

SHXWHA:Y VILLAGE
CUSTOM ELECTION RULES

Ratified 1984

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SHXWHA:Y VILLAGE ELECTION RULES

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1. DEFINITIONS

For the purpose of the Shxwhá:y Election Rules:

<i>corrupt practice</i>	means vicious and fraudulent intention to evade the prohibitions of the law and custom of the Shxwhá:y Village or an act of an official to procure some benefit for himself/herself or another person contrary to the duty and rights of others.
<i>eligible voter</i>	is a Shxwhá:y Village member the age of 18 on voting day and who is on the voters' list.
<i>felony</i>	means a more serious criminal conviction committed in the United States of America punishable by at least one year in jail.
<i>governing body</i>	means the five (5) Councillors, one of which is known as the Chief Councillor, duly elected as per the Shxwhá:y Election Rules.
<i>illegal substances</i>	means amphetamines, cocaine, marijuana, opiates and PCP.
<i>independent legal advisor</i>	means a qualified lawyer or paralegal who is licensed to practice in the Province of British Columbia.
<i>indictable offence</i>	means a more serious criminal charge as distinguished from a summary offence under the <u>Criminal Code of Canada</u> .
<i>mentally incapacitated</i>	means when a person is unable to make decisions for oneself, proof from two (2) different doctors must be obtained.
<i>member</i>	means a registered member on the Band List of the Shxwhá:y Village.
<i>membership meeting</i>	means a meeting of the Shxwhá:y Village Members where at least 30 days notice was given and posted on at least two places on the Shxwhá:y reserve.
<i>physically incapacitated</i>	means when a person cannot physically perform his/her designated duties.
<i>term of office</i>	the term for each of Councillors including the Chief Councillor is three (3) years.
<i>voter's list</i>	is an alphabetical listing of eligible electors of the Shxwhá:y Village.

SHXWHA:Y ELECTION RULES

GOVERNING BODY

2. As of November 18, 2011 the Shxwhá:y Village Council shall be made up of five (5) duly elected members, known as Councillors, one (1) must reside in Nooksack, one (1) must reside in Bainbridge Island, three (3) must reside within the City of Chilliwack, and therefore one (1) will be known as the Chief Councillor.
 - (a) The five (5) duly elected members, will decide amongst themselves who will be the Chief Councillor. The term for the Chief will be three (3) years effective. If the Councillor chosen for Chief has less then three (3) years remaining in their term, then their position will have to be filled for the remainder of the term.

To be eligible to hold the office as the Chief Councillor for the Shxwhá:y Village the candidate must:

- be a Shxwhá:y Village member and an eligible voter and residing within the City of Chilliwack; and
 - not have been convicted of an indictable offence in Canada or felony conviction in the United States of America within the past five years; and
 - be at least 25 years of age at the time of the election poll, if the candidate is under the age of 25 they must receive approval from the Shxwhá:y Membership; and
 - take an oath at the swearing in ceremony no later than 45 days after the election poll (see Appendix D.); and
 - not be using any illegal substances, as established in accordance with Section 18.2 of this Code.
3. To be eligible to hold the office as a Councillor for the Shxwhá:y Village the candidate must:
 - be a Shxwhá:y Village member and an eligible voter; and
 - not have been convicted of an indictable offence in Canada or felony conviction in the United States of America within the past five years; and
 - take an oath at the swearing in ceremony no later than 45 days after the election poll (see Appendix D.); and
 - not be using any illegal substances, as established in accordance with Section 18.2 of this Code.

