



# HENVEY INLET FIRST BAND COUNCIL

Chronological no.

2023/2024-

Date of open meeting of Council

Wednesday, 30 August 2023

Location:

O&M Building  
French River Reserve 13LAND LAW TABLING  
RESOLUTIONProposed Land Law: HENVEY INLET FIRST NATION MEMBER RATIFICATION  
PROTOCOL

## BACKGROUND

- A. Council wishes to establish a custom-based process for the ratification by eligible voters of matters of importance to Henvey Inlet First Nation in cases where no ratification process is prescribed by law.
- B. Council has adopted the proposed law attached as **Schedule "A"** to this tabling resolution entitled "**HIFN Member Ratification Protocol**" as an appropriate minimum standard for ratification votes in the absence of other standards. The proposed law will benefit Henvey Inlet First Nation by removing uncertainty where a matter requires ratification by the eligible voters but no threshold for accepting the results of a vote is prescribed by law.
- C. Council intends to proceed with enactment only if the draft law receives the approval of the eligible voters.

## COUNCIL HEREBY RESOLVES:

1. The proposed law entitled "HIFN Member Ratification Protocol" attached as Schedule "A" hereto is hereby tabled for enactment as a law of Henvey Inlet First Nation pursuant to our First Nation's inherent jurisdiction to govern its internal affairs.
2. The enactment by Council of the proposed land law shall be subject to a community approval vote conducted with the assistance of the Henvey Inlet First Nation Restated Membership Code Working Group.
3. Community meetings open only to members to discuss the proposed law shall be convened at the Fire Hall, Pickerel River Road, French River Reserve No. 13, for in-person attendance and attendance by Zoom on
  - Tuesday, 19 September 2023, dinner available for in-person attendees at 5:00 pm, meeting starts at 6:00 pm
  - Sunday, 24 September 2023, lunch available for in-person attendees at noon, meeting starts at 6:00 pm.
4. A community approval vote shall be conducted under the authority of Scott Jacob, who is hereby appointed as the Returning Officer and who is hereby granted powers and authority analogous to those of an Electoral Officer pursuant to *the Indian Referendum Regulations* (C.R.C. c. 957), and who shall certify to Council the proper conduct and outcome of the vote.
5. The community approval ballot question shall be:
 

**"ARE YOU IN FAVOR OF THE PROPOSED "HIFN MEMBER RATIFICATION PROTOCOL"?"**  
 **YES  NO**".
6. Eligible voters may be cast ballots:
  - a. in person at a poll to be held at the Fire Hall Library, Pickerel River Road, French River Reserve No. 13, on Sunday, 15 October 2023, which shall be open for voting between 10:00 am and 5:00 pm on that date;
  - b. electronically through OneFeather.ca; and
  - c. by mail-in ballot which must be received by the Returning Officer on or before 5:00 p.m. on Saturday 14 October 2023.

Mail-in ballot packages will be sent by ordinary letter mail or delivered personally to each eligible voter on or before Friday, 01 September 2023, and will include return envelopes addressed to the Returning Officer. There will be no proxy voting.
7. Notice of this tabling resolution and the proposed community approval vote shall be provided to members no later than Friday 01 September 2023. The notice shall be:
  - a. posted in a public place in the First Nation's administration offices and on a member-accessible page of the First Nation's website;
  - b. made available in hard copy form in the First Nation's administration offices for inspection by any eligible voter who so requests; and
  - c. included in the mail-in ballot packages sent to each eligible voter.
8. The contact person for the purposes of the notice shall be Councillor Brenda Contin.
9. A fully updated list of the eligible voters and their addresses, where known, shall be prepared and provided to Councillor Brenda Contin and the Returning Officer.
10. If the proposed HIFN Member Ratification Protocol is approved by the community approval vote, Council shall convene a meeting in open session at 10:00 am on Tuesday, 26 October 2023, or as soon thereafter as may be practical, to consider the following:
  - a. any report provided by the Membership Code Restatement Working Group with respect to member feedback and the meeting of members;

[Continued on next page]



**HENVEY INLET FIRST BAND COUNCIL**

Chronological no.

**2023/2024-**

**Date of open meeting of Council**

Tuesday, 29 August 2023

**Location:**

**O&M Building  
French River Reserve 13**

**LAND LAW TABLING RESOLUTION**

**Proposed Land Law: HENVEY INLET FIRST NATION MEMBER RATIFICATION PROTOCOL**

[Continued from previous page]

- b. the report of the Returning Officer with respect to the conduct and outcome of the community approval vote; and
- c. the enactment of the proposed law, subject to any revisions to the draft proposed Land Law which Council deems necessary, where Council is of the view that such revisions do not alter the substance of the draft to the extent that further notice to the eligible voters would be required.

11. If for any reason a community meeting or the in-person poll for the community approval vote or the open Council meeting to enact the proposed law cannot be convened or concluded at the location or on the date or time specified in the notice to members, Council may reschedule the community meeting, in-person poll or open Council meeting, in whole or in part, to an alternate date, time or place by resolution. At least three days' notice of a rescheduling shall be given to the members by posting the new date, time and location in the band office and on the Henvey Inlet First Nation website.

MOVED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

Quorum:	<b>5</b> present in person	_____ M. Wayne McQuabbie, Chief	
	_____ Carl Ashawasegai, Councillor	_____ Patrick D. Brennan, Councillor	_____ Brenda D. Contin, Councillor
	_____ Lionel R. M. Fox, Councillor	_____ Maureen A. Kagagins, Councillor	_____ Stanley K. Moses, Councillor
	_____ Debora Newton, Councillor	_____	_____



## HENVEY INLET FIRST NATION HIFN MEMBER RATIFICATION PROTOCOL

**Enacted pursuant to the custom and inherent jurisdiction  
of Henvey Inlet First Nation**

### **PREAMBLE**

Henvey Inlet First Nation, by its Council, hereby enacts a protocol for the ratification of matters by the members where no other approval threshold is prescribed by law or resolution of Council.

### **DEFINITIONS**

1. In this law, "eligible voter" means a person enrolled as a member of Henvey Inlet First Nation who has attained the age of eighteen years.

### **RATIFICATION APPROVAL THRESHOLD**

2. Subject to any law or a resolution of Council which provides otherwise, a matter shall be deemed ratified and approved if:
  - a. a majority of 50% plus one of the votes cast by the eligible voters are in favour of the matter;  
and
  - b. at least 10% of the total number of eligible voters cast votes.

### **IN FORCE DATE**

3. This law shall take effect and be in force immediately on enactment by Council.