

Leadership Selection Code (Election Code) Questionnaire

The Governance Initiatives Committee is conducting this final survey to assist in any final changes to the draft Election Code. The input of the electors is important. 2019-May

PLEASE USE AN "X" to chose your answers

| | | | |
|--|-------------------------------------|-----|--|
| What term of council do you agree with? → | 2 year? ___ 3 year? ___ Other _____ | | |
| Do you utilize or look for voting notices/ postings on the First Nation website? → | Yes? | No? | |
| Do you like the option of voting electronically? → | Yes? | No? | |
| Do you like the option of voting by mail-in ballot? → | Yes? | No? | |

THE SELF-NOMINATING PROCESS: This process is where the candidate submits their own nomination to the Electoral Officer as shown below.

| | | | |
|---|------|-----|--|
| <p>A candidate would be required to:</p> <ol style="list-style-type: none"> 1. Complete and sign a self-nominating form verifying that they meet the qualifications to be a candidate; 2. Obtain 25 supporters (electors) names and signatures who support the nomination; 3. Obtain written certification by the Kettle & Stony Point Finance Department verifying they are in good financial standing with the First Nation. <p>The process leaves the responsibility on the candidate to self-verify that they meet all the qualifications to be a candidate and it shows that each candidate is serious about running in an election. It is also saves cost and time for the First Nation during the election period.</p> | | | |
| Do you agree with the self-nominating process? → | Yes? | No? | |
| <p>If you chose NO, why?</p> | | | |

QUALIFICATIONS TO BE ELIGIBLE TO BE A CANDIDATE

| Do you agree with the following qualifications to be ELIGIBLE as a candidate? | | |
|---|------|-----|
| Must be at least 18 years of age on Nomination Day → | Yes? | No? |
| Must be a member of Kettle and Stony Point → | Yes? | No? |
| (IF running for Chief) served as a councillor for at least one full term anytime in the past 10 years or served as Chief at anytime in the past → | Yes? | No? |
| Must be in good financial standing with the First Nation → | Yes? | No? |
| Must not have resigned or been removed from council in the past for the following reasons (see definitions below): → * was convicted of an indictable offence * was found guilty of corrupt practice in connection with an election or bribery * carried out wrongful conduct during his/her term | Yes? | No? |

DEFINITIONS

“Good Financial Standing” refers to an individual who:

1. has a loan agreement with the First Nation and has made an agreement to repay the loan in installments on a regular basis until the outstanding loan is paid in full and consistently does so, or
2. has arrears or outstanding debts with the First Nation and has made an agreement to pay and keeps the commitment unless other circumstances arise and temporary arrangements are made and agreed to. This individual also agrees that any honoraria or payments that they may have owing to them will be applied to their outstanding account, or
3. has committed to pay annual fees such as water, garbage or sewage, etc. in a lump sum or monthly instalments without fail.

“corrupt practice” as defined in the code, “means such forms of bribery direct or indirect, or providing a financial or material incentive to an elector in exchange for a vote”.

“wrongful conduct” as defined in the code, Refers to a member of council who,

1. violates this code;
2. fails to maintain the standard of conduct expected of a member of Council;
3. fails to ensure the safety and protection of the community members and property;
4. abuses his or her office such that the conduct negatively affected the dignity and integrity of the community, a community member, or a member of the Anishinaabeg of Kettle and Stony Point Council;
5. encourages others to commit any of the above; or
6. engages in other conduct determined to be of such a serious nature that the removal of the member should be considered.

(Note that Indictable Offences are the more severe offences, such as robbery, sexual offences, assault charges, etc.)

Are there other qualifications or comments to be a candidate for Councillor or Chief you feel should be included?

VACANCIES

1. Do you agree or disagree with the reasons that a vacancy on council will occur?

| Reasons for Vacancies | | | |
|---|---|------|-----|
| When they are convicted of an indictable offence? | → | Yes? | No? |
| When they are found guilty of corrupt practice in an election? | → | Yes? | No? |
| When they carry out wrongful conduct during their term? | → | Yes? | No? |
| If it is shown that they were never eligible to be a candidate? | → | Yes? | No? |
| If they are absent from two or more consecutive regular council meetings without just cause? | → | Yes? | No? |
| If they are declared mentally incompetent by a court of competent jurisdiction? | → | Yes? | No? |
| If they cease to be a member of the First Nation? Example: they transfer to another First Nation | → | Yes? | No? |
| Comments: | | | |
| | | | |

2. WHEN a vacancy for COUNCILLOR occurs, and IF it is 6 months or less till the end of the current term of council, the seat will stay empty (unless Quorum is lost). This is because an accelerated election can take 10 or more weeks to fill the position as well as the cost upon the First Nation.

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| Do you agree with leaving the seat empty IF IT IS 6 MONTHS OR LESS until the next regular election for these reasons? | → | Yes? | No? |
|---|---|------|-----|

3. WHEN a vacancy for CHIEF occurs, and IF it is 6 months or less till the end of the current term of council, the remaining council members will appoint an Interim Chief for the remainder of the term. This is because an accelerated election can take 10 or more weeks to fill the position as well as the cost upon the First Nation.

| | | | |
|--|---|------|-----|
| Do you agree with appointing an Interim Chief IF IT IS 6 MONTHS OR LESS until the next regular election for these reasons? | → | Yes? | No? |
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4. ARE THERE ANY OTHER REASONS YOU FEEL A VACANCY SHOULD OCCUR?

| | | | |
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| | | | |
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APPEAL BOARD

| Who do feel should sit on an appeal board to decide upon any election appeals | | | |
|---|---|------|-----|
| A person with a legal background? | → | Yes? | No? |
| Band members? | → | Yes? | No? |
| Other people not associated with the First Nation? | → | Yes? | No? |
| Comments on others who should or should not sit on an appeal board to decide upon election appeals. | | | |

Include any other comments, concerns you have about the draft Leadership Selection Code (also known as the Election Code)

Please note:
The draft “Leadership Selection Code” will be re-named the “Election Code” on the final draft.
Thank you for your input!