4. An eligible voter is a Shxwhá:y Village member, living on or off reserve, over the age of 18 who is on the voters' list.
5. As of April 25, 1992 the Shxwhá:y Village added two (2) new positions with the intent of creating staggered terms so that every third year there will be three (3) council vacancies and (1) council vacancy in the alternating years. (See Appendix C - Shxwhá:y Councillors Terms). Subsequent elections shall be held yearly for the Council position (s), the term of which has expired. The term of office of each Councillor, including the Chief Councillor shall be three (3) years or until such time as they are replaced in accordance with this Code.
6. Annual elections are held on a Saturday and as close as possible to the end of March.
7. In each year that a Councillor of the Shxwhá:y Village, including the Chief, holds office, such Councillor shall provide the Shxwhá:y Village Council with a Urine Drug Screen testing for illegal substances conducted by a reputable testing firm from the list referenced in Section 18.2 dated between November 1 and December 31 in each such year confirming that such Councillor is not using illegal substances.

VACANCIES IN COUNCIL

8. A Council position becomes vacant when:
 - (a) the person who holds office:
 - i. is convicted of an indictable offence or a Canada or a felony conviction in the USA; or
 - ii. dies or resigns office, 30 days notice should be given if resigning; or
 - iii. is or becomes ineligible to hold office by virtue of these procedures, or
 - iv. is physically or mentally incapacitated; or
 - v. is incarcerated for at least 45 consecutive days; or
 - (b) the person who holds office has been absent from meetings of the Shxwhá:y Village Council and/or Band Meetings for three (3) consecutive meetings without being excused for cause, absent means any council member that is thirty (30) minutes late for any meetings of the Shxwhá:y Village Council or a council member not present; or
 - (c) the person who holds the office was guilty of corrupt practice, accepting a bribe, dishonesty or wrongful conduct in connection with Council business or an election; or
 - (d) the person who holds the office fails to make the prescribed declaration as outlined in Section 3; or
 - (e) in each year while the person holds office, fails to provide the Urine Drug Screen in accordance

with Section 7 of this Code or where such Urine Drug Screen confirms that such person is using illegal substances.

9. Where the office of Councillor becomes vacant more than six (6) months before the date when another Election would ordinarily be held, a by-election shall be held in accordance with these Election Procedures, to fill the vacancy. If there is less than 6 months remaining the council may appoint by band council resolution an eligible voter to fill the vacancy. The person elected shall serve the remainder of the term of the position vacated.
10. Any elected may be removed at will by those persons who elected or appointed him by majority vote whenever it is in the best interests of the Shxwhá:y Village or for cause. (See Appendix A - Removal of Councillors)

APPOINTMENT AND DUTIES OF THE ELECTORAL OFFICER

11. For the purpose of presiding over election and nomination procedures, the Shxwhá:y Village Council shall appoint an Electoral Officer.
12. The Shxwha:y Council shall appoint by Band Council Resolution (BCR) an Electoral Officer to carry out the election procedure. The Electoral Officer must be appointed at least thirty (30) days prior to the date of the nomination meeting.

The Electoral Officer chosen shall:

- (a) not be a Shxwhá:y Village Member; and
 - (b) not have a vested interest in the outcome of a Shxwhá:y Village election; and
 - (c) be a trained, qualified Electoral Officer; and
 - (d) submit written acceptance to the Shxwhá:y Village Council.
13. The Electoral Officer shall obtain the voter's list from the Enrollment Officer which is an alphabetical listing of all Shxwhá:y Village Members eighteen (18) years of age or older, both on and off reserve.
 14. The Electoral Officer shall post a notice of a meeting for the nomination of candidates, containing the date, time and place of the said meeting, and, a copy of the current voter's list in one or more conspicuous places not more than 45 days and not less than 14 days prior to the date of the nomination meeting.

