

	Executive Elections POLICY & PROCEDURE MANUAL	August 2022 Rev. 2
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This Policy and Procedure Manual for Executive Elections (the 'Policy'), in conjunction with the Voting Agreement, governs a Gwich'in Tribal Council (GTC) election. This document explains the election procedures for a General Election of GTC Grand Chief.

This Policy is an official statement of the rules and procedures and is prepared to guide the Election Committee.

This Policy outlines the sequence of events related to an election process.

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1. DEFINITIONS

Any defined terms used but not defined in this Policy have the same meaning herein as they do within *GTC By-law No. 1* or the Act, as is applicable. Each term includes all changes in grammar, number, and gender as context requires.

Accepted Ballot – means any ballot marked by a Voter that is not a Rejected Ballot or a Spoiled Ballot;

Annual General Assembly – has the meaning given to it in *GTC By-law No. 1*; however, for greater certainty, any references to an Annual General Assembly include, where circumstances require, Special Assemblies as defined in *GTC By-law No. 1*;

By-Election – has the meaning given to it in *GTC By-law No. 1*;

Campaign or **Campaigning** - means any act, by a Candidate or an individual, individuals or an organization on behalf of a Candidate, which is calculated to influence at least one Voter to vote or not to vote for any particular Candidate or Candidates;

Candidate - means a person that has been nominated and found to be eligible to be an Executive under Article 15 of this Policy;

Election – has the meaning given to it in *GTC By-law No. 1*;

Election Committee - has the meaning given to it in *GTC By-law No. 1*;

Election Day – means a day on which an Election is scheduled to occur or actually occurs;

Election Official(s) - means any or all of the Chief Returning Officer, Deputy Returning Officers, Poll Clerks, and Gwich'in Interpreters, which terms all have the meanings given to them in *GTC By-law No. 1*;

Election Period - means the time between the calling of an Election and the conclusion of all activities related to such Election provided for under this Policy;

Enrolment Register – has the meaning given to it in *GTC By-law No. 1*;

Gwich'in Interpreter – has the meaning given to it in *GTC By-law No. 1*;

List of Voters - means a list of eligible voters as determined by the Chief Returning Officer pursuant to the most up-to-date Enrolment Register maintained by the GTC;

Polling Booth - means a compartment where one voter at a time can cast their vote;

Polling Station - means a venue set aside for voters to vote on Election Day;

Rejected Ballot - means:

- a ballot with no mark;
- a ballot with a mark for more than the allowable number of candidates;
- an unofficial mark according to the Policy;
- a ballot marked so the Voter could be identified;
- a ballot marked in the wrong location (i.e. outside the check box);
- a ballot that differs physically or electronically from the official ballots; or
- a ballot that does not clearly reflect the choice of the Voter.

Remote Voting – has the meaning given to it in *GTC By-law No. 1*;

Spoiled Ballot – has the meaning given to it in Section 19.10 hereof;

Voters – has the meaning given to it in Section 9.1 hereof; and,

Voters Register - means the documentation pertaining to recorded information on voters at each Polling Station, *Voters' Register* (Form 15).

2. POLICY AND GTC BY-LAW NO. 1

This Policy is made under *GTC By-law No. 1*. This Policy provides procedural and technical details of the conduct of Elections to supplement the rules for the same contained in *GTC By-law No. 1*. In the event of any inconsistency between this Policy and *GTC By-law No. 1*, *GTC By-law No. 1* shall prevail.

3. PROCEDURES AND NOTICE

Elections, By-Elections, and Runoff Elections shall follow the procedures provided in this Policy. As with *GTC By-Law No. 1*, By-Elections shall follow the same rules and procedures as General Elections, except where otherwise noted.

Subject to the timing rules in this Policy and where otherwise specified herein, any notice provided under this Policy shall be provided by affixing the notice to a notice board in a conspicuous location in each Gwich'in Community.

4. ELECTIONS BUDGET

The Board shall approve a budget for each Election and set reasonable remuneration for the Election Officials.

5. APPOINTMENT OF ELECTION OFFICIALS

5.1 APPOINTMENT OF THE CHIEF RETURNING OFFICER

The Board shall appoint a Chief Returning Officer no later than sixty (60) days prior to Election Day. The Secretary of the Tribal Council shall provide an orientation for the Chief Returning Officer as soon as is reasonably practicable upon their appointment.

5.2 APPOINTMENT OF DEPUTY RETURNING OFFICERS

The Chief Returning Officer shall appoint Deputy Returning Officers no later than fifty (50) days prior to the Election Day.

