 12. MAIL-IN BALLOTS

12.1 Each Eligible Voter may cast a mail-in ballot.

12.2 The Ratification Officer will send to each Eligible Voter a mail-in ballot package at their last known address at least 30 days prior to the vote.

12.3 Mail-in ballot packages may be mailed, couriered or hand delivered to the Eligible Voter.

12.4 The mail-in ballot package will contain a pre-folded and initialled ballot in Form 1, a secrecy envelope, a registration/declaration envelope in Form 10, a return envelope and voting instructions to each Eligible Voter.

12.5 To cast a mail-in ballot, an Eligible Voter will:

- (a) mark the ballot by placing an X in the box marked "YES" or in the box marked "NO";
- (b) enclose and seal the ballot inside the secrecy envelope;
- (c) enclose and seal the secrecy envelope in the registration/declaration envelope;
- (d) complete and sign the outside of the registration/declaration envelope in the presence of a witness who is at least 18 years of age;
- (e) enclose and seal the signed and witnessed registration/declaration envelope in the return envelope, with prepaid postage where necessary; and
- (f) deliver the sealed return envelope to the Ratification Officer.

12.6 A mail-in ballot may be delivered to the Ratification Officer by mail, courier or hand delivery.

12.7 A mail-in ballot will be received by the Ratification Officer no later than the close of the polls on the Official Voting Day.

12.8 An Eligible Voter who inadvertently spoils or loses a mail-in ballot may obtain another ballot by contacting the Ratification Officer, and the Ratification Officer will make an entry on the List of Eligible Voters indicating that a second mail-in ballot was provided to the Eligible Voter.

12.9 After the Ratification Officer has received a mail-in ballot, and opens the return envelope, the Ratification Officer will:

- (a) confirm that the sender of the mail-in ballot is an Eligible Voter;
- (b) confirm that the registration/declaration envelope was duly signed and witnessed;
- (c) record the date when the mail-in ballot package was received;
- (d) confirm that no other mail-in ballot package has been received from the Eligible Voter; and
- (e) store the mail-in ballot package in a secure location until the Official Voting Day.

12.10 The Ratification Officer is personally responsible for the safekeeping of mail-in ballot packages until such time as the packages are opened, verified and deposited in a mail-in ballot box in accordance with clause 12.11.

12.11 The Ratification Officer will, after the last mail delivery on the Official Voting Day and prior to the close of the polls on that day, retrieve any mail-in ballot packages from the mail.

12.12 After retrieving any mail-in ballot packages in accordance with clause 12.11 and after the close of the polls on the Official Voting Day, the Ratification Officer will in the presence of one or more Eligible Voters who will act as witnesses:

- (a) open a ballot box to be used only for the mail-in ballots;
- (b) request that one or more Eligible Voters witness that the ballot box is empty;
- (c) place his or her signature on the seal;
- (d) ask the witnesses to place their signatures on the seal;
- (e) forthwith seal the ballot box;
- (f) in the presence of the witnesses, open each mail-in ballot package;
- (g) check the List of Eligible Voters to ensure that the Eligible Voter has not previously voted by mail-in ballot, electronic ballot or in person;
- (h) if the Eligible Voter has already voted, set aside the unopened declaration/registration envelope;
- (i) if the Eligible Voter has not already voted, deposit the mail-in ballot in its unopened secrecy envelope into the ballot box; and
- (j) record on the List of Eligible Voters on the Electronic Voting Platform that the Eligible Voter cast a mail-in ballot.

12.13 The Ratification Officer may contact an Eligible Voter if a registration/declaration envelope is not signed and/or witnessed in order to allow the Eligible Voter to correct the registration/declaration or to provide confirmation to the Ratification Officer of the Eligible Voter's identity and that the mail-in ballot was completed by the Eligible Voter, the Ratification Officer, in his or her sole discretion, make the determination to accept or reject the mail-in ballot.

12.14 The Ratification Officer will reject the mail-in ballot and note the reason for the rejection on the List of Eligible Voters and on the unopened mail-in ballot envelope, and will forthwith place the unopened mail-in ballot envelope into a suitable envelope retained for that purpose, where:

- (a) an Eligible Voter has previously voted in person, or by mail-in ballot;
- (b) a voter is not an Eligible Voter;
- (c) a mail-in ballot is not accompanied by a registration/declaration envelope; or
- (d) the registration/declaration envelope is not signed and/or witnessed and cannot be verified by the Ratification Officer under clause 12.12.

12.15 The Ratification Officer will:

- (a) execute a Declaration of Ratification Officer
- (b) ensure that each witness executes a Statement of Witness

### 13. ELECTRONIC VOTING

13.1 Each eligible voter may cast an electronic ballot.

13.2 The Ratification Officer will send to each Eligible Voter: a package detailing instructions for electronic voting, at their last known address at least 30 days prior to the vote.

13.3 Electronic voting information packages may be mailed, couriered or hand delivered to the Eligible Voter.

13.4 This package will detail the specific processes utilized by the vendor facilitating electronic voting. As specific vendors and the procedures utilized by their prospective companies are subject to change over time, this policy dictates that clear, vendor-specific instructions for electronic voting procedures be sent to voters.

13.5 To cast an electronic ballot the voter will:

- (a) Follow the instructions included in their electronic voting package.
- (b) Due to the rapid advancement of technology, the electronic voting package may include relevant updates regarding the use and instructions for an electronic voting platform, which may not be highlighted in this policy.
- (c) Voters are to follow these instructions, accessing the electronic voting platform via a secure internet connection and following the vendor-specific instructions detailed in their voting package.

