

**BYLAWS
OF THE
METIS NATION
OF
ALBERTA ASSOCIATION**

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METIS NATION DECLARATION

**THE METIS NATION VALUES SELF-RELIANCE,
SELF-SUFFICIENCY AND INDIVIDUAL AND
COLLECTIVE RIGHTS AND FREEDOMS. THE
METIS NATION POSSESSES THE RIGHT OF
SELF-DETERMINATION, INCLUDING THE INHERENT
RIGHT OF METIS GOVERNANCE WHICH MAY BE
EXPRESSED AND IMPLEMENTED BY ITS CITIZENS AT
THE LOCAL, REGIONAL, PROVINCIAL/TERRITORIAL
AND NATIONAL LEVELS.**

**ADOPTED IN THE METIS HOME LAND
BY THE METIS NATIONAL COUNCIL ** JULY 28, 1994**

ARTICLE 1 NAME AND OBJECTIVES

We, the Metis Nation of Alberta, are a distinct Nation among the Aboriginal people in Canada and as such our Aboriginal rights are recognized and affirmed under Section 35 of the Constitution Act, 1982.

We, the Metis Nation of Alberta, have the inherent right of self-determination and self-government.

This document contains the Bylaws of the Metis Nation of Alberta and will continue the process of self-determination and self-government of the Metis Nation.

This document gives authority to a body that shall be known as the "Metis Nation of Alberta Association" and this body shall govern its people in the style and spirit of the Riel government.

1. The objectives of the Metis Nation of Alberta Association are as follows:
 - 1.1 To promote the cultural, economic, educational, political and social development of Metis in Alberta and Canada;
 - 1.2 To stand as the political representative of all Metis in Alberta and to promote self determination and self-government for Metis in Alberta and Canada;
 - 1.3 To promote, pursue and defend aboriginal, legal, constitutional, and other rights of Metis in Alberta and Canada;
 - 1.4 Re-establish land and resource bases;

- 1.5 To create awareness of the proud heritage of the Metis Nation of Alberta and to promote the history, values, culture, languages and spiritual traditions of the Metis Nation of Alberta;
- 1.6 To develop prosperity and economic self-sufficiency within the Metis Nation of Alberta;
- 1.7 To promote and ensure participation of Metis Elders, Metis Women, Metis Youth and Metis persons with disabilities in the educational, cultural, political and social development of the Metis Nation of Alberta.

ARTICLE 2 POLITICAL-RELIGIOUS AFFILIATION

- 2.1. The Metis Nation shall not be affiliated with any political party or religious denomination.

ARTICLE 3 DEFINITION OF METIS

- 3.1 "METIS" means an Aboriginal person who self-identifies as Metis, who is distinct from Indian, and Inuit and
 - (a) is a descendant of those Metis who received or were entitled to receive land grants and/or Script under the provisions of the Manitoba Act, 1870, or the Dominion Lands Acts, as enacted from time to time; and
 - (b) a person of Aboriginal descent who is accepted by the Local Community as a Metis person.

3.2 A Metis must provide historical proof of his or her status as Metis.

- (a) **HISTORICAL PROOF** - evidence of an ancestor who received a land grant or a script grant under the Manitoba Act or the Dominion Lands Act, or who was recognized as a Metis in other government, church or community records.

ARTICLE 4 OTHER DEFINITIONS

4.1 Annual Assembly - means annual general meeting.

4.2 Member - means a member of the Metis Nation of Alberta Association.

4.3 Bylaws - means by-laws of the Metis Nation of Alberta Association.

4.4 (i) Good Standing - means a Metis Lifetime Member who has not had any privileges suspended.

(ii) Privilege - means but it is not limited to:

- (a) the opportunity to be a candidate for an elected office in the Metis Nation;
- (b) the opportunity to hold an elected office in the Metis Nation;
- (c) the opportunity to be employed by the Metis Nation;
- (d) the opportunity to be appointed to the Metis Judiciary Council or Council of Elders;
- (e) the opportunity to be an employee, officer or director of an affiliate;
- (f) the opportunity to receive income or reimbursement of

expenses from the Metis Nation or its affiliates.

4.5 Local Community - is a Metis Local affiliated with the Metis Nation of Alberta Association and means:

- (a) a minimum of ten (10) Metis Lifetime Members in good standing:
 - (i) who have obtained the consent of the Provincial Council to use the name "Metis Nation" in its name; and
 - (ii) who have obtained the consent of a majority of the members of their Regional Council at a meeting of the Regional Council; and
 - (iii) who are presently incorporated pursuant to the Societies Act of Alberta; or

- (b) a group of less than twenty five (25) Metis Lifetime Members in good standing approved by the Provincial Council in a situation where there are less than twenty five (25) Metis Lifetime Members in good standing:
 - (i) who have obtained the consent of the Provincial Council to use the name "Metis Nation" in its name; and
 - (ii) who have obtained the consent of a majority of the members of their Regional Council at a meeting of the Regional Council; and
 - (iii) who are presently incorporated pursuant to the Societies Act of Alberta.

4.6 Metis Nation - means Metis Nation of Alberta Association.

4.7 Ordinary Resolution - means a resolution passed by a majority of not less than fifty (50%) percent plus one (1) vote of such Metis Lifetime Members entitled to vote as are present in person at any meeting of the Metis Nation.

