



# Curve Lake First Nation Leadership Selection Code

Community Meeting – August 22, 2015

# Project Background

- One of the elements recommended by the Organizational Review completed by Chief and Council
- Chief and Council Strategy Session(s)
  - There is a desire to move towards controlling our own affairs.
  - There were over 100 legislative changes that impacted how First Nation's operate and without control, the community is impacted
- Community Can Start With Governance
  - Controlling the way we govern ourselves is a great first step to:
    - Reduce the control the Indian Act has on our community
    - Manage some of the legislative changes we have no control over
    - The first, necessary step to progressing and taking control of other areas such as Land management, financial accountability, etc.

# First Nation Elections

- The election of a chief and councillors can be held in one of four ways:
  - by following the steps outlined in the Indian Act and the Indian Band Election Regulations (Section 74).
    - **Curve Lake now**
  - by following the First Nation's own leadership selection process under a community or custom election code.
    - **Vote to Adopt Curve Lake Leadership Selection Code**
    - **September 12, 2015**
  - pursuant to a community's constitution contained in a self-government agreement.
  - First Nation Election Act (Regulations Completed 2015)

# First Nation Elections

- As of 2014, of the 617 First Nations in Canada:
  - 239 (40 per cent) hold elections in accordance the Indian Act.
  - 342 First Nations (55 per cent) have community-designed or custom election codes;
  - 36 First Nations (5 per cent) select leaders pursuant to constitutions contained in their self-government agreements.
- We are not exploring new or untested territory.

# The Consultation Process

- Three community meetings (02/2013, 12/2013, Feb 2014)
- Community Survey (Spring 2013)
- Document Provided to Members for review x 3
- Council Line by Line Review
- AANDC Review x 2
- Department of Justice Review
- Early 2015 – the document was accepted by both Chief and Council and AANDC to go to a community vote
- Required a Community Approval Vote versus Ratification Vote
  - What is the difference?
  - Curve Lake needed to formalize the Community Approval Vote – This will be the first time using this process.
- If accepted at Community Approval Vote, this new process will be in effect for the June 2016 election.

# The Curve Lake Leadership Selection Code

- The Code identifies the process by which we select our leadership.
- There is very little that has changed in terms of process:
  - On reserve members and off reserve members will vote in the same manner as before.
    - Community members will see little difference when they go to polls or with mail-outs.
    - All members 18yrs of age or older are eligible to vote.

# The Curve Lake Leadership Selection Code

- There is very little that has changed in our Leadership composition:
  - There will be one Chief, with no restrictions on who can run for Chief.
  - There will be the same number of Councillors with no restrictions on who can run for Councillor.
  - The Voters will choose the leadership based on the number of votes cast for each Candidate.

# The Curve Lake Leadership Selection Code

- What has changed?
- Section 4.0 – Term of Office
  - The term of office has been extended from two years (AANDC process) to three years (Curve Lake tradition).
  - Prior to the Indian Act, it has been documented that Curve Lake's traditional Term of Office was three years.
- In real terms:
  - Next term for council will run from July 1<sup>st</sup>, 2016 – June 30<sup>th</sup>, 2019 instead of June 30<sup>th</sup>, 2018.



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- What has changed?
- Section 13.5 (b) – Nomination Meeting
  - This section states that although someone can be nominated for both Chief and Councillor, the person nominated must declare which position they intend to run for prior to the election. The candidate **MUST** choose which they intend to challenge for before the ballots are prepared.
  - In real terms:
    - No one can run for both Chief and Councillor position at the same time – If Chief Williams were nominated for both, she would have to declare which position she wishes to run for in June 2016.

# The Curve Lake Leadership Selection Code

- What has changed?
- Section 22.0 – Election Appeals
  - At the present time, AANDC resolves our election appeals as per the Indian Act.
  - We will now hire a person who is a specialist in First Nation Alternate Dispute Resolution to resolve our election appeals.
  - They will hear all sides of the appeal and their decision will be impartial, transparent and final.
- In real terms:
  - Instead of appealing to Indian Affairs, we will now choose someone we trust to settle our appeals for us, using a formal, trusted legal approach.

# The Curve Lake Leadership Selection Code

## Why Support?

- Curve Lake wishes to manage our own affairs – This is a step towards that.
- This Custom Code allows Curve Lake to make changes at our speed as opposed to AANDC speed and whims.
- This Code allows our leadership to be more effective and efficient.
- This Code sets out a process for future development as we progress and evolve as a community.

# Curve Lake Leadership Selection Code

- The process from here...
  - Keep an eye on the website as Councillor videos are posted detailing the changes to the document.
  - Keep an eye on Website, Facebook and Twitter as updates are made and answers to final, common community questions are resolved.
  - A copy of this presentation can be emailed if desired and will be posted on the community website.
  - Set aside the date of September 12, 2015 to vote on this important step for the First Nation.
    - 50%+1 of those who vote, must vote in favour for the change to be accepted.

# Questions or Comments

- Please forward in writing to:
- Krista Coppaway ([KristaC@curvelake.ca](mailto:KristaC@curvelake.ca)) at the FN admin office or
- Mike Jacobs ([mjacobs@cranemanagement.com](mailto:mjacobs@cranemanagement.com))
- All questions will be responded to and if a common question arises, we will be sure to send out responses on the website and via social media for other community members to review.