NOMINATION MEETING

15. On the day, and at the time and place specified in the notice, the Electoral Officer shall conduct the nomination meeting.
16. The nomination meeting shall remain open for not less than two (2) hours from the time of commencement of the meeting.
17. The Electoral Officer shall review the voter's list with those electors' present. Should revisions be proposed by any voters, the Electoral Officer, if satisfied that a revision is in order, shall make the necessary revision.
18. Any eligible voter present, may propose or second the nomination of any duly qualified person to serve as a Councillor. Anyone so nominated does not have to be present at the nomination meeting but must fulfill the requirements of Sections 18.1, 18.2 and 18.3.
 - 18.1 All candidates nominated must provide proof of a clear criminal record for a period of at least five years prior to the Election date for Canada and/or the USA. Proof shall consist of providing the Electoral Officer a current Criminal Record Check that is dated no earlier than January 1st of the year of the election before the close of the Nomination Meeting. This must be provided for each of the countries that the candidate resided in within the previous five years. The Electoral Officer is the only person that will review the document to ensure confidentiality is maintained. Only original signed documents are acceptable. E-mails, faxes, or copies are not acceptable. For Washington State, USA, a Washington Access to Criminal History (WATCH) Web Search No Match Found Report is acceptable.
 - 18.2 In addition to proof of a clear criminal record, as set out in Section 18.1 above, all candidates must provide proof that they are not using any illegal substances (as defined in Section 1). Proof shall consist of the results from a Urine Drug Screen, testing for illegal substances conducted by a reputable testing firm from a list provided by the Electoral Officer that is dated no earlier than 4 weeks before the Nomination Meeting and no later than the close of the Nomination Meeting, confirming that the candidate is not using illegal substances.
 - 18.3 If a candidate does not provide the documentation set out in Sections 18.1 and 18.2 to the Electoral Officer prior to the close of the Nomination Meeting, he/she will not be eligible to run for a Council position unless that candidate received prior approval from the Shxwhá:y Membership. A candidate with a criminal record or that is using illegal substances must receive confirmation from the membership at a duly convened Membership Meeting. Proof to show that the membership approved their acceptance to run for a position must be supported by a Band Council Resolution, which must be presented before the close of the Nomination Meeting.
19. Those persons nominated, who do not wish to stand for election, may decline the nomination by notifying the Electoral Officer in writing no less than forty-eight (48) hours following the nomination meeting.

20. After two (2) hours have passed from the time of commencement of the meeting, nominations may close when, any eligible voter makes a motion to close nominations, and the motion is subsequently seconded and passed by a majority of attending Electors.
21. If the number of nominations made and accepted, does not exceed the number of Councillor positions open for election, the Electoral Officer shall declare the nominated persons to be duly elected.
22. The Electoral Officer shall declare an election poll be held if the number of nominations exceeds the number of seats available for council. The Electoral Officer will announce the date, time and place of where the poll will be held.
23. The Electoral Officer shall not close the nomination meeting until such business as the Electoral Officer considers may properly be brought before it has been disposed of.

ADVANCE POLL

24. The Electoral Officer shall conduct an advance poll approximately a week prior to the election. The Electoral Officer shall set the hours that the advance poll shall be open. The Electoral Officer shall conduct the advance poll in accordance with Section 26 through 43 under the Election Section of these procedures.

ELECTION

25. The Election poll shall be conducted no later than 45 days following the nomination meeting and where the election poll must be rescheduled due to an error in the election procedure under this Code the Electoral Officer shall reschedule the election poll to a date no earlier than 14 days and no later than 45 days following the date of the originally scheduled election poll.
26. The Electoral Officer shall prepare a sufficient number of ballots listing the names of the candidates in alphabetical order.
27. The Electoral Officer shall as soon as is reasonably possible, after the nomination meeting, post a notice of election, in one or more conspicuous places, indicating the date, the place of the polling station and that the poll will be open for voting between the hours of 9 a.m. and 6 p.m.
28. Each candidate may be present in person or have one (1) scrutineer present at the poll, during the hours that the poll is open.
29. The Electoral Officer shall ensure that:
 - (a) each eligible voter attending the poll, receive a ballot initialed by the Electoral Officer at the time of issue.
 - (b) voting takes place in a compartment or area where the voter may vote in privacy and without interference from any other person.