4.8 Special Resolution - means:

(a) A Resolution passed:

- (i) at an Annual Assembly or Special Meeting, notice of which has been duly given not less than twenty-one (21) days before, such notice also specifying the intention to propose the resolution, and
- (ii) by the vote of not less than seventy-five (75%) percent of those Metis Lifetime Members who, if entitled to do so, vote in person.

ARTICLE 5 MEMBERSHIP

5.1 No Metis person who has been recognized as a Metis member may lose his or her membership rights by reason of suspension of certain privileges in the Metis Nation.

ARTICLE 6 CATEGORIES OF MEMBERSHIP

6.1 The Metis Nation shall consist of the following categories of membership:

- (a) Lifetime Member;
- (b) Associate Member;
- (c) Honourary Member.

6.2 A Lifetime Member is:

- (a) A Metis who has received membership in the Metis Nation; or
- (b) A Metis child who has received membership.

6.3 An Associate Member is:

- (a) Any Non-Metis spouse including a common law spouse, of a Metis Lifetime Member; or
- (b) Any Non-Metis Dependant of a Metis Lifetime Member.

6.4 An Honourary Member is:

- (a) Any person appointed by the Provincial or Regional Council of the Metis Nation as an Honourary Member.

ARTICLE 7 RIGHTS OF MEMBERS

7.1 LIFETIME MEMBER

7.1.1 To participate in the cultural, economic, educational, political, social and spiritual activities of the Metis Nation;

7.1.2 To vote at all meetings of the Metis Nation provided that the Lifetime Member is a minimum sixteen (16) years old;

7.1.3 To hold office provided that the Lifetime Member is a minimum sixteen (16) years old and has not had his or her privilege to hold office suspended.

7.2. ASSOCIATE MEMBER

7.2.1 To participate in the cultural, economic, educational, political, social and spiritual activities of the Metis Nation;

7.2.2 Shall not be entitled to vote at any meeting of the Metis Nation;

7.2.3 Shall not be entitled to hold any office of the Metis Nation.

7.3 HONOURARY MEMBER

7.3.1 Shall not be entitled to vote at any meeting of the Metis Nation;

7.3.2 Shall not be entitled to hold any office of the Metis Nation.

ARTICLE 8 TERMINATION OF MEMBERSHIP

8.1 Lifetime Membership shall terminate upon the occurrence of:

- (a) Entry of a member's name in a Band list or in the Indian Register according to the provisions of the Indian Act, R.S.C.;
- (b) Withdrawal of Membership;
- (c) A declaration by the Judiciary Council that a Lifetime Member is not a Metis as defined in Article 3.

8.2 Any member whose membership is terminated shall immediately forfeit all rights as a member in the Metis Nation.

ARTICLE 9 SUSPENSION OF MEMBER'S PRIVILEGES

- 9.1 The Metis Judiciary Council may suspend any member's privileges other than the right to vote at an annual assembly, special meeting or general election for any conduct or act which the Metis Judiciary Council determines is, has been, or will be, gravely detrimental to the Metis Nation or the interests of the Metis Nation.
- 9.2 Any member who has had their privileges suspended shall immediately forfeit those privileges in the Metis Nation for the period of the suspension.

ARTICLE 10 APPLICATION FOR MEMBERSHIP

- 10.1 Any Metis who is a resident of the Province of Alberta for a minimum of ninety (90) days shall have the right to apply for membership in the Metis Nation.
- 10.2 The Metis Nation shall establish and maintain a registry of Metis members in Alberta.
- 10.3 All applications for membership shall be processed at the Metis Nation membership office.
- 10.4 The onus of proof to qualify for membership in the Metis Nation shall rest with the applicant.
- 10.5 Upon approval of membership the Metis Nation shall issue a membership card which shall contain the following particulars of each person:
- (a) the full name;
 - (b) the date on which the person is admitted as member;
 - (c) the type of membership.

10.6 Any membership challenges or rejections may be appealed to the METIS JUDICIARY COUNCIL.

10.7 Any Metis who has been accepted as a Member must sign and take an oath of allegiance to the Metis Nation;

10.8 The Oath of Allegiance shall be attached as Schedule "A" to these Bylaws and shall form a part of these Bylaws.

ARTICLE 11 REGIONS OF THE METIS NATION

11.1 The Metis Nation shall consist of six (6) regions.

11.2 The boundaries of the six (6) regions are described in Schedule "B" attached to these Bylaws and shall form a part of these Bylaws.

11.3 The process to change boundaries of the Regions shall be as follows:

- (a) The Provincial Council or Regional Council may recommend changes to the boundaries of the Regions to the Metis Judiciary Council;
- (b) The Metis Judiciary Council shall review all boundary recommendations and make its boundary recommendations to the Annual Assembly;
- (c) The Members at the Annual Assembly shall vote on any recommendation to change the boundaries of the Regions and the question shall be decided by special resolution.

ARTICLE 12 GOVERNMENT OF THE METIS NATION

12.1 The Government of the Metis Nation shall consist of the following but not limited to :

- (a) Provincial Council;
- (b) Regional Council;
- (c) Local Council.