13.6 No person may attempt, through the threat of violence or otherwise, to influence another Member into casting an electronic vote.

13.7 No person may cast an electronic vote on behalf of another person.

13.8 No person may attempt, through violence or otherwise, to influence a person to cast their electronic vote in any manner other than that person initially intends to.

13.9 No person may, knowingly or willfully, attempt to cast multiple ballots via different methods (i.e electronically, in-person, or by mail-in).

13.10 No person may attempt to interfere with the electronic voting process by hacking or any other means.

13.11 The ratification officer is responsible for coordinating with the electronic voting vendor to ensure they understand how to properly obtain electronic votes.

13.12 After polls officially close, the ratification officer is responsible for obtaining the tallies of electronic votes --complete with proof -- and communicating this to the appropriate parties.

13.13 The ratification officer is responsible for ensuring that electronic voting is operating as required during the designated time period.

13.14 The ratification officer may, upon request, explain the process for electronic voting to members.

#### 14. VOTING PROCEDURES AT THE POLLS ON VOTING DAYS

14.1 The Ratification Officer and Council will post the locations of the polling station and the hours that the polls will be opened on the Notice of Vote.

14.2 The polls will be opened during the hours specified on the Voting Day.

14.3 All voting at the polls will be by secret Regular Ballot.

14.4 No proxy voter will be used at any time.

14.5 The Ratification Officer is responsible for determining whether a person is an Eligible Voter and a Registered Voter.

14.6 At each poll, the Ratification Officer will:

- (a) before the first vote is cast, open the ballot box and request an Eligible Voter to witness that the ballot box is empty;
- (b) thereupon seal the ballot box and place his or her signature on the seal in front of the witness, and ask the witness to place his or her signature on the seal;
- (c) keep the ballot box in view for reception of ballots;
- (d) execute a Declaration of Ratification Officer.
- (e) ensure that each witness executes a Statement of Witness.

14.7 When a person at a poll requests to vote, the Ratification Officer will:

- (a) ensure that the person is an Eligible Voter;
- (b) if the Eligible Voter is not registered provide the Eligible Voter with a registration document and witness the signature;
- (c) check the List of Eligible Voters to ensure that the person has not already voted.

(d) check the List of Eligible Voters to ensure that the person has not already voted by mail-in ballot, in the which case the Registered Voter may cast a Regular Ballot and the mail-in ballot will be rejected.

(e) provide the Registered Voter with a ballot, on the back of which are affixed the Ratification Officer's initials so that the initials can be seen when the ballot is folded.

14.8 Upon request, the Ratification Officer will explain the method of voting.

14.9 If the Ratification Officer determines that the name of an Eligible Voter has been omitted, incorrectly set out or incorrectly included on the List of Eligible Voters, he or she will, in his or her sole discretion, make the necessary revision and such revision will be final.

14.10 A Registered Voter may request special assistance from the Ratification Officer at the polls.

14.11 The Ratification Officer will, on request and in the presence of a witness acceptable to the Registered Voter and the Ratification Officer, provide special assistance to a Registered Voter at the polls by marking a ballot in secret as directed by the Registered Voter and immediately folding and depositing the ballot into the ballot box.

14.12 The Ratification Officer, after providing special assistance to a Registered Voter, will make an entry on the List of Eligible Voters indicating:

- (a) that the ballot was marked by the Ratification Officer at the request of the Registered Voter;
- (b) the reason for the Registered Voter's request; and
- (c) the name of the witness.

14.13 Except for a Registered Voter requiring special assistance, every Registered Voter receiving a ballot at a poll will:

- (a) proceed immediately to a designated voting area;
- (b) mark the ballot by placing an "X" in the box marked "YES" or in the box marked "NO";
- (c) fold the ballot so as to conceal the mark and expose the initials of the Ratification Officer; and
- (d) immediately give the folded ballot to the Ratification Officer.

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

- (a) verify the Ratification Officer's initials;
- (b) remove the perforated strip, if any; and
- (c) deposit the ballot into the ballot box.

14.15 A Registered Voter at a poll who receives a spoiled or improperly printed ballot, or who accidentally spoils his or her ballot when marking it, is entitled to receive another ballot from the Ratification Officer after returning the original ballot.

14.16 The Ratification Officer will record a ballot returned in accordance with clause 14.15 as spoiled.

14.17 A Registered Voter at a poll who receives a ballot and does not return it to the Ratification Officer will forfeit the right to vote and the Ratification Officer will make an entry on the List of Eligible Voters stating that the Registered Voter left the poll without delivering the ballot and will record the ballot as cancelled.

14.18 At the time set for closing the polls, the Ratification Officer will declare the polls closed, and entry will be denied to the polls until all remaining Eligible Voters in the polls at that time have voted.

14.19 After the close of a poll on any Advance Polls, and Official Vote Day if an additional day for voting is scheduled, the Ratification Officer or Assistant Ratification Officer presiding at that poll, with the Verifier or Assistant Verifier who will act as a witness, will:

- (a) seal the ballot box at that poll such that no further ballots may be deposited in that ballot box; and
- (b) initial the seal.

14.20 After the close of a poll other than the poll at which the Ratification Officer is presiding, the Assistant Ratification Officer presiding at that poll, with the Verifier or Assistant Verifier who will act as a witness, will:

- (a) seal the ballot box at that poll such that no further ballots may be deposited in that ballot box;
- (b) initial the seal; and
- (c) forthwith transport the sealed ballot box to the Ratification Officer at the poll at which he or she is presiding.