5.3 APPOINTMENT OF POLL CLERKS

The Chief Returning Officer shall appoint Poll Clerks no later than twenty (20) days prior to the Election Day.

5.4 APPOINTMENT OF GWICH'IN INTERPRETERS

The Chief Returning Officer may request the assistance of Gwich'in Interpreter(s) on Election Day or as required from time to time.

6. DUTIES OF ELECTIONS COMMITTEE AND ELECTIONS OFFICERS

6.1 DUTIES OF THE ELECTIONS COMMITTEE

As per *GTC By-Law No.1*, the Elections Committee shall be responsible for ensuring Elections are conducted in accordance with this Policy, *GTC By-Law No.1*, and any applicable laws.

6.2 DUTIES AND TASKS OF THE CHIEF RETURNING OFFICER

As per *GTC By-Law No. 1*, the Chief Returning Officer is the Elections Officer ultimately responsible for overseeing all aspects of an Election in accordance with this Policy and *GTC By-law No 1*.

Specifically, the duties of the Chief Returning Officer shall include, without limitation, the following:

- Chair the Elections Committee;
- Set-up offices for the Elections Committee and Polling Stations outside of the offices of Tribal Council, Gwich'in Councils, and the Affiliates of these organizations;
- Plan and organize the delivery of and access to voting;
- Manage and control financial matters, election materials, and human resources;
- Administer this Policy and, to the extent it applies to an Election, *GTC By-law No. 1*;
- Oversee the voting processes on Election Day;
- Communicate information in a timely manner to the public, Candidates and other Election Officials;
- Obtain, if necessary, external legal advice and/or information technology services to effectively fulfill tasks and duties;
- Generate and submit a final election report to the Annual General Assembly; and
- Contribute to the improvement of the electoral process.

Additionally, the Chief Returning Officer shall plan and prepare for an Election by carrying out pre-event tasks that include, but are not limited to, the following:

- Identify local suppliers and, as needed, contract with them for rental space, furniture and equipment, communication and advertising, the purchase of sundry supplies, and printing services;
- Manage the setup of Polling Stations, including mobile voting, in each Gwich'in Community;
- Manage the inventory, supply and distribution of materials;
- Appoint the other Election Officials;
- Ensure the other Election Officials are payroll-processed;
- Assign the other Election Officials to Polling Stations and issues their supplies;
- Ensure that the other Election Officials are trained in Elections procedures, including those specific to the Gwich'in Election process, and understand their roles and responsibilities;
- Reviews the List of Voters and address information to ensure that Voters are registered at the correct address;
- Compile and publish the List of Voters;

- Issue notice(s) calling for nominations;
- Take such steps as are necessary to determine the eligibility of all nominees and Candidates;
- Monitoring, as appropriate, election expenses of Candidates to ensure compliance with Section 12;
- Coordinate the preparation for electronic ballots to all registered voters;
- Prepare an elections results form for each Election;
- Notify the Board when a Candidate has been elected by acclamation;
- Supervise the counting and recounting of ballots;
- Communicate election results to the Candidates, Board, Assembly, Gwich'in Councils, and Participant Members;
- Provide election recommendations to an Assembly, if needed;
- Maintain custody and integrity of ballot boxes and ballots that have been cast in an Election until such time as required to turn such material over to the Chief Executive Officer of the Tribal Council; and
- Coordinates the return of election documents, furniture, and equipment.

6.3 USE OF SOCIAL MEDIA BY THE CHIEF RETURNING OFFICER

The Chief Returning Officer may create a website and may use social media platforms for the duration of an Election Period. Such websites and social media platforms shall:

- Be the responsibility of the Chief Returning Officer;
- Contain only information pertaining to the Election; and
- Not be used for the purpose of Campaigning.

No Election results shall be posted on the website or social media until the official announcement of the preliminary results of the Election have been made by the Chief Returning Officer. At the end of the Election Period, the Chief Returning Officer shall be responsible for closure of the website and any appropriate deletion or closure of social media platforms and posts.