12.2 The Provincial Council shall consist of the following Metis Lifetime Members:

- (a) President (elected province wide); and
- (b) Vice-President (elected province wide); and
- (c) Six (6) Regional Presidents (one elected from each of the six (6) regions); and
- (d) Six (6) Regional Vice - Presidents (one elected from each of the six (6) regions).

12.3 The Regional Council shall consist of the following Metis Lifetime Members:

- (a) Regional President elected to the Provincial Council for the Region; and
- (c) Regional Vice President elected to the Provincial Council for the Region; and
- (c) the Presidents of each Local Council within the Region.

12.4 The Local Council shall consist of the following:

- (a) a President who shall be elected at the Annual General Meeting of the Local Community and who shall be the representative of the Local Community on the Regional Council;
- (b) a Vice-President who shall be elected at the Annual General Meeting

of the Local Community;

- (c) A Secretary who shall be elected at the Annual General Meeting of the Local Community;
- (d) a Treasurer who shall be elected at the Annual General Meeting of the Local Community;
- (e) Such other Council members as the Annual General Meeting of the Local Community may decide and elect.

ARTICLE 13 POWERS OF THE PROVINCIAL COUNCIL

13.1 The Provincial Council shall be responsible to govern the affairs of the Metis Nation including but not limited to the cultural, economic, educational, political and social affairs of the Metis Nation.

13.2 The Provincial Council may exercise all powers as are permitted by these Bylaws to govern the affairs of the Metis Nation and carry out the objectives of the Metis Nation.

13.3 The Provincial Council may for the purpose of governing the Metis Nation and carrying out the objectives of the Metis Nation borrow or raise or secure the payment of monies other than by the issue of debentures.

13.4 The Provincial Council shall appoint a Personnel Committee to authorize the employment of such persons as they deem necessary to carry out the objectives of the Metis Nation. The employee shall have such authority and perform duties as may be determined by the Provincial Council or these Bylaws. The Personnel Committee shall when employing persons, do the following:

- (a) advertise the position in each Regional Council office; and

(b) where possible, employ members of the Metis Nation based on merit and qualifications.

13.5 The Provincial Council may institute and amend policies, standards for the management of the affairs of the Metis Nation provided that such policies, procedures and standards shall be consistent with resolutions approved at the Annual Assembly.

13.6 The Provincial Council may establish such additional committees, as it deems necessary to carry out the business of the Metis Nation, and delegate to such committees specific powers.

13.7 The Provincial Council shall approve all budgetary requirements of the Metis Nation and shall provide financial accountability to the Annual Assembly.

13.8 Each Provincial Council member shall conduct himself or herself in a dignified manner at all meetings of the Metis Nation and according to his or her oath of allegiance to the Metis Nation.

ARTICLE 14 POWERS OF THE REGIONAL COUNCIL

14.1 Each Regional Council shall govern the affairs of their Region.

14.2 Each Regional Council shall approve all budgetary requirements for their Region and shall provide financial accountability to the Annual General Meeting of the Region.

14.3 Each Regional Council shall adopt and be governed by By-Laws which are attached to these Bylaws as Schedule "C" and shall form a part of these Bylaws. These Regional Council By-Laws shall be consistent with the

Bylaws of the Metis Nation. The Metis Nation Bylaws shall supersede the By-Laws of the Regional Council.

ARTICLE 15 POWERS OF THE LOCAL COUNCIL

- 15.1 Each Local Council shall govern the affairs of the Local Community.
- 15.2 Each Local shall approve all budgetary requirements of the Local Community and shall provide financial accountability to the Annual General Meeting of the Local Community.
- 15.3 Each Local Council shall adopt and be governed by By-Laws which are attached to these Bylaws as Schedule "D" and shall form a part of these Bylaws. These Local Council By-Laws shall be consistent with the Bylaws of the Metis Nation. The Metis Nation Bylaws shall supersede the By-Laws of the Local Council.

ARTICLE 16 ELECTION AND TERM OF THE PROVINCIAL COUNCIL

- 16.1 The President, Vice-President and the Regional Representatives of the Provincial Council shall be elected in accordance with the Metis Nation of Alberta Association Election By-Laws which are attached hereto as Schedule "E" and shall form a part of these Bylaws.
- 16.2 The President, Vice President and the Regional Representatives of the Provincial Council shall be elected for a term of three (3) years.
- 16.3 The President, Vice-President and the Regional Representatives of the

Provincial Council shall be eligible for re-election to the Provincial Council if their privileges have not been suspended.

ARTICLE 17 EXECUTIVE OFFICERS OF THE METIS NATION

17.1 The Executive Officers of the Metis Nation shall consist of the following:

- (a) President (elected Province Wide);
- (b) Vice-President (elected Province Wide);
- (c) Secretary;
- (d) Treasurer.

17.2 Within thirty (30) days following the General Election of the Metis Nation the Provincial Council shall meet to elect a Secretary and Treasurer.

17.3 The Secretary and Treasurer shall be elected from the members of the Provincial Council other than President and Vice-President. Such election shall be by secret ballot and require a majority vote.