14.21 The Ratification Officer is personally responsible for ensuring the safekeeping of the ballot boxes, and any and all other material and documents related to any polls.

## 15. ORDERLY VOTING

15.1 Council, with the assistance of the Ratification Officer, will ensure that peace and good order are maintained at the poll.

15.2 The Ratification Officer will allow only one Registered Voter at a time into a designated voting area, except for a Registered Voter receiving special assistance.

15.3 An Eligible Voter who is present and available to register and vote at a poll before the closing time will be entitled to register and vote.

15.4 No person will:

- (a) interfere or attempt to interfere with an Eligible Voter when the Eligible Voter is voting;

- (b) obtain or attempt to obtain information as to how an Eligible Voter is about to vote or has voted;
- (c) mark a ballot in a way that identifies the Eligible Voter;
- (d) mark the secrecy envelope for a mail-in ballot in a way that indicates how the ballot was cast;

## 16. REJECTED BALLOTS

16.1 A cast ballot will be rejected if :

- (a) the ballot was not supplied by the Ratification Officer or assistant Ratification Officer;
- (b) the ballot was not marked as either "YES" or "NO";
- (c) the ballot was marked as both "YES" and "NO";
- (d) the ballot was marked outside a box marked "YES" or "NO" such that the Ratification Officer cannot reasonably discern the intent of the Eligible Voter; or
- (e) the ballot has any writing or mark which can identify the Eligible Voter.

16.2 A ballot marked with anything other than an X, or marked with anything other than a lead pencil or blue or black pen, will not be rejected if:

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

## 17. OPENING MAIL-IN BALLOTS

17.1 After the close of the polls on the Official Voting Day the Ratification Officer, in the presence of the Verifier and any Eligible Voters who may be present, will:

- (a) open the ballot box for mail-in ballots;
- (b) open the secrecy envelope and confirm the authenticity of the ballot by checking the affixed initials; and
- (c) deposit the ballot, without opening or showing it, in a ballot box used at the polls.

## 18. COUNTING ELECTRONIC VOTES

18.1 The ratification officer is responsible for securing the final tally of electronic votes, as per the designated procedure provided by the applicable electronic vendor.

18.2 The ratification officer is also responsible for ensuring all votes are legitimate and not duplicates,

as per the security procedures of the chosen vendor.

## 19. COUNTING OF BALLOTS

19.1 Where there is more than one poll, the Ratification Officer will not begin the count until all the ballot boxes are returned to the poll at which the Ratification Officer is presiding.

19.2 After the mail-in ballots have been deposited in a ballot box and after the close of polls on the Official Vote Day, the Ratification Officer, in the presence of the Verifier and any Eligible Voter who may be present, will:

- (a) count the number of spoiled ballots under clause 14.15;
- (b) examine all ballots contained in the ballot boxes;
- (c) reject any ballots as required under clause 12.14 and section 14; and
- (d) count the number of ballots marked "YES", the number of ballots marked "NO" and the number of rejected ballots.

19.3 When the results of the Ratification Vote have been determined the Ratification Officer will execute a Confirmation by Ratification Officer in Form 11.

19.4 The Ratification Officer will seal in separate envelopes the spoiled ballots, the rejected ballots, the ballots cast in favour and the ballots cast against and will thereupon:

- (a) affix his or her signature to the seals; and
- (b) request the Verifier to affix his or her signature to the seals.

19.5 The Ratification Officer will retain in his or her secure possession the separate envelopes.

19.6 After 30 days from Official Voting Day, unless otherwise instructed by Council, the Ratification Officer may thereafter destroy the ballots cast, including the rejected ballots, and the spoiled ballots.

19.7 The passage threshold regarding a vote undertaken in accordance with the procedures detailed in this policy shall be, at least, a favourable vote by fifty percent plus one (50% plus 1) of participating voters.

## 20. PROCEDURAL AMENDMENTS

20.1 In order to give effect to and carry out the objectives and purpose of the Ratification Vote, the Ratification Officer, Council or its designate and the Verifier may agree upon a variation of the procedural requirements of this Ratification Process if they:



(a) deem it necessary to do so; and

(b) reasonably believe the variation will not result in any substantive change to those procedural requirements.

20.2 The Verifier will state in writing the nature and basis of a variation under clause 20.1 and make a copy of the statement publicly available.

20.3 The Ratification Officer or Verifier may modify a form appended to this Ratification Process to add or update, but not remove, material detail.

## 21. OBJECTIONS

21.1 Any Eligible Voter may file an objection with the Verifier if the Eligible Voter has reasonable grounds for believing that:

(a) there was a violation of, or irregularity in, this Ratification Process; and

(b) the final result of the Ratification Vote might have been different but for the violation or irregularity.

21.2 An objection will be received by the Verifier within 5 days of the Official Voting Day.

21.3 An objection will be in writing and will:

(a) identify the name, address and telephone number of the Eligible Voter making the objection;

(b) summarize the grounds for the objection; and

(c) be accompanied by a statutory declaration setting out the grounds for the objection.

21.4 The Verifier may, if the material provided under clause 21.3 is insufficient to decide the validity of the objection, conduct such further investigations as he deems necessary.

21.5 If an objection is filed under this section, the Verifier will, within 10 days of the Official Voting Day determine whether the objection is valid.