- (c) each eligible voter who receives a ballot is instructed that the proper procedure for casting a ballot is:
 - i. to proceed immediately to the compartment provided for marking the ballot.
 - ii. to mark an "X" beside each candidate's name of the voter's choice, to a total not exceeding the number of positions open for election, and
 - iii. to return the completed ballot to the Electoral Officer, folded in the prescribed manner, concealing the choices made and showing the initials placed on the ballot by the Electoral Officer, for deposit in the ballot box.
 - (d) a list of electors' names, who have cast ballots be kept and included in the statement referred to in section 40(a).
30. Absentee ballots are available to all electors provided the criteria set in "Appendix B" have been followed. (See Appendix B - Guidelines for Absentee Ballots)
 31. The Electoral Officer, on application of any eligible voter who is unable to read or is incapacitated by blindness or other physical cause from voting in the manner prescribed by Section 31, shall assist such voter by marking the voter's ballot in the manner directed by the voter in the presence of the scrutineers of the candidates and no other person, and place such ballot in the ballot box. The Electoral Officer shall, on the voters' list, beside the name of voter requiring assistance, make a note of the fact that the ballot was marked by the Electoral Officer at the request of the voter, and the reason for this action.
 32. The Electoral Officer, upon request, may, on the day prior to the election obtain votes from eligible voters who may be in the Chilliwack Hospital.
 33. Any voter who receives a soiled or improperly printed ballot, or inadvertently spoils the ballot in marking it shall, upon returning the ballot to the Electoral Officer, be entitled to another ballot.
 34. An eligible voter who has received a ballot and
 - (a) leaves the compartment for marking the ballot without delivering the same to the Electoral Officer in the manner provided; or
 - (b) refuse to vote,
 shall forfeit the right to vote in the election and the Electoral Officer shall make an entry on the list of Voters opposite the name of that eligible voter that person did not return the ballot or refused to vote as the case may be.
 35. An eligible voter who is inside the polling place at the time fixed for closing the poll shall be entitled to vote before the poll is closed.
 36. No person shall interfere or attempt to interfere with an eligible voter when marking a ballot or

obtain or attempt to obtain at the polling place, information as to how a person is about to vote or has voted.

37. The Electoral Officer shall maintain peace and good order during the voting and may, where the Electoral Officer deems it necessary take steps to remove disruptive persons from the polling place. For these purposes, the Electoral Officer may enlist the assistance of constables, peace officers or other persons present.
38. Any Elector whose judgment, in the opinion of the Electoral Officer, is impaired by reason of alcohol consumption shall not be permitted to cast a ballot.
39. At the conclusion of the poll, the Electoral Officer shall open the ballot box in the presence of the candidates or scrutineers who are present and:
 - (a) examine the ballots and reject all ballots
 - i. that have not been supplied by the Electoral Officer.
 - ii. that indicate the voter has marked the ballot for more candidates than there are positions open for election.
 - iii. that bear any markings which would identify an eligible voter.
 - iv. that are not marked with an X.
 - (b) take note of any objections made by a candidate or a scrutineer of a candidate, and make a ruling on the question arising.
 - (c) count the votes given for each candidate from the ballots not rejected.
 - (d) announce the new Councillor whose office is in effect immediately.
40. Upon completion of the vote count, the Electoral Officer shall:
 - (a) immediately prepare a statement in triplicate, signed by the Electoral Officer and no less than one (1) of the candidates or candidate's scrutineers indicating:
 - i. the number of eligible voters who were entitled to vote;
 - ii. the number of voters who voted;
 - iii. the number of ballots cast in favor of each candidate named on the ballot;
 - iv. the number of rejected ballots; and
 - (b) deliver a copy of the statement to:
 - i. the Shxwhá:y Village Council

- ii. the District Office of Indian and Northern Affairs Canada.
41. The Electoral Officer shall deposit the ballots used in the voting in a sealed envelope and retain it for 30 days after which time, unless directed otherwise by the Shxwhá:y Village Council, the Electoral Officer may destroy them in the presence of two witnesses.
 42. In the event of being two or more winning candidates having an equal number of votes, the Electoral Officer shall hold a further poll not less than twenty-one (21) and no more than forty-five (45) days after the Election, at which time the eligible voters shall be required to vote for one of the two or more candidates who had an equal number of votes in the Election. In the event of there being a second tie the names of those candidates involved in the tie shall be placed in a hat. The Electoral Officer shall select one name from the hat, in the presence of at least two (2) witnesses and that person whose name was selected shall be declared the successful candidate.