17.4 The Secretary and Treasurer shall be elected for a term of three (3) years.

ARTICLE 18 DUTIES OF THE EXECUTIVE OFFICERS

18.1 The President of the Metis Nation shall:

- (a) preside at all meetings of the Metis Nation or allow the Vice - President to preside at all meetings of the Metis Nation in the absence of the President;
- (b) call meetings of the Metis Nation when necessary or called upon to do

so;

- (c) shall be an ex-officio member of all Committees of the Metis Nation;
- (d) shall see that all orders and resolutions of the Metis Nation are carried into effect;
- (e) shall be one of the two signing officers required on all documents, to be signed by the Metis Nation or may appoint another Provincial Council Member to sign on behalf of the President;
- (f) make regular political reports to the Provincial Council and to the Annual General Assembly;
- (g) be the spokesperson and chief negotiator for the Metis Nation;
- (h) perform other duties as may be determined by the Provincial Council.

18.2 The Vice-President of the Metis Nation shall:

- (a) preside at all meetings of the Metis Nation in the absence of the President;
- (b) shall have signing authority;
- (c) perform such duties as may be determined by the Provincial Council.

18.3 The Secretary of the Metis Nation shall:

- (a) issue notices of all meetings of the Metis Nation;
- (b) keep minutes or cause to be kept the minutes of all meetings of the Metis Nation;
- (c) be the custodian of all books and documents of the Metis Nation;
- (d) have custody of the seal of the Metis Nation;
- (e) keep a register or cause to be kept a register of all Metis Members and their addresses and shall be responsible for the Metis Membership office;

- (f) register with the Registrar of Corporations of Alberta all special resolutions of an Annual Assembly or Special Meeting within twenty one (21) days of the date of the Annual Assembly or Special Meeting;
- (g) keep a register of current Judiciary Council Members;
- (h) keep a register of suspended members;
- (i) shall be one of four signing authorities;
- (j) perform other duties as may be determined by the Provincial Council.

18.4 The Treasurer of the Metis Nation shall:

- (a) keep or cause to be kept full and accurate account of receipts and disbursements and books belonging to the Metis Nation;
- (b) deposit or cause to be deposited, all monies and other valuables or effects in the name and to the credit of the Metis Nation in such Chartered Banks or other financial institutions as designated by the Provincial Council;
- (c) be one of four signing officers required on Metis Nation cheques;
- (d) give a financial report at the Annual Assembly;
- (e) be responsible for and review all travelling expenses of Provincial Council members;
- (f) perform such other duties as may be determined by the Provincial Council.

ARTICLE 19 VACANCY OF OFFICE OF PRESIDENT, VICE-PRESIDENT, SECRETARY, TREASURER

19.1 In the event that a vacancy occurs in the office of the President the Vice-President shall be President and shall assume all duties of the President.

19.2 In the event that there is no Vice-President to fill the vacancy of President the

Provincial Council shall meet within twenty one (21) days of the vacancy of President and shall elect from the remaining members of the Provincial Council a person to fill the vacancy of the office of President. Such election shall be by secret ballot and require a majority vote and must be ratified by a majority of the Regional Councils.

19.3 In the event that a vacancy occurs in the office of Vice-President the Provincial Council shall elect from the remaining members of the Provincial Council other than the President a person to fill the vacancy of the office of Vice-President. Such election shall be by secret ballot and require a majority vote.

19.4 In the event that a vacancy occurs in the office of the Secretary or Treasurer then the Provincial Council shall meet to elect from the Provincial Council, other than the President or Vice-President, a person to fill the vacancy. Such election shall be by secret ballot and require a majority vote.

19.5 In the event that a member of the Provincial Council is convicted of a criminal offence under the Criminal Code of Canada during his or her term then that person shall as soon as possible after the conviction appear before the Metis Judiciary Council who will determine whether the person shall remain in office or whether the office shall be vacated.

ARTICLE 20 SALARIES OF THE PROVINCIAL COUNCIL

20.1 The Provincial Council shall decide the salary of the President and Vice-President.

20.2 Each Regional Council shall decide the salary of their Provincial Council Representatives on an annual basis.

20.3 The Provincial Council may be paid reasonable travelling expenses for attending business of the Metis Nation, meetings of the Metis Nation and Annual Assemblies and all travelling expenses shall be reviewed and approved by the Treasurer. The Treasurer shall decline all unreasonable travelling expenses.

ARTICLE 21 MEETINGS OF THE PROVINCIAL COUNCIL

21.1 The Provincial Council shall meet at least six (6) times between the Annual Assembly at such times and places as the Provincial Council may decide.

21.2 A meeting of the Provincial Council may be convened at any time or place upon proper notice by the President or at the request of any eight (8) Provincial Council members.

21.3 A quorum at any meeting of the Provincial Council shall be eight (8) members of the Provincial Council.

21.4 The President shall be the Chairperson of the Provincial Council meetings or in the event that the President is unable to be Chairperson he or she shall appoint the Vice-President to be Chairperson. In the event that the Vice-President is unable to be Chairperson the President shall appoint another Provincial Council member to be the Chairperson at their discretion. The Chairperson shall only vote in case of a tie vote.

21.5 Each member of the Provincial Council other than the Chairperson, shall have one vote and all matters shall be decided by a majority of votes. In cases of any equality of votes the Chairperson of the meeting shall have a deciding vote.