6.4 DUTIES OF THE DEPUTY RETURNING OFFICERS

The duties of Deputy Returning Officers include, without limitation, the following:

- reporting directly to the Chief Returning Officer;
- arranging for a Polling Station in the Gwich'in Community to which they are assigned;
- operating such Polling Station;
- recommending for appointment Poll Clerks to the Chief Returning Officer;
- ensuring that Poll Clerk and Candidates' Representatives follow the rules and procedures of this Policy and GTC By-law No. 1;
- posting notices as assigned by the Chief Returning Officer;
- ensuring adequate material and supplies are available at the Polling Station they are responsible for operating;
- receiving *Appointment of Candidate's Representative* (Form 17);
- ensuring that voting proceeds in an orderly fashion;
- accepting proof of identity and address provided by each voter;
- administering ballots of Voters on Election Day;
- providing or arranging assistance to Voters with disabilities;
- counting the ballots at the close of the polls;
- making final decisions to accept or reject a ballot;
- reporting results to the Chief Returning Officer;
- sending ballot boxes to the Chief Returning Officer;
- verifying and signing the *Preliminary Election Results* (Forms 18 and 22) and other necessary documentation at the close of the poll; and
- maintaining peace and good order within the Polling Station to which they are assigned.

6.5 DUTIES OF THE POLL CLERKS

The duties of the Poll Clerks shall include, without limitation, the following:

- reporting to their assigned Deputy Returning Officer;
- assisting the Deputy Returning Officer in setting up and opening a Polling Station;
- assisting the Deputy Returning Officer with the conduct of voting;
- assisting the Deputy Returning Officer in allowing Voters to cast their ballots in an orderly fashion;
- when a Voter has voted, crossing out the Voter's name on the List of Voters and adding a checkmark in the "Voted" column;
- making all required entries on the Voters' Register Form (Form 15);

- assisting the Deputy Returning Officer with the counting of ballots; and
- assisting the Deputy Returning Officer with the closing instructions.

6.6 DUTIES OF GWICH'IN INTERPRETERS

The duties of a Gwich'in Interpreter shall include, without limitations, the following:

- providing Gwich'in translation and interpretation of Elections procedures to Voters;
- fulfilling duties and functions as assigned by the Chief Returning Officer; and
- being available as and when required.

7. QUALIFICATIONS OF ELECTIONS OFFICIALS

7.1 GENERAL QUALIFICATIONS OF ALL ELECTIONS OFFICIALS

Election Officials must necessarily be qualified under *GTC By-Law No. 1*.

7.2 ADDITIONAL QUALIFICATIONS OF THE CHIEF RETURNING OFFICER

The Chief Returning Officer must be available to work full-time during the Election Period for which they are appointed.

In selecting a Chief Returning Officer, the Board shall consider the following desired skills, attributes, and qualifications of candidates for this position:

- ability to chair committees;
- ability to plan and organize events while displaying excellent time and staff management skills;
- ability to recruit, interview, and train staff and other Election Officials;
- proven management skills in a team-based environment;
- education and/or experience with financial administration;
- diplomacy, good judgment, reliability, and discretion in handling confidential information;
- ability to interpret and implement policies and by-laws;
- demonstrated project management skills;
- experience with numerical calculations, databases and associated software;

- ability to communicate in different formats and audiences; and
- ability to make recommendations to improve processes.

Additionally, the appointee shall have a post-secondary institution certificate, diploma, degree, or the equivalent experience, and shall also have the following experience:

- management and/or administrative experience with electoral processes; and
- understanding of the roles and responsibilities outlined in the Policy and *GTC By-Law No. 1* and of the office of the Chief Returning Officer.

7.3 ADDITIONAL QUALIFICATIONS OF THE DEPUTY RETURNING OFFICERS

Deputy Returning Officers must:

- be available to assist the Chief Returning Officer for the duration of the Election Period; and
- be competent, reliable, and able to accept and implement direction from the Chief Returning Officer.

7.4 ADDITIONAL QUALIFICATIONS OF THE POLL CLERKS

Poll Clerks must:

- be competent, reliable and able to accept and implement direction from the Chief and Deputy Returning Officers.

7.5 ADDITIONAL QUALIFICATIONS OF GWICH'IN INTERPRETERS

Gwich'in Interpreters must:

- be fluent and competent speakers of the Gwich'in language; and
- be competent, reliable and able to take direction from the Chief and Deputy Returning Officers.

8. DATES OF ELECTION & PUBLIC NOTICE

No later than fifty (50) days prior to the Election Day, the Chief Returning Officer shall issue, or cause to be issued, a *Notice of Election* (Form 5) that includes the precise date of the election, the location of Polling Stations and the precise voting hours for the election.

Such notice shall also specify that nominations for the Executive shall be open, with nomination forms being available from the Chief Returning Officer and the Deputy Returning Officers.

