**SECHELT NATION PROPOSED 2018 CONSTITUTION COMPANION DOCUMENT**

The purpose of the Companion Document is to explain in general terms what the PROPOSED changes to the new shíshálh Constitution mean. This information will assist the membership to understand what changes have been made in the updated Constitution, section-by-section, leading up to a referendum to approve any proposed changes.

**REFERENDUM PROCEDURES**

8.1 Holding a Referendum

This section states that a referendum will be called by the Council where required to do so by the Constitution for example, sale of land, or when they deem a matter of great importance that should require a vote by shíshálh members over the age of 18.

The new definition of a shíshálh voter does not require a member to reside on shíshálh lands and mail-in ballots will be accepted.

It states that a referendum question will be approved by 51% of voters, except where other limits are set by the Constitution for example sale of land requires 75% of voters to approve.

8.2 Electoral Officer, Deputy Electoral Officer

Very similar to the Elections section. An Electoral Officer can no longer be a shíshálh member, or an employee of the Nation. This could result in a firm hired to conduct the referendum at a cost of up to $15,000 per referendum. The Deputy Electoral Officer can be a shíshálh member, but not the Chief or a Council member. This section also provides for hiring of an Arbitrator in advance to hear any appeals.

8.3 Contact Addresses

Very similar to the Elections section. There is now mail-in ballots allowed for people who live off the Sunshine Coast or, those who live here, but are physically disabled. It is the responsibility of the member to request a mail in ballot and provide a proper address.

8.4 Voters List

Very similar to the Elections section. The Membership Clerk is responsible for providing an up to date membership list for members over the age of 18 for the Electoral Officer.

Once the list is posted in just the main administration building and on the Nation website, there is a process for disputing people’s names on the list, or adding a voter if eligible.

8.5 Preparation of Ballots

Describes how the Electoral Officer will prepare the ballots with the referendum question.

8.6 Entitlement to Vote by Mail-in Ballot

Notice is posted for the date, time and location of the Referendum 60 days before the Referendum date. This allows time for people to request a Mail-in Ballot 40 days before the Referendum.

This section also describes the process of how to vote with a mail-in ballot.

8.7 Notice of Polls

Describes when the Electoral Officer must post the Notice of Advance Poll and Referendum Poll.

8.8 Voting by Mail-in Ballot

This is a new section that explains how a person is to vote and return the mail-in ballot back to the Electoral Officer and that you need to have someone witness you vote.

8.9 Voting at a Polling Station

There will continue to be an advance poll with the same hours as before.

Voters will have to show identification to the Electoral Officer.

There will be security on call for any disruptions.

This section describes in detail how to vote.

8.10 Procedures for the Close of Polls

Describes in detail how the Electoral Officer will open mail-in ballots and regular ballots and conduct the counting.

8.11 Disposal of Ballots

States how the Electoral Officer is to destroy the ballots after 120 days, or after an appeal is completed.

**(Consider adding in a proper procedure for the safe storage of the Ballot Box between the advance poll and the day of voting? The current Constitution has only this section below:)**

Security of Ballot Box. When voting starts the Electoral Officer will call people to witness that the box is empty. The ballot box is then locked and sealed. The seal is not supposed to be broken until it is time to count the votes.

8.12 Appeals

Referendum appeals will be heard by an independent arbitrator up to 30 days after a referendum. Any member registering an appeal must provide evidence and submit an affidavit along with a filing fee of $100, and if accepted a $500 appeal cost.

Referendum appeals will be heard based on whether there was conduct of the election that was not according to the Constitution rules; or if there was evidence of corrupt or fraudulent practice.

The decision by the Arbitrator is final and not subject to appeal.

8.13 Penalty

Legal statement needs better clarification.