AMENDING PROVISION

43. These Shxwhá:y Village Custom Election Procedures may be amended not less than thirty days prior to the election by: informing members at least 30 days advance of a Shxwhá:y Village meeting held specifically for this purpose, and a 55% majority favorable vote of the qualified electors of the Shxwhá:y Village in attendance at the Shxwhá:y Village meeting.

ELECTION APPEALS

44. Within 14 days after an election, any candidate at the election or any elector who gave or tendered a vote at the election, who has reasonable grounds for believing that:
 - (a) there was corrupt practice in connection with the election;
 - (b) there was a violation of the Election Procedures of the Shxwhá:y Village that might have affected the result of the election; or
 - (c) a person nominated to be a candidate in election was ineligible to be a candidate,

may lodge an appeal by forwarding by registered mail to the Independent Legal Advisor ("Advisor") whom was selected to settle the election appeals, particulars thereof, duly verified by affidavit.

APPEAL PROCESS

45. For the purpose of resolving election appeals the Shxwhá:y Village shall, no later than 7 days before the date of the Nomination meeting, appoint an Independent Legal Advisor. The person selected shall not have a vested interest in the results of the election or administration of the Shxwha:y Village. The appointment will be by Band Council Resolution and the term will be for as long as required to settle all appeals.
46. Where an Appeal is received by the Advisor, he/she will immediately send a copy of the appeal to the Shxwha:y Village. The Shxwha:y Village within seven (7) days of the receipt of the Appeal forward a copy of it together with all supporting documents to:
 - (a) the Electoral Officer;

- (b) each Candidate in the election;
 - (c) the Shxwhá:y Village Council.
47. Any Candidate, Council Member or Electoral Officer may within fourteen (14) days of the receipt of the Appeal forward to the Advisor a written answer to the particulars set out in the Appeal, together with any supporting documents related to the answer.
 48. All particulars and documents filed in accordance with the provisions of these procedures shall constitute and form the record.
 49. The Advisor shall take such steps as are reasonably possible, to secure all pertinent facts relating to the Appeal.
 50. After reviewing the facts in the investigation of the Appeal, the Advisor shall decide whether the grounds for Appeal have been substantiated. The Advisor shall report the decision on the Appeal to the Electoral Officer, each candidate in the election and the Shxwhá:y Village Council. The decision of the Advisor shall be final. If the Appeal is upheld, another nomination meeting and election shall be called and held as soon as possible to elect members for the portion of the Shxwhá:y Village Council whose election has been disallowed.