9. LIST OF VOTERS AND VOTERS' REGISTER

9.1 ESTABLISHING A LIST OF VOTERS

No later than forty (40) days prior to Election Day, the Chief Returning Officer shall obtain a list of Voters, which shall contain the names and contact information of all Participant Members (herein otherwise referred to as the "List of Voters" and "Voters", respectively) from the Tribal Council employees responsible for maintaining the Enrolment Register.

9.2 PREPARATION OF LIST OF VOTERS

No later than thirty (30) days prior to Election Day, the Chief Returning Officer shall review the List of Voters and confirm the Voters' contact information.

9.3 CHANGES TO LIST OF VOTERS

As per *GTC By-Law No. 1*, anyone may apply, with detailed reasons, to the Chief Returning Officer for a change to the List of Voters. This must be done no later than fourteen (14) days prior to the Election Day. The Chief Returning Officer may, in considering an application for a change to the List of Voters, consult with the Gwich'in Tribal Council staff member(s) responsible for maintaining the Enrolment Register.

Should any change(s) to the List of Voters be made, the updated List of Voters shall be published as soon as is reasonably practicable thereafter per the requirements of Section 14 hereof. For greater certainty, the thirty-day requirement shall not apply to any republication of the List of Voters.

10. PUBLISHING THE LIST OF VOTERS AND ELECTION POLICY

The Chief Returning Officer shall ensure that the List of Voters (excluding contact and other personal information), and the Election Policy, are available in a timely manner.

Specifically, the Chief Returning Officer shall:

- post copies of the List of Voters in a conspicuous location on a notice board in each Gwich'in Community no later than thirty (30) days prior to the Election Day; and
- make available to all Voters the Policy and *GTC By-law No.1* prior to Election Day upon request.

11. NOMINATIONS

11.1 NO ONE MAY CAMPAIGN FOR BOTH EXECUTIVE POSITIONS

If an individual is nominated for more than one Executive position in the same Election, the Chief Returning Officer shall immediately contact such nominee, either by telephone or in person meeting, and such nominee shall be required to declare within twenty-four (24) hours thereafter which nomination(s) they wish to decline. If such nominee fails to make such a declaration, he or she shall have been deemed to have declined all of his or her nominations.

11.2 DEPOSIT

Each nominee must provide a deposit of \$250.00 to the Tribal Council to be held until the individual submits all election spending records required pursuant to Section 10 of this Policy. No nominee may be added to the ballot or begin Campaigning until this deposit has been paid. Any nominee who fails to pay this deposit by the time the Chief Returning Officer must provide Voters with notice under this Policy of the Candidates for the Election in question shall be deemed to have declined their nomination and may not be added to the ballot for such Election.

11.3 CALL FOR NOMINATIONS

The Chief Returning Officer shall give notice calling for nominations no later than fifty (50) days prior to the Election Day. Such notice shall be given on the *Notice Calling for Nominations of Candidates* (Form 6).

11.4 NOMINATION FORMS

As per *GTC By-law No. 1*, two (2) Voters are necessary to nominate someone. To do so, Voters must complete the *Nomination Form for Grand Chief* (Form 7) and return it to the Chief Returning Officer or a Deputy Returning Officer. For greater certainty, digital scans of such documents are acceptable.

11.5 CLOSE OF NOMINATIONS

The Chief Returning Officer shall close the nominations process no later than 5:00 pm, thirty-five (35) days prior to Election Day.

11.6 EXTENSION OF NOMINATIONS

If no one has been nominated for an Executive position by the close of nominations, the Chief Returning Officer shall extend the nomination period for an additional five (5) days. This may be repeated as necessary until at least one (1) nominee for each Executive position has been put forward and determined by the Chief Returning Officer to be qualified to hold the position and has complied with any other requirements under *GTC By-law No. 1* or the Policy necessary for them to run for an Executive office.

Where necessary to provide sufficient notice of the Candidates to be voted on in an Election as required under either *GTC By-law No. 1* and/or the Act, Election Day and all subsequent steps in an Election required under this Policy shall be postponed by the same amount of days for which the nominations period was extended and/or, if necessary, for any other delay(s). The Voters shall be provided with no less than thirty (30) days of notice of the Candidates to be voted on. If, as a result, Election Day occurs after an Annual General Meeting it was intended to precede, the Board may accept and announce the results of the Election at such time as they become available.

11.7 PUBLICATION OF THE LIST OF CANDIDATES

The Chief Returning Officer shall, upon close of the nomination period, verify the eligibility of all nominees and thereafter shall:

- post a copy of the list of Candidates in a conspicuous location on a notice board in each Gwich'in Community; and
- post a copy of the list of Candidates in any manner(s) of communication deemed appropriate by the Chief