- 21.6 Resolutions in writing signed by all of the members of the Provincial Council shall be as effective as a resolution passed at a meeting of the Provincial Council duly convened and held.
- 21.7 Notice of Provincial Council meetings shall be given to each Provincial Council member at least five (5) days before the meeting. Notice may be delivered, telephoned, faxed or mailed.
- 21.8 A meeting of the Provincial Council may be held without notice if all of the Provincial Council members are present or those present have waived notice and those absent have signified their consent in writing to the meeting being held in their absence without notice.
- 21.9 Notice or any irregularity in notice may be waived by a Provincial Council member. No error or omission in giving notice of a Provincial Council meeting shall invalidate such meeting or void any proceedings taken at such meeting. Any Provincial Council member may ratify and approve any business at such meeting.
- 21.10 A meeting of Provincial Council members may be held by way of telephone or any other communication facility that permits all persons participating in the meeting to hear each other.
- 21.11 A member of the Provincial Council may participate in a meeting of the Provincial Council by means of telephone or any other communication facility that permits all persons participating in the meeting to hear each other and a member of the Provincial Council participating in a meeting by such means is deemed to be present in person at the meeting.

21.12 All meetings of the Provincial Council are open to Metis Members other than in camera meetings.

21.13 There shall be no voting by proxy.

ARTICLE 22 CONFLICT OF INTEREST GUIDELINES FOR PROVINCIAL COUNCIL MEMBERS

22.1 A member of the Provincial Council , who is a party to a contract with the Metis Nation or has a material interest in any company who is a party to a contract with the Metis Nation, shall fully disclose to the Provincial Council the nature and extent of his or her interest.

22.2 A member of the Provincial Council, shall not make or participate in making a decision in his or her capacity where the elected member reasonably knows that in the making of the decision there is the opportunity to further, directly, or indirectly, their private interest or that of their family which includes spouse, children, parents, brothers and sisters.

22.3 No member of the Provincial Council may do work for the Metis Nation, either as an employee or by contract, other than the fulfilment of the obligations of their elected position.

22.4 A member of the Provincial Council shall not conduct personal business while on Metis Nation business or use Metis Nation resources for personal business.

22.5 A member of the Provincial Council shall disclose to the Metis Nation the names of all Boards, Commissions, Councils or other memberships held during their term. All compensation received while sitting on any other

Boards, Commissions, or Councils must be disclosed to the Provincial Council

- 22.6 No candidate running for office in the Metis Nation shall use any resources of the Metis Nation for his or her election campaign.

ARTICLE 23 VACANCY AND REMOVAL OF A PROVINCIAL COUNCIL MEMBER

- 23.1 A member of the Provincial Council shall automatically cease to be a Provincial Council member if any of the following events occur:

- (a) the death of the Provincial Council member;
- (b) if any Provincial Council member, without reasonable excuse is absent from three (3) consecutive Provincial Council meetings;
- (c) a Provincial Council member resigns by delivering a written resignation to the Secretary of the Metis Nation;
- (d) if any Provincial Council member's privilege to hold office is suspended in which case that Provincial Council member will cease to be a Provincial Council member for the duration of the suspension;
- (e) if a Provincial Council member becomes registered in a Band list or in the Indian Register according to the provisions of the Indian Act, R.S.C.;
- (f) if a Provincial Council member other than the President or Vice-President no longer resides in the Region they represent.

- 23.2 A President or Vice-President may be removed from office through the following process:

- (a) A minimum of Twenty One (21) days notice of a Local Community Meeting to approve an ordinary resolution demanding the removal of the President or Vice - President must be given to members of all Local Communities in Alberta; and
- (b) A written resolution demanding the removal of the President or Vice - President must be approved by seventy-five (75%) percent of all Local Communities in Alberta who have held meetings and given their members a minimum of twenty-one (21) days notice of the meeting; and
- (c) The written resolution approved and signed by seventy-five (75%) percent of the Local Communities in Alberta shall be sent to their Regional Council; and
- (d) Upon receipt of the written resolution from the Local Council the Secretary of each Regional Council shall give a minimum of twenty-one (21) days notice of a meeting to the members of the Regional Council to vote on the written resolution; and
- (e) A meeting each Regional Council shall be held and if seventy-five (75%) percent of the members of each Regional Council vote to remove the President or Vice - President then each Regional Council shall send a written resolution demanding the removal of the President or Vice - President to the Provincial Council; and
- (f) Within twenty-one (21) days of the receipt of a written resolutions from seventy five (75%) percent of the Regional Councils signed by seventy-five (75%) percent of the members of each Regional Council the Provincial Council shall remove the President or Vice - President and the position shall be declared vacant.

23.3 A Provincial Council member other than the President or Vice President may be removed from office through the following process:

- (a) A minimum of Twenty-One (21) days notice of a Local Community Meeting to approve an ordinary resolution demanding the removal of their Provincial council member must be given to citizens of the Local Community; and
- (b) A written resolution demanding the removal of the Provincial Council member must be approved by seventy-five (75%) percent of the Local Councils in the Region who have held meetings and given their members a minimum of twenty-one (21) days notice of the meeting; and
- (c) The written resolution approved and signed by seventy-five (75%) percent of the Local Councils in the Region shall be sent to the Regional Council; and
- (d) Upon receipt of the written resolution from the Local Councils the Secretary of the Regional Council shall give a minimum of twenty-one (21) days notice of a meeting to the members of the Regional Council to vote on the written resolution; and
- (e) A meeting of the Regional Council shall be held and if seventy-five (75%) percent of the members of the Regional Council vote to remove their Provincial Council member then a written resolution demanding the removal of the Provincial Council member shall sent to the Provincial Council; and
- (f) Within twenty-one (21) days of the receipt of a written resolution from the Regional Council signed by seventy-five (75%) percent of the members of the Regional Council the Provincial Council shall remove the Provincial Council member and the position shall be declared vacant.