21.6 If the Verifier determines the objection is valid, he may allow the objection and call another Ratification Vote.

21.7 The Verifier will dismiss the objection if the Verifier determines that:

(a) there was neither a violation of this Ratification Process nor an irregularity in that process; or

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

## 22. AMENDMENTS

22.1 This Document may be amended by Chief and Council at any time.

## 23. ENACTMENT CLAUSE

23.1 This Ratification Process was adopted by Chief and Council of the Wahnapiṭae First Nation this 15<sup>th</sup> day of September in the year 2020, on behalf of the Wahnapiṭae First Nation.

23.2 This Ratification Process was amended by Chief and Council of the Wahnapiṭae First Nation this 18<sup>th</sup> day of January in the year 2025, on behalf of the Wahnapiṭae First Nation.



## APPENDIX "A" – FORMS

- Form 1 - Ballot
- Form 2 - Notice of Vote
- Form 3 - Appointment of a First Nation Ratification Officer
- Form 4 - Appointment of a Deputy First Nation Ratification Officer
- Form 5 - Amendments to the List of Eligible Voters
- Form 6 - Ratification Officer Declaration at the Opening of a Voting Station
- Form 7 - Daily Ballot Count
- Form 8 - Declaration of First Nation Ratification Officer Regarding the Voting Station
- Form 9 - Tampered Ballot Box(es)
- Form 10 - Mail-in Ballot Identification Envelope
- Form 11 - Certification by First Nation Ratification Officer
- Form 12 - Declaration of First Nation Ratification Officer Regarding Mail-in Ballots



# BALLOT

Mark only 1 of the boxes below.

As a Voter of the Wahnapiitae First Nation, do you:

approve the proposed \_\_\_\_\_ ?

YES

NO

Do not make any marks on this Ballot which may identify you.

FORM 2: NOTICE OF VOTE  
TO ALL MEMBERS OF WAHNAPITAE FIRST NATION

A vote will be held \_\_\_\_\_ to \_\_\_\_\_ to ratify the  
\_\_\_\_\_.

**As an Eligible Voter of Wahnapiatae First Nation, do you:**  
**approve the proposed \_\_\_\_\_**

**Voting on the First Nation will take place (enter vote period)  
between the hours of 9:00 a.m. and 8:00 p.m. at (enter location(s))**

You are eligible to vote if you are 18 years of age by the last day of the Voting Period of (vote day) and your name appears on the band list or you are entitled to have your name appear on the band list. You will be required to produce identification in order to vote.

To confirm your name is on the List of Eligible Voters or to receive instructions on the process to request changes to the List of Eligible Voters, contact your First Nation Ratification Officer at the address set out below.

You may also vote by Mail-in Ballot. All eligible Band Members will receive a Mail-in Ballot, by mail. To be eligible to be counted, a Mail-in Ballot must be received by the First Nation Ratification Officer identified on the envelope by the close of Voting Period.

You may only vote once.

All votes will be counted at the location set out below after the close of polls on (vote day).

This notice is given \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_\_ (year)

by \_\_\_\_\_ (name of First Nation Ratification Officer),

First Nation Ratification Officer, for Wahnapiatae First Nation.

(Insert times, dates, name and address(es) for information session(s) and vote)

(Insert Address of First Nation Ratification Officer)

(Phone Number)

(Fax Number)

FORM 3: APPOINTMENT OF A RATIFICATION OFFICER

This form must be completed and returned in-person to the Executive Director upon appointing the First Nation Ratification Officer.

The Wahnapiatae First Nation appoints \_\_\_\_\_ as  
the First Nation Ratification Officer for the ratification of the  
\_\_\_\_\_ Ratification.

The contact information for the First Nation Ratification Officer is:

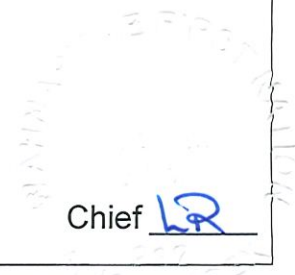
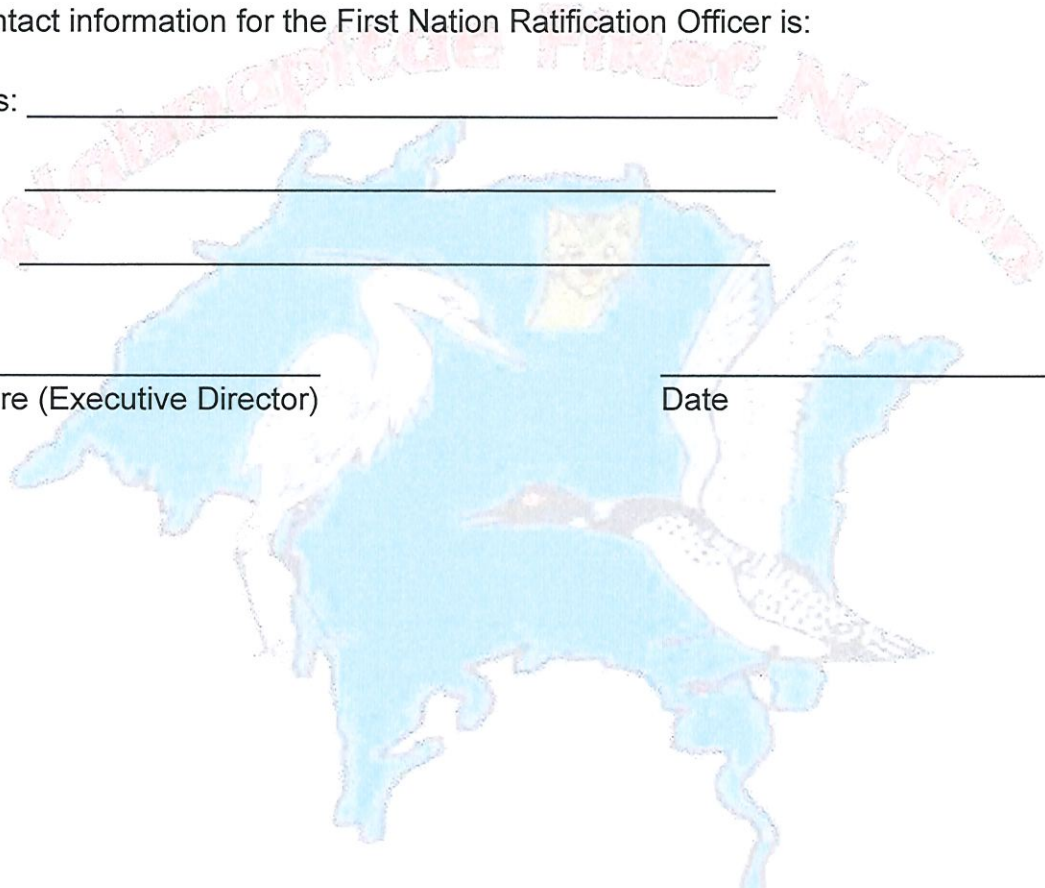
Address: \_\_\_\_\_

