

Election Procedures

Inuit Tapiriit Kanatami (ITK)

(Adopted October 29, 2020)

Section 1: Election Officers

- 1.1 There shall be one Chief Returning Officer appointed by unanimous decision of the Board of Directors who shall be retained by the Corporation to manage the election 60 days before the designated voting day.
- 1.2 The Chief Returning Officer shall exercise general direction and supervision over the administrative conduct of an election, enforce fairness, impartiality and compliance with ITK's By-laws.
- 1.3 The Chief Returning Officer may appoint a Deputy Chief Returning Officer and Returning Officer.
- 1.4 In the event that the Chief Returning Officer is, for any reason, unable to perform his or her duties, the Deputy Chief Returning Officer shall do so. In the event that the Chief and Deputy Returning Officers are unable to perform their duties, the Returning Officer shall do so.
- 1.5 All election officers shall perform their duties fairly and faithfully.
- 1.6 The Chief Returning Officer may revoke the appointment of a Deputy Returning Officer or Returning Officer who:
 - (a) Is incapable of performing or fails to perform competently the duties assigned, or fails to follow the instructions of the Chief Returning Officer; or
 - (b) After being appointed, engages in conduct that is partisan on behalf of a candidate.

Section 2: Designated Voting Day

2.1 The designated voting day fixed for holding the Presidential election shall be the last day of the Annual General Meeting at which the position of President is to be filled.

Section 3: Nomination of Candidates and Withdrawal of Candidates

3.1 Candidates for the position of President must be at least 18 years of age when nominated, an Inuk beneficiary of one of the members (Inuvialuit Regional Corporation, Nunavut Tunngavik Incorporated, Makivik Corporation or Nunatsiavut Government), and provide proof of membership by enrolment card or other supporting documentation.

3.2 The nomination process for the position of President shall be as follows:

- (a) An Inuk individual may become a candidate for the position of President by submitting a written declaration of candidacy no fewer than 20 days prior to the meeting of the Members at which the position of President is to be filled. This Declaration must include the signatures of at least 20 other Inuit who support his or her candidacy. This submission must be sent to the attention of the Chief Returning Officer; or
- (b) A Member may, in writing, nominate any one (1) Inuk for the position of President not fewer than twenty (20) days prior to the members' meeting at which the position of President is to be filled. This submission must be sent to the attention of the Chief Returning Officer.

3.3 The nomination papers must include the following:

- (a) Disclose the name, date of birth and residential address and beneficiary number of each candidate.
- (b) The nominators in 3.2 (a) must be Inuit and at least 18 years old.
- (c) The nomination paper must be signed by the person running for the position of President.

- (d) The nomination must be accompanied by a photo and valid criminal record check from all provinces and territories resided in within the last 5 years.
- 3.4 A person is disqualified from being a candidate in an election for the office of the President if that person has been convicted, anywhere in Canada, of an indictable offence or summary conviction offence and whose sentence was completed less than 5 years prior to nomination day.
- 3.5 The nomination must also be accompanied by a certified cheque or money order made payable to Inuit Tapiriit Kanatami, credit card or email money transfer in the amount of \$500.00.
- 3.6 The deposit shall be returned to the elected candidate or any candidate who has received at least one vote at the end of the election period.
- 3.7 In order to qualify as a candidate for the position of President, the Chief Returning Officer must have received the appropriate documents prior to the closing date for nominations, which is not fewer than twenty (20) days prior to the members' meeting.
- 3.8 Completed nomination papers, pictures, criminal record check from all provinces and territories resided in within the last 5 years, and deposits must be received by the Chief Returning Officer by the closing date for nominations. Late nomination papers will not be accepted.
- 3.9 A candidate may withdraw any time before the election by filing a written declaration with the Chief Returning Officer. The deposit of a candidate who withdraws is forfeited by the candidate.

Section 4: Return by Acclamation

- 4.1 When only one candidate remains after a candidate has withdrawn or only one candidate has been nominated within the time allowed for nominations, the Chief Returning Officer shall declare that person to have been duly elected on the designated voting day.

Section 5: Polling Station

- 5.1 There shall be one polling station located at the Annual General Meeting location and facility.

