



**HENVEY INLET FIRST NATION
NOTICE OF REFERENDUM
SUNDAY 15 OCTOBER 2023**

**PROPOSED NEW LAW GOVERNING
RATIFICATION VOTES**

THIS NOTICE INCLUDES:

- Chief's Cover Letter
- Notice of Referendum Vote
- Draft of Proposed New "HIFN Member Ratification Protocol" Law
- Feedback form

30 August 2023

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TO ALL MEMBERS

Proposed New Law Governing Ratification Votes

As most of you will be aware, HIFN's Membership Code Working Group has developed a new "restated" membership code intended to replace our existing 1987 Code. The Restated Code will complete the process of taking sovereignty over membership, get rid of the old code's reliance on the *Indian Act* and give effect to with our own beliefs about who belongs on our membership list.

However, neither the *Indian Act* nor our 1987 Code contain rules on how to do a membership code amendment. We have encountered this issue in some other matters, such as making environmental laws. We need to adopt our own amending formula, based on our inherent jurisdiction and custom, to address these situations.

The proposed law: A new draft law entitled "**HIFN Member Ratification Protocol**" is included in this Notice, which states that, where no voting formula is prescribed by law, a matter must be approved by a majority of 50% plus one of the votes of the eligible voters AND, to ensure matters are not decided by too small a voter turnout, a vote will only count if a minimum of 10% of the eligible voters cast votes. These rules are the same as for member approval for a land law under our Land Code (2nd try). We want to use this previously-approved standard more broadly.

Community Meetings: Community Meetings to discuss the HIFN Member Ratification Protocol will be held prior to the vote, which you can attend in person or online by Zoom:

Community Meeting #1

Tuesday 19 September 2023, dinner for those who attend in person at 5:00 pm, meeting starts at 6:00 pm

Community Meeting #2

Sunday 24 September 2023, lunch for those who attend in person at noon, meeting starts at 1:00 pm

Voting: You can vote on the new law anytime on-line through OneFeather.ca, by mail-in ballot or in person at the Firehall on Sunday 15 October 2023 between 10:00 am and 5:00 pm.

If the eligible voters approve the "HIFN Member Ratification Protocol", Council will enact it as a law of our First Nation pursuant to our inherent jurisdiction to pass laws governing ourselves on internal matters.

Meegwetch!



Chief M. Wayne McQuabbie



HENVEY INLET FIRST NATION

**NOTICE OF REFERENDUM VOTE
PROPOSED NEW LAW GOVERNING RATIFICATIONS**

1. A referendum vote will be held among the eligible voters on 15 October 2023 with respect to the proposed new Henvey Inlet First Nation law entitled “**HIFN Member Ratification Protocol**” attached as **Schedule “A”** hereto.
2. The referendum ballot question shall be:

**“ARE YOU IN FAVOR OF THE PROPOSED “HIFN MEMBER RATIFICATION
PROTOCOL”?
 YES NO”.**

3. The referendum shall be conducted under the authority of Scott Jacob, Returning Officer. Eligible voters may 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 on or before the close of the poll at 5:00 pm on **Sunday, 15 October 2023**; or
 - 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 Sunday, 03 September 2023, and will include return envelopes addressed to the Returning Officer. There will be no proxy voting.

4. 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.
5. If the proposed HIFN Member Ratification Protocol is approved by the referendum 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 enactment of the law.
6. For further information contact Brenda Contin, Councillor, at 705-857-2331 or by email at brenda.contin@henveyinlet.com

DRAFT LAW

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.