Email: \_\_\_\_\_

Phone: \_\_\_\_\_

\_\_\_\_\_  
Signature (Executive Director)

\_\_\_\_\_  
Date



FORM 4: APPOINTMENT OF A DEPUTY RATIFICATION OFFICER

This form must be completed and returned by mail, email, facsimile, or in-person to the Executive Director within 3 days of appointing a deputy First Nation Ratification Officer.

I, \_\_\_\_\_, First Nation Ratification Officer for the ratification of the \_\_\_\_\_ for Wahnapiatae First Nation, appoint the following person as my deputy \_\_\_\_\_.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



FORM 5: AMENDMENTS TO THE LIST OF ELIGIBLE VOTERS

I, \_\_\_\_\_, (name of First Nation Ratification Officer), the First Nation Ratification Officer for Wahnapiitae First Nation declare the following:

I amended the List of Eligible Voters by:

Name	First Nation	Band Number	Date of Birth	Action Taken	Reason

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

To be completed by witness:

Declared before me, \_\_\_\_\_ (name of witness),

at \_\_\_\_\_ (First Nation),

this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), of \_\_\_\_\_ (year).

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Telephone Number



FORM 6: RATIFICATION OFFICER DECLARATION AT THE OPENING OF A VOTING STATION

I \_\_\_\_\_ (Wahnapiatae First Nation Ratification Officer) declare that prior to the opening of the Voting Station located at \_\_\_\_\_, on \_\_\_\_\_ (date), I examined the Ballot box(es) to be used and found the Ballot box(es) to be empty. I then sealed the Ballot box(es) in the presence of a witness below. We both then placed our signatures on the seal(s).

\_\_\_\_\_  
Signature of First Nation Ratification Officer

\_\_\_\_\_  
Date

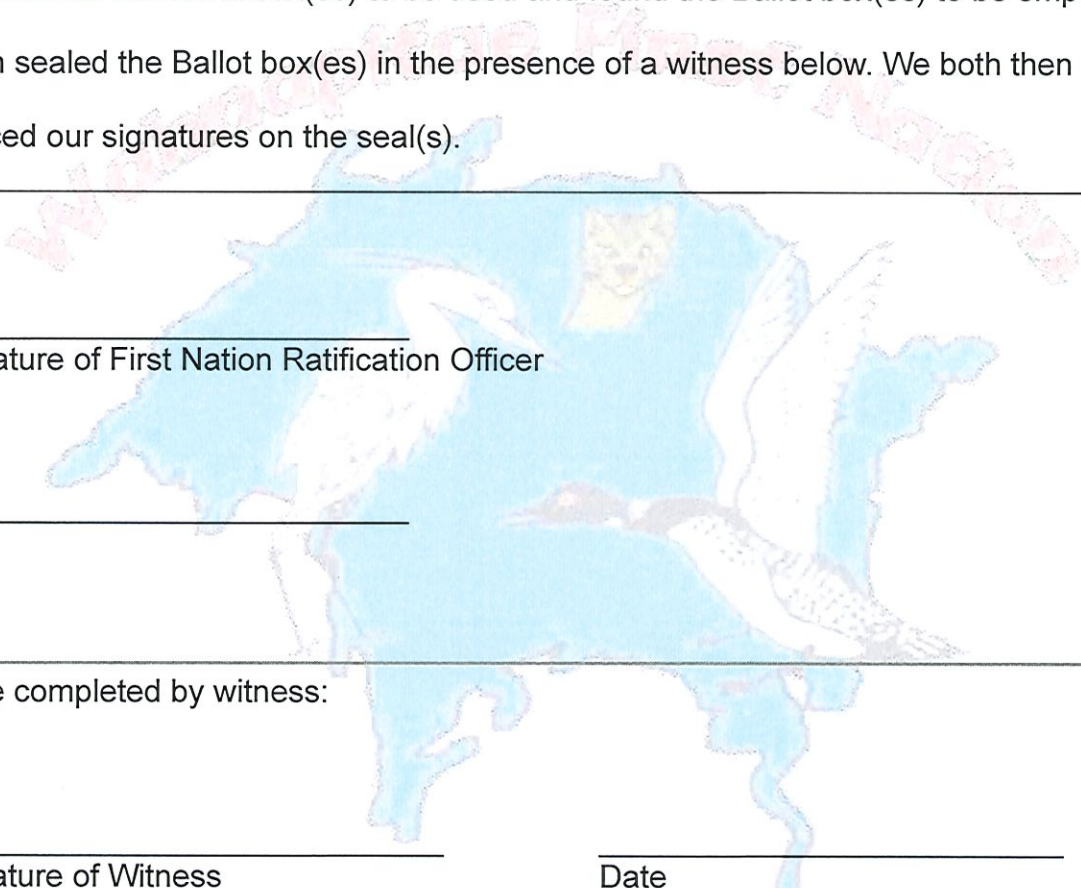
\_\_\_\_\_  
To be completed by witness:

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Telephone Number



FORM 7: BALLOT COUNT

I, \_\_\_\_\_, the First Nation

Ratification Officer for Wahnapiitae First Nation, declare the following:

(a) Number of Ballots provided to the Voting Station at the start of the day:

\_\_\_\_\_

(insert #)

(b) Number of Cast Ballots used at the Voting Station at the end of the day:

\_\_\_\_\_ (insert #)

(c) Number of Spoiled Ballots at the Voting Station at the end of the day:

\_\_\_\_\_

(insert #)

(d) Number of Unused Ballots at the Voting Station at the end of the day:

\_\_\_\_\_ (insert #)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

To be completed by witness:

Declared before me, \_\_\_\_\_

(name of witness), at \_\_\_\_\_

(First Nation), this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Telephone Number

FORM 8: DECLARATION OF RATIFICATION OFFICER  
REGARDING THE VOTING STATION

I, \_\_\_\_\_, the First Nation Ratification  
Officer for Wahnapiatae First Nation, declare the following:

(a) The Voting Period was held on:

\_\_\_\_\_ (Date(s) of ratification vote)

(b) Each Voting Station was open from 9:00 a.m. until at least 8:00 p.m. on each day of the  
Voting Period.

(c) My deputy(ies) and/or I remained at the Voting Station during all hours that the polls were  
open.

(d) My deputy(ies) and/or I properly sealed the Ballot boxes and placed a signature on  
the seal in front of a witness and asked the witness to place their signature on the seal.

(e) My deputy(ies) and/or I kept the Ballot boxes in view for the reception of the Ballots.

(f) I was assisted in my duties by the following deputy(ies):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(g) I carried out my duties in accordance with the terms of this Ratification Process Protocol  
of the Wahnapiatae First Nation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

To be completed by witness:

Declared before me, \_\_\_\_\_ (name

of witness), at Wahnapiatae First Nation,

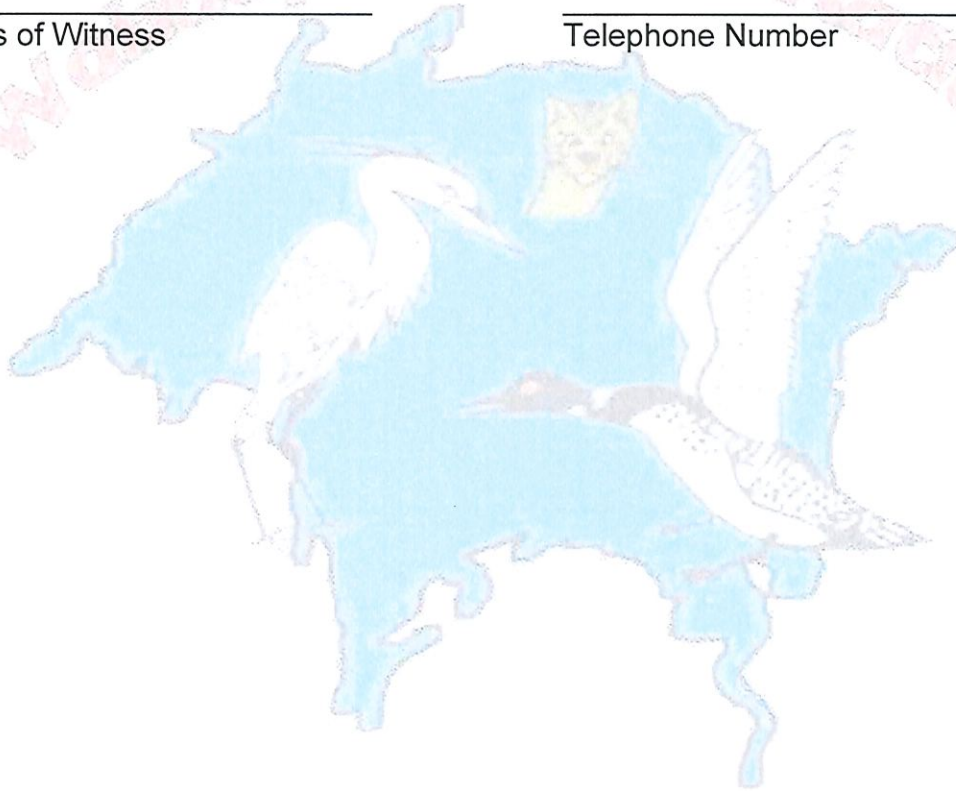
this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_ (year).