23.4 If any Provincial Council member other than the President or Vice-President ceases to be a Provincial Council member the position shall be filled within three (3) months of the vacancy by the Regional Council from that region

who shall appoint a Lifetime member in good standing until the next election or in the case of a suspension until the end of the suspension.

ARTICLE 24 ANNUAL ASSEMBLY

- 24.1 An Annual Assembly shall be held in each calendar year during the first three weeks of August.
- 24.2 An Annual Assembly shall not be held twice in one Region before it has been held in every other Region or otherwise determined by the Provincial Council.
- 24.3 The Secretary of the Metis Nation shall give at least forty five (45) days notice in writing of the time and place of the Annual Assembly.
- 24.4 Notice of an Annual Assembly shall be given to all members who are members at the time of the notice at their latest address as shown in the records of the Metis Nation. Notice shall be sufficient if given by newspaper or other media as determined by the Provincial Council. Notice shall be deemed to be received by the member within seven (7) days of the date of publication or mailing.
- 24.5 A quorum at an Annual Assembly shall be a minimum of one hundred (100) Lifetime members in good standing, present in person, who have registered and are qualified to vote at the Annual Assembly. In the event that there is no quorum at a duly called Annual Assembly, the Provincial Council shall call a new meeting within sixty (60) days in accordance with Article 24.4.

ARTICLE 25 VOTING AT ANNUAL ASSEMBLY

- 25.1 Each Lifetime member shall be entitled to one vote.
- 25.2 There shall be no voting by proxy.
- 25.3 Each Lifetime member shall be entitled to vote at the Annual Assembly provided:
- (a) the Lifetime member is personally present at the Annual Assembly; and
 - (b) the Lifetime member has registered at the Annual Assembly; and
 - (c) the Lifetime member has not withdrawn from membership.
- 25.4 Every question or resolution at an Annual Assembly shall be decided by a majority of the votes of Lifetime Members present unless otherwise required by these Bylaws or by the Societies Act. In the event of an equality of votes, the question or resolution shall be considered lost.
- 25.5 Every question or resolution shall be decided as follows:
- (a) Firstly, by a show of hands; or
 - (b) Secondly, by a secret ballot vote if a secret ballot vote is demanded by five (5) Lifetime Members within three (3) minutes of the announcement by the Chairperson of the results of the vote by show of hands. The Chairperson has the authority to decide the procedure of the secret ballot vote.
- 25.6 In the event that a resolution or question is decided by a show of hands and not a secret ballot vote, a declaration by the Chairperson that a resolution has been carried or lost and an entry to that effect in the minutes of the

meeting shall be sufficient evidence of the fact without proof of the number or proportion of the votes recorded in favour of, or against, such resolution.

- 25.7 Special Resolutions passed at an Annual Assembly are effective from the date that they are registered with the Registrar of Corporations of Alberta by the Secretary of the Metis Nation.

ARTICLE 26 SPECIAL MEETING

26.1 A Special Meeting shall be called by the Provincial Council as follows:

- (a) Upon receipt of a written request to call a Special Meeting signed by a minimum of twenty five (25%) per cent of Lifetime Members of the Metis Nation; or
- (b) Upon a resolution approved at a meeting of the Provincial Council where:
 - (i) proper notice of the meeting has been given; and
 - (ii) seventy-five (75%) percent of the Provincial Council members are present; and
 - (iii) seventy-five (75%) percent of the Provincial Council members vote in favour of the resolution to hold a Special Meeting; or
- (c) Upon an ordinary resolution at an Annual Assembly.

26.2 The Secretary of the Metis Nation shall give at least twenty-one (21) days notice in writing of the time and place of the Special Meeting and the proposed resolutions.

- 26.3 Notice of a Special Meeting shall be given to all members who are members at the time of the notice at their latest address as shown in the records of the Metis Nation. Notice shall be sufficient if given by newspaper or other media as determined by the Provincial Council. Notice shall be deemed to be received by the member within seven (7) days of the date of publication or mailing.
- 26.4 No business shall be transacted or considered at any Special Meeting other than those proposed resolutions for which notice has been given.
- 26.5 No error or omissions in giving notice of a Special Meeting shall invalidate the Special Meeting or make void any proceedings taken at that Special Meeting and any member may at any time waive notice of any such meeting and may ratify, approve and confirm any or all proceedings.
- 26.6 A quorum at a Special Meeting shall be a minimum of one hundred (100) Lifetime Members in good standing, present in person, who have registered and are qualified to vote at the Special Meeting.
- 26.7 Special Resolutions passed at a Special Meeting are effective from the date that they are registered with the Registrar of Corporations of Alberta by the Secretary of the Metis Nation.

ARTICLE 27 VOTING AT A SPECIAL MEETING

- 27.1 Voting at Special Meetings shall be the same as voting at Annual Assemblies. Therefore paragraphs herein 25.1 to 25.7 inclusive shall also govern voting at Special Meetings.

