KWANLIN DÜN FIRST NATION

Supplementary Act To Amend The Referendum Code

May 2017

This version of the Act is for convenience of reference only.
For purposes of interpreting and applying the law a person should access the *Referendum Code* (Kwanlin Dün First Nation), 2010, the *Act to Amend the Referendum Code* (Kwanlin Dün First Nation), 2016, and the *Supplementary Act to Amend the Referendum Code* (Kwanlin Dün First Nation), 2017, held in the Kwanlin Dün First Nation Registry of Laws, Executive Council Office.

Kwanlin Dün First Nation

SUPPLEMENTARY ACT TO AMEND THE REFERENDUM CODE

Explanatory Note

This enactment amends the *Act to Amend the Referendum Code* (2016) to provide for proper numbering and cross-references of sections and consistency with the *Constitution of the Kwanlin Dün First Nation*.

This enactment also amends the *Referendum Code* (2010) and removes terms that are no longer applicable, qualifies the timing of appointing a chief returning officer, ensures proper cross references not addressed in the *Act to Amend the Referendum Code* (2016) and requires a witness' signature be affixed to a voter's declaration envelope.

The Council of the Kwanlin Dün First Nation enacts as follows:

Supplementary Act to Amend the Referendum Code

1. Section 21 amended

Section 21 of the Referendum Code is renumbered as section 25 and is renamed "powers and responsibilities of the deputy returning officer."

2. Section 22 is hereby repealed.

3. Section 24 amended

Section 23 of the Referendum Code is renumbered as section 27 and is renamed "Declaration by the poll clerk."

4. Section 25 amended

Section 24 of the Referendum Code is renumbered as section 28 and is renamed "Responsibilities and duties of the poll clerk."

5. Section 35 amended

47. (2) A referendum question for the purposes of section 64 of the constitution shall require
(a) a written request supported by at least 100 citizens; or

6. Section 44 amended

(d) regular voting pursuant to section 75;

7. Subsection 45(3) amended

(2) A voter receiving a voting package pursuant to subsection (1) shall retain the right to vote in person by any one of the other voting options referred to in paragraphs 57(b) to (e).

8. Subsection 58(2) amended

(2) The term "early vote" under sections 95 and 96 is replaced with the term "special vote."

9. Paragraph 82(2)(b) amended

(b) without delay, prepare a statement of vote that sets out the number of votes cast for approving and not approving each referendum question pursuant to subsection 102(1).

10. Section 86 amended

86. Sections 142 to 148 are added to the Referendum Code and read as follows:

***Referendum Code* (2010)**

11. Section 2 amended

"early vote" is hereby repealed.

"mobile vote" is hereby repealed.

"special vote" means the vote pursuant to section 65 of the Act.

12. Section 11 amended

Section 12 of the *Referendum Code* is renumbered as section 13 and amended as follows:

13. The Council shall, at least 90 days before the voting date and before the issue of the resolution referred to in section 6, appoint a chief returning officer who shall make a declaration to

13. Paragraph 15(1)(c) is hereby repealed

14. Paragraph 15(1)(i) amended

(i) establishing and conducting the advance and special vote;

15. Subsection 62(2) amended

62. (2) The failure of a person to sign as a witness under subsection (1) shall invalidate a ballot or prevent it from being counted.

16. Section 64 amended

64. If there is an extension or postponement of the time for the taking of the vote pursuant to section 8, the date for receiving mail-in ballots shall be adjusted accordingly.