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Telephone Number

Wahnapiatae First Nation



Wahnapiatae First Nation  
Chief LR

FORM 9: TAMPERED BALLOT BOX

I \_\_\_\_\_, (name of First Nation Ratification Officer)

the First Nation Ratification Officer for Wahnapiṭae First Nation declare the following:

(a) I examined the Ballot box at the Voting Station and found the box had been tampered with; and

(b) I opened the Ballot box in the presence of \_\_\_\_\_ (name of witness 1) and \_\_\_\_\_ (name of witness 2) and counted \_\_\_\_\_ (insert number of Ballots) Ballots in the package and sent all the Ballots to the Executive Director of Wahnapiṭae First Nation.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

To be completed by witness #1

Declared before me \_\_\_\_\_ (name of witness 1),

at \_\_\_\_\_ (First Nation),

this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

Signature of Witness

Address of Witness

Telephone Number

To be completed by witness #2

Declared before me \_\_\_\_\_ (name of witness 2),

at \_\_\_\_\_ (First Nation),

this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Telephone Number

To be completed by the Ratification Vote Manager:

I \_\_\_\_\_, the Ratification Vote Manager

declare that I opened the courier package from \_\_\_\_\_,

the First Nation Ratification Officer for Wahnapiatae First Nation in the presence  
of \_\_\_\_\_

(name of witness 1) and \_\_\_\_\_ (name of witness 2)

and counted \_\_\_\_\_ (insert number of Ballots) Ballots in the

package.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

To be completed by witness #1

Declared before me, \_\_\_\_\_ (name of witness 1),

at \_\_\_\_\_ (First Nation),

this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Address of Witness

To be completed by witness #2

Declared before me, \_\_\_\_\_ (name of witness 2),

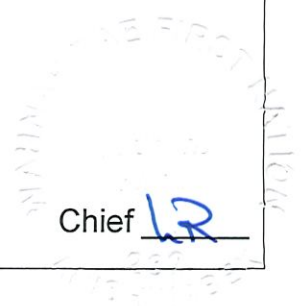
at \_\_\_\_\_ (First Nation),

this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Telephone Number



FORM 10: MAIL-IN BALLOT IDENTIFICATION ENVELOPE

This identification envelope must be signed by you and a witness who is at least 18 years old and returned to the Wahnapiatae First Nation Ratification Officer in Wahnapiatae First Nation with your completed Ballot or your vote will not be counted.

In the matter of the ratification of the \_\_\_\_\_,

I, \_\_\_\_\_ (clearly print your full name), solemnly declare that:

- (a) I am a member of the Wahnapiatae First Nation;
- (b) my band number is \_\_\_\_\_ and my date of birth is \_\_\_\_\_;
- (c) my current mailing address is \_\_\_\_\_;
- (d) I will be at least 18 years of age by the end of (vote date here);
- (e) I do not know of any reason why I would be disqualified from voting in this Ratification Process;
- (f) the Ballot had no voting marks of any kind when I received it; and
- (g) I marked the Ballot, enclosed it in the white envelope marked "BALLOT," and sealed it in this envelope, or asked someone I trust to help me complete these tasks in accordance with my wishes.

I make this solemn declaration conscientiously believing it to be true and knowing that it has the same force and effect as if made under oath.

\_\_\_\_\_  
Signature Date

To be completed by witness:

Declared before me, \_\_\_\_\_ (name of witness),

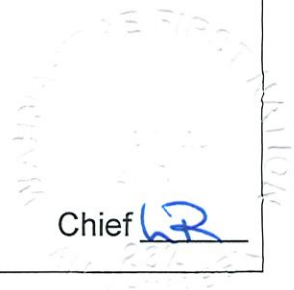
at \_\_\_\_\_ (Location),

this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
Signature of Witness

Address of Witness: \_\_\_\_\_

Telephone Number: \_\_\_\_\_





**FORM 11: CERTIFICATION BY RATIFICATION OFFICER**

I, \_\_\_\_\_ (name of First Nation Ratification Officer), the First Nation Ratification Officer for Wahnapiatae First Nation), declare the following:

(a) The Voting Period was held on \_\_\_\_\_ (date(s) of ratification vote).

(b) The locations and numbers of votes cast for Wahnapiatae First Nation are set out below.

Location of Voting Station	Total Number of Votes Cast
Mail-in Ballots	Total Number of Votes Cast

(c) The names of Eligible Voters appeared on the List of Eligible Voters.

(d) The number of Eligible Voters who constitute 25% plus 1 was \_\_\_\_\_.  
The total number of Eligible Voters who voted was \_\_\_\_\_.

(e) After counting all of the Cast Ballots the totals were:

YES	NO	SPOILED/REJECTED

(f) The total number of Unused Ballots is \_\_\_\_\_.

(g) Based on the ratification threshold set out in Wahnapiatae First Nation Constitution, the number of Eligible Voters who constitute at least twenty-five (25%) percent of Eligible Voters participate and at least fifty plus one (51%) percent of the eligible voters was \_\_\_\_\_.

The ratification threshold was/was not met \_\_\_\_\_.