ARTICLE 28 RULES OF ORDER

28.1 Robert's Rules of Order shall govern meetings and proceedings of the Metis Nation insofar as they may apply without coming into conflict with these Bylaws.

ARTICLE 29 METIS JUDICIARY COUNCIL

29.1 There shall be established a Metis Judiciary Council.

29.2 The Metis Judiciary Council shall consist of six (6) Lifetime members elected -- one (1) elected from each region.

29.3 The Metis Judiciary Council members shall serve a three (3) year term.

29.4 In order to be a candidate for the Metis Judiciary Council the individual must have the following qualifications:

- (a) must be a Metis Lifetime member;
- (b) must be a minimum of Twenty Five (25) years old;
- (c) must not have been convicted of a criminal offence under the Criminal Code of Canada two (2) years prior to the date of election to the Judiciary Council.

29.5 A member of the Metis Judiciary Council shall automatically cease to be a Judiciary Council Member if any one of the following events occur:

- (a) death of Metis Judiciary Council Member;
- (b) if any Metis Judiciary Council Member without reasonable excuse is absent from three (3) Metis Judiciary Council meetings;

- (c) a Metis Judiciary Council Member resigns by delivering a written resignation to the secretary of the Metis Nation of Alberta;
- (d) if any Metis Judiciary Council Member's privilege to hold office is suspended in which the Metis Judiciary Council Member will cease to be a Metis Judiciary Council Member for the duration of the suspension;
- (e) if a Metis Judiciary Council Member becomes registered in a Band list or in the Indian Register according to the provisions of the Indian Act;
- (f) if the Metis Judiciary Council Member no longer resides in the region they represent.

29.6 A Metis Judiciary Council Member may be removed by the same process and procedure as the removal of a Provincial Council member in Article 23.3.

29.7 Each Metis Judiciary Council Member shall be required to take an Oath of Allegiance.

29.8 Each Member of the Metis Judiciary Council shall be eligible for re-election.

ARTICLE 30 POWERS OF THE METIS JUDICIARY COUNCIL

30.1 The powers of the Metis Judiciary Council shall be:

- (a) To review and to decide all matters of membership where there is a dispute;
- (b) To review and to decide all matters respecting the Metis Nation of Alberta Association Election By-Laws where there is a dispute;
- (c) To review and decide all matters concerning the suspension of privileges of any Metis member and the reinstatement thereof;
- (d) To review and decide all matters concerning conflict of interest;

- (e) To recommend changes of boundaries for Regions and Local Communities to the Annual General Assembly;
- (f) To decide whether a member of the Provincial, Regional or Local Council shall remain in office in the event of a conviction of an indictable offence under the Criminal Code of Canada;
- (g) To provide to the Provincial, Regional or Local Council a written opinion on any question put to the Judiciary Council;
- (h) To undertake reviews as directed by the Provincial, Regional or Local Council;
- (i) To initially establish rules and procedures of the Metis Judiciary Council which will be valid until the date of the next Annual Assembly. It will then be the responsibility of the Annual Assembly to establish rules and procedures of the Metis Judiciary Council.

30.2 The Metis Judiciary Council shall be the final Metis Judiciary authority of the Metis Nation of Alberta. All decisions of the Metis Judiciary Council shall be final and without appeal except that a party shall be permitted to appeal to the Metis National Council Judiciary body that the Metis Judiciary Council did not follow on the basis that the Metis Judiciary Council did not follow the rules of natural justice in deciding a matter.

30.3 The Judiciary Council shall be allocated its own budget.

30.4 A member of the Judiciary Council shall not hold an elected position or employment position with the Metis Nation of Alberta Association.

ARTICLE 31 RIGHTS OF PARTIES BEFORE THE METIS JUDICIARY COUNCIL

31.1 All parties that are required to appear before the Metis Judiciary Council shall

have the following rights:

- (a) To receive a minimum of twenty-one (21) days notice of a hearing;
- (b) To be represented by any person including a lawyer at their own expense;
- (c) To be provided a fair and impartial hearing. All parties to an action shall have the right to be personally present at any hearing. The Metis Judicial Council may proceed with the hearing in the event of the non-attendance of any party if proper notice of the hearing has been given.

ARTICLE 32 METIS JUDICIARY COUNCIL PROCEDURE ON CONFLICT OF INTEREST OF PROVINCIAL COUNCIL MEMBERS

- 32.1 A Lifetime Member who has reason to believe that a Provincial Council member did not comply with the Conflict of Interest guidelines may, by letter, request that the Metis Judiciary Council give an opinion respecting the compliance of the Provincial Council member with the Conflict of Interest guidelines.
- 32.2 The Metis Judiciary Council may on their initiative, conduct an inquiry to determine whether a Provincial Council member has failed to comply with the Conflict of Interest guidelines.
- 32.3 The Provincial Council may by ordinary resolution, request that the Metis Judiciary Council give an opinion on a matter respecting the compliance of a Provincial Council member with the Conflict of Interest guidelines.
- 32.4 Upon receiving a request under Article 32.1 or 32.3 the Metis Judiciary Council shall conduct an inquiry.