APPENDIX A

REMOVAL OF COUNCILLORS

1. The Shxwhá:y Village electors must be given 30 days advance notice of a Membership Meeting held specifically for this purpose, and a 55% plus one majority vote of the qualified electors of the Shxwhá:y Village present at a duly convened Shxwhá:y Village meeting.
2. In the Shxwhá:y Village a Councillor may be removed "at the will" of the majority of Shxwhá:y voters. A Shxwhá:y Councillor may be removed by the persons who elected or appointed him whenever, in their judgment, the best interests of the Shxwhá:y Village will be served thereby. Courts will not interfere with such a decision in the absence of a strong showing that the action taken was manifestly unfair or against the Shxwhá:y voters' interest.
3. Charges against a Shxwhá:y Councillor may be made the subject of an investigation and possible removal including the betrayal of executive secrets, the corrupt use of power in appointing subordinates, neglect of duty, misappropriation of funds, official misconduct, improper administration of funds, or alteration of records. Authorship of published statements prejudicial to the reputations of Shxwhá:y voters are also considered good cause for removal. And where there is evidence of financial irregularity in the conduct of the affairs of the Shxwhá:y Village, Shxwhá:y voters may by resolution appoint a select committee to investigate the matter.
4. For example, if an unexplained deficit appears in the cash reserves of a Shxwhá:y Councillor, a committee may be appointed to examine the accounts of the Shxwhá:y Councillor.
5. Conduct that is the basis for a Shxwhá:y Councillors' removal is conduct while in office, and not something that may have occurred prior to his or her election or appointment. The Shxwhá:y voters may take appropriate action against a Shxwhá:y Councillor, notwithstanding the prior submission of a resignation by the Shxwhá:y Councillor involved. He cannot stop the removal procedure simply by offering his resignation.
6. The procedure leading to the removal of a Shxwhá:y Councilor should be initiated by motion of a Shxwhá:y voter in good standing during a Membership Meeting. A Shxwhá:y Councillor whom certain charges have been made may himself petition Shxwhá:y voters to initiate an inquiry as to their validity.
7. The matter may be referred to a Shxwhá:y special committee for a thorough careful investigation. And although a Shxwhá:y Councillor may be suspended from the exercise of his functions pending an investigation or examination of the charges made, the Shxwhá:y voters should await the report of the Shxwhá:y investigating committee before considering a resolution calling for the removal of the Shxwhá:y Councillor in question.
8. After the Shxwhá:y committee has completed its investigation of the matter, it should offer its finding to the Shxwhá:y voters along with its recommendation as to action to be taken, if any.
9. In the event that the finding of the Shxwhá:y committee exonerate the Shxwhá:y Councillor in question, then such findings should be printed or otherwise circulated among the Shxwha:y voters.

10. If, after a full and fair investigation, the Shxwhá:y committee reports adversely on the conduct of a particular Shxwhá:y Councillor, the Shxwhá:y voters may then take action in several ways. It may discharge or dismiss the Shxwhá:y Councillor, suspend him with or without pay, initiate civil or criminal proceedings against him, or declare his office vacant. The fact that the by-laws provide for existence of such offices does not mean they cannot be declared vacant or that successors must be appointed.
11. Before taking formal punitive action, the Shxwhá:y voters should afford the accused Shxwhá:y Councillor the opportunity of offering such explanation or evidence as he might desire. He should also be afforded the opportunity to consult counsel and to prepare and present evidence in his defense.
12. When a Shxwhá:y Councillor is charged with misconduct and a resolution calling for his removal is presented to the Shxwhá:y voters, the individual involved may by unanimous consent be permitted to address the Shxwhá:y voters in his own defense.

APPENDIX B

GUIDELINES FOR ABSENTEE BALLOTS

1. Shxwhá:y Village shall maintain a Voter Registration System. Once an Election has been called, all eligible voters shall be notified of their right to vote by Absentee Ballot and shall be mailed a copy of the card. The Electoral Officer shall provide voter registration cards for those electors that are unable to attend on the day set for the election poll and wish to vote by Absentee Ballot.
2. The voter registration cards will include at least the following information:
 - full legal name of elector;
 - current address;
 - phone number; and
 - a space for the elector's signature.
3. The Electoral Officer shall mail voter registration cards to all Shxwhá:y Village members who request them. The Electoral Officer will provide instructions on how to register and where to send the signed cards. The elector must have their voter registration cards notarized by a notary public and sent back to the Electoral Officer. If the elector wishes to register in person with the Electoral Officer they may do so within the deadline date whereby the signature will be witnessed by the Electoral Officer.
4. Deadline for registering with the Electoral Officer will be 14 days prior to the election poll date. This will give sufficient time for mailing and receiving the absentee ballot.
5. The Electoral Officer shall mail a blank ballot to all those electors that have filled out and returned the voters registration card. The Electoral Officer shall send a self-addressed envelope along with the ballot. The envelope must be marked so that it is to be opened by the Electoral Officer only.