(h) I was assisted in my duties by the following deputy(ies):

\_\_\_\_\_

I carried out my duties in accordance with the terms of this Ratification Process Protocol of the Wahnapiatae First Nation.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
To be completed by witness:

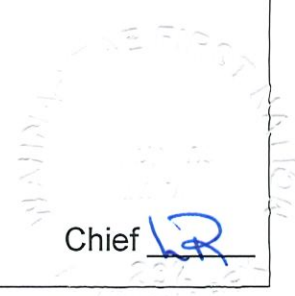
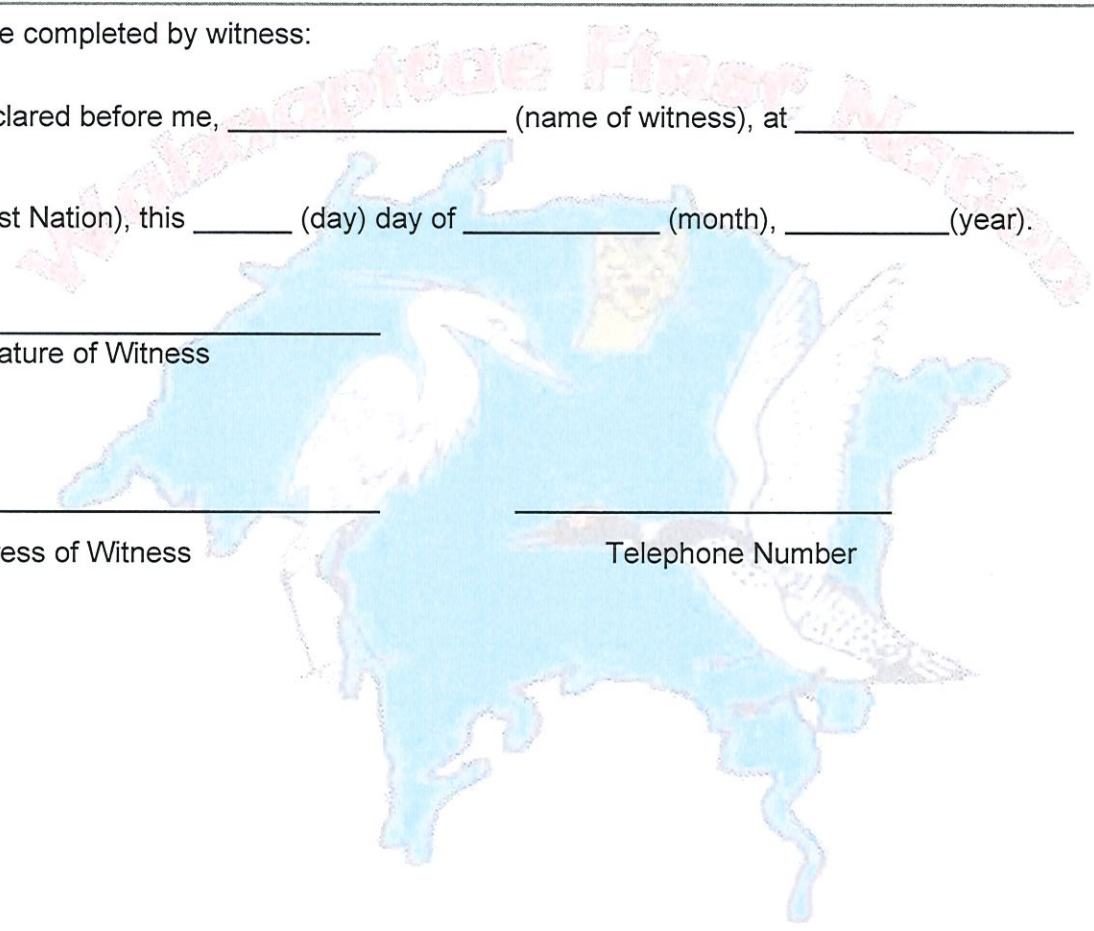
Declared before me, \_\_\_\_\_ (name of witness), at \_\_\_\_\_

(First Nation), this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Telephone Number



Chief 

FORM 12: DECLARATION OF RATIFICATION OFFICER  
REGARDING MAIL-IN BALLOTS

I, \_\_\_\_\_ (name of First Nation Ratification

Officer), the First Nation Ratification Officer for Wahnapiatae First Nation declare the following:

- (a) I sent or delivered Mail-in Ballots to all Eligible Voters who reside on and off the First Nation.
- (b) I considered all Mail-in Ballots which were received by the close of voting on \_\_\_\_\_ for counting. I placed any Mail-in Ballots received after the close of voting on \_\_\_\_\_ with the other Spoiled Ballots.
- (c) I verified each identification envelope to ensure that the sender was Eligible Voter and that the Eligible Voter completed Form 11 of the Ratification Process Protocol of the Wahnapiatae First Nation Constitution and had it witnessed.
- (d) I deposited the accepted Mail-in Ballots into the Ballot box after the close of voting on Voting Period and deposited the Spoiled Ballots back into their identification envelope and put them with the other Spoiled Ballots.
- (e) A total of \_\_\_\_\_ Mail-in Ballots were received before the close of voting on Voting Period.
- (f) The Mail-in Ballots were opened at \_\_\_\_\_ (location) on \_\_\_\_\_ (date/time).
- (g) I accepted \_\_\_\_\_ Ballots and rejected \_\_\_\_\_ Ballots.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

To be completed by witness:

Declared before me, \_\_\_\_\_ (name of witness), at \_\_\_\_\_

(First Nation), this \_\_\_\_\_ (day) day of \_\_\_\_\_ (month), \_\_\_\_\_ (year).

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Address of Witness

\_\_\_\_\_  
Telephone Number