- 32.5 The Metis Judiciary Council shall conduct a fair and impartial inquiry and allow all parties to the inquiry to be present and represented by a lawyer.
- 32.6 The Metis Judiciary Council shall allow all parties to the inquiry to make representations.
- 32.7 After an inquiry has been concluded and the Metis Judiciary Council has decided that there was no failure by the Provincial Council member to comply with the Conflict of Interest guidelines, it shall issue a letter of clearance with an explanation to justify the decision.
- 32.8 Where the Metis Judiciary Council determines that a Provincial Council member has failed to comply with the Conflict of Interest guidelines the Metis Judiciary Council may:
- (a) reprimand the Provincial Council member;
 - (b) order that the Provincial Council member make restitution or pay compensation;
 - (c) may suspend the Provincial Council member's privileges.

ARTICLE 33 METIS COUNCIL OF ELDERS

- 33.1 The Metis Council of Elders shall consist of six (6) Metis Lifetime Members who are at least fifty-five (55) years old elected as follows:
- (a) One Elder elected by each of the six (6) Regional Councils.
- 33.2 Each Elder shall be elected for a three (3) year term and shall be eligible for re-election upon expiry of the term.

33.3 Each appointed Elder shall serve as an Ambassador in their region and shall be responsible for the following:

- (a) provide advice and wisdom to Metis Members including Metis leaders;
- (b) promote the history, culture, language, education and spiritual traditions of the Metis Nation;
- (c) promote understanding and tolerance in the Metis Nation;
- (d) attend at schools and other institutions to promote Metis culture and provide guidance to Metis Youth;
- (e) attend Annual General Assemblies of the Metis Nation and Regional Councils.
- (f) to administer the Oath of Office to any Member elected to the Provincial Council.

33.4 An Elder shall cease to be a member of the Council of Elders:

- (a) if the Elder, because of medical problems, is unable to carry out their duties or is otherwise incapable of acting as an Elder in the opinion of a qualified medical practitioner; or
- (b) on the resolution of a majority of the members of the Regional Council which appointed the Elder.

33.5 An Elder shall be paid for expenses and an honorarium by the Provincial Council.

33.6 No Elder shall be involved in any employment position with the Metis Nation.

34.1 Each member of the Provincial Council, or other person who has undertaken any liability on behalf of the Metis Nation, and their heirs and estate shall at all times, be indemnified by the Metis Nation, against:

- (a) all expenses whatsoever which result from any claims, actions, or proceedings which are brought, commenced or prosecuted against them or in respect of any act, deed, matter or thing whatsoever, made, done, or permitted by them, in the execution of the duties of their office or in respect of any such liability;

except the Metis Nation shall not be responsible for any costs, charges, expenses whatsoever caused by the negligence or misconduct of the Provincial Council member or other person.

ARTICLE 35 ACCOUNTS

35.1 The Provincial Council shall cause accounting details to be kept of all monies received and expended by the Metis Nation.

35.2 The fiscal year of the Metis Nation shall end on the 31st day of March in each year or such other date as may from time to time be determined by the Provincial Council.

35.3 The books, accounts and records of the Metis Nation shall be audited at least once yearly by an auditor who is duly qualified chartered accountant and is appointed by the Provincial Council.

35.4 A Financial Statement setting out the Metis Nation's income, disbursements, individual expenses of the Provincial Council, assets, liabilities shall be

audited and signed by the auditor and presented at the Annual Assembly by the Treasurer.

ARTICLE 36 BOOKS AND RECORDS

36.1 The Provincial Council shall ensure that all necessary books and records of the Metis Nation required by these Bylaws or by any applicable statute or law are regularly and properly kept.

36.2 All accounting records and other books and records of the Metis Nation shall be kept at such place in the Province of Alberta as the Provincial Council may decide and shall at all times be open for inspection by any member of the Metis Nation upon written application to the Provincial Council.

ARTICLE 37 EXECUTION OF CONTRACTS AND OTHER DOCUMENTS

37.1 Contracts and other documents other than Metis Nation cheques requiring the signature of the Metis Nation shall:

- (a) Firstly be approved at a meeting of the Provincial Council where proper notice has been given; and
- (b) Signed by two Provincial Council members as follows:
 - (i) The President; and
 - (ii) Any one (1) of the twelve (12) Provincial Council members.

37.2 The President may delegate his signing authority to another Provincial Council Member.

ARTICLE 38 SEAL

- 38.1 The Metis Nation shall have a seal which shall be approved by the Provincial Council and may be changed by special resolution of the Annual Assembly.
- 38.2 The seal shall be kept under the control of the Secretary at the head office of the Metis Nation.
- 38.3 The seal may, when required, be affixed to contracts, documents, or instruments in writing by persons authorized by these Bylaws to sign on behalf of the Metis Nation.

ARTICLE 39 AMENDMENT OF BYLAWS

- 39.1 The Bylaws of the Metis Nation shall not be rescinded, altered or added to except by Special Resolution.
- 39.2 No recission or alteration of or addition to these Bylaws has effect until it has been registered with the Registrar of Corporations of Alberta by the Secretary of the Metis Nation.

ARTICLE 40 INTERPRETATION

- 40.1 When interpreting these Bylaws, reference shall be made to the Societies Act of Alberta and words and expressions used in these Bylaws shall, so far as the context does not require, have the same meaning as when used in the Societies Act of Alberta.
- 40.2 Unless the context otherwise requires, words imparting the singular number

or the masculine gender shall include the plural number or feminine gender, as the case may be, and vice-versa.