The ballot must be signed or initialed by the Electoral Officer before the ballot is mailed to the elector so that there will be no duplication of the ballot.
6. The elector upon receipt of the ballot must follow the instructions for marking the ballot as outlined in Section 29.(c)(ii). A separate sheet of paper will be included with the ballot which will include the instructions for marking the ballot. The elector will sign this sheet of paper and return with the ballot. This is required so that the Electoral Officer can verify the signature with the registration cards. (see Page 15 end of this section)
7. The Electoral Officer upon receipt of the ballot will verify the ballot by ensuring that the elector's signature matches the signature on their voter registration card.
8. The Electoral Officer will check the mail just prior to closing of the Post Office (4 p.m.) on the day before the election poll to ensure all absentee ballots have been received.
9. The elector is responsible for returning their ballot to the Electoral Officer before the election poll date.

10. All ballots returned must be placed in the ballot box, the electoral officer must initial the ballot before placing in the ballot box.
11. If an absentee ballot was issued to an elector, the elector cannot cast a vote in person on the day of the election poll. The Electoral Officer will cross the elector's name off of the voter's list after sending the ballot.
12. Any absentee ballot received after the election poll will be counted as a spoiled ballot.
13. Voter Registration Cards will be retained on file at Shxwhá:y Village and will be added to the Voter Registration System and shall remain valid unless an eligible elector:
 - moves; or
 - legally changes his/her name; or
 - becomes ineligible elector; or
 - withdraws his/her request to be registered.

INSTRUCTIONS FOR MARKING THE SHXWHÁ:Y BALLOT

1. You must mark the ballot with a pencil.
2. Make an "X" on the left-hand side of the ballot paper opposite the name or names of the candidate or candidates for whom you wish to vote.
3. You can vote for only ____ candidates, you can vote for less than the required candidates. If you vote for more than the required candidates your ballot will be void.
4. Please sign your name on the bottom of this instruction sheet and return this sheet with your ballot. Enclosed is a return envelope with the address, you must add the postage.
5. Please fold the ballot in the same manner as received.

If you have any questions please call the Electoral Officer at _____.

Signature

Date

APPENDIX C

CHART OF SHXWHA:Y COUNCIL TERMS

YEAR NUMBER OF VACANCIES

2006	3 Councillors
2007	1 Councillor
2008	1 Councillor
2009	3 Councillors
2010	1 Councillor
2011	1 Councillor
2012	3 Councillors
2013	1 Councillor
2014	1 Councillor
2015	3 Councillors

APPENDIX D

OATH FOR CHIEF & COUNCILLORS

A person who has been elected Chief or Councillor shall, before officially taking office, make the following declaration before a Notary Public or a duly appointed Commissioner for Taking of Oaths and file with the Shxwhá:y Village Administration. Below is a sample of the oath for both the Chief and Councillors of the Shxwhá:y Village.

Shxwhá:y Village
Oath for Chief/Councillor

I, (name of candidate), elected Chief/Councillor of the Shxwhá:y Village, do declare as follows:

1. I am a member of the Shxwhá:y Village and as such am ready and willing to serve on the Council as Chief/Councillor for the Shxwhá:y Village.
2. To the best of my knowledge I am qualified to serve as Chief/Councillor of the Shxwhá:y Village pursuant to the Shxwhá:y Election Regulations and Procedures.
3. That I will faithfully perform the duties of my office and will not allow my private interest to influence my conduct in public matters.
4. That I will protect the laws of our Village, in order to preserve our culture and heritage; to faithfully discharge my duties in a fair and equitable manner and to involve all willing Shxwhá:y Members to participate in a common effort to improve our lives.
5. That I will co-operate with every Village throughout British Columbia and Canada for the following goals and objectives: a just settlement of land claims, to overcome racism and discrimination against all people, to achieve for our people our right to self determination and self reliance and a level of economic opportunity, education, health and housing equal to that of other members of Canadian society; and I will extend the hand of friendship and co-operation to all like-minded Canadians in pursuit of these goals.
6. That I have not, directly or indirectly committed any bribery, corruption or intimidation during my election campaign.

Chief/Councillor Signature

at _____ this ____ day of _____, 19__.

Commissioner of Oaths or Notary Public