Section 6: Manner of Voting

- 6.1 The current President shall preside over the election unless the President is a candidate. Otherwise the Vice-President will preside over the election. Where both President and Vice-President are candidates, the Member Representatives present may choose any individual who is present to act as chair and preside over the election.
- 6.2 The Chief Returning Officer shall call the election process to order.
- 6.3 The Chief Returning Officer shall identify the names of those eligible to vote.
- 6.4 The Chief Returning Officer shall name the candidates for the position of President in alphabetical order.
- 6.5 Each candidate may name a scrutineer. Any scrutineers shall be present when the votes are counted.
- 6.6 The Chief Returning Officer shall provide candidates a 10-minute opportunity to address the delegates and a 10-minute question and answer period. Candidates shall not be present for the presentations of other candidates.
- 6.7 Unless a Member Representative directs otherwise, the chair may allow for an extension to the question and answer period where necessary.
- 6.8 Ballots bearing the names of candidates shall be distributed to those eligible to vote.
- 6.9 Voting by secret ballots cast into a ballot box shall commence. The ballots shall be collected and counted in accordance with section 8.
- 6.10 The Chief Returning Officer shall announce the election results, including: the total number of eligible voters; the number of spoiled ballots; the

number of valid votes cast; and, the number of votes cast for each candidate.

- 6.11 Any delegate or candidate may request a count of the votes received by each candidate.
- 6.12 The candidate who receives more than 50% of eligible votes cast (a majority) shall be declared the winner.
- 6.13 If no candidate receives more than 50% of eligible votes cast, voting will proceed in accordance with section 7.
- 6.14 A motion shall be called to destroy the ballots.
- 6.15 Ballots shall be destroyed as authorized.
- 6.16 The newly elected candidate shall address the Annual General Meeting.

Section 7: Majority Vote and Breaking of Tie

- 7.1 The President shall be elected by a majority vote of the valid votes cast by the Vice-President and the members as represented through their delegates to the Annual General Meeting.
- 7.2 If there are more than two (2) candidates for the position of President, and none of the candidates receive more than 50% of the votes, the candidate who has received the fewest votes shall be removed from the list of candidates, except that in the case where there is a tie for fewest votes, subject to section 7.3, the tied candidates shall be removed from the list of candidates. Subsequent votes will then be conducted for the remaining candidates, and the candidate who receives more than 50% of the votes shall be elected.
- 7.3 If no candidate receives more than 50% the votes during the second round of the subsequent votes, then the process of eliminating candidates (where applicable) and subsequent votes as outlined above, shall continue until such time as one candidate receives more than 50% of the votes. Candidates who have received shall be removed except in the case where there is a tie for fewer votes.

7.4 In the event of a vote where (1) no candidate receives more than 50% of the votes, (2) 2 or more candidates tie for the lowest number of votes, and (3) there is only one (1) candidate remaining in addition to the tied candidates, then subsequent votes shall be held with all of those candidates on the ballot until such time that either of the following occurs first:

- (a) One of the candidates has received more than 50% of the votes; or
- (b) There are two (2) or more candidates remaining in addition to the tied candidate(s), at which time the candidate(s) with the lowest number of votes will be removed. Subsequent votes will then resume under section 7.2 for the remaining candidates.

Section 8: Participation in Counting

8.1 The Chief Returning Officer shall count the votes in the presence and in full view of the Deputy Returning Officer, Returning Officer and any scrutineers.

Section 9: Definitions of Spoiled Ballots

9.1 The following ballots shall be considered spoiled:

- (a) Ballots that have not been supplied by the Chief Returning Officer, Deputy Returning Officer or Returning Officer;
- (b) Ballots on which votes have been given for more than one candidate;
- (c) Ballots that have not been marked with an "X" or other clear mark in the space provided at the right of the name of a candidate;
- (d) Ballots on which there is writing or mark by which the voter could be identified.

Section 10: Appeals

- 10.1 Any complaint on violation of the Election Procedures and other relevant ITK policies shall be made in writing and be forwarded by the Chief Electoral Officer to the ITK Board for a decision.
- 10.2 The ITK Board shall make a decision, regarding a complaint within five (5) business days of receiving the complaint, on whether there is a violation of relevant procedures and policies.
- 10.3 In the event of a violation, the Board may include, in its decision, appropriate penalties including disqualification of a candidate.
- 10.4 There shall be no appeal from the elections results announced by the Chief Returning Officer.

Section 11: Assumption of Office

- 11.1 A newly elected candidate shall assume office after the Chief Returning Officer's announcement of the official results of the election.
- 11.2 A newly elected candidate will be sworn in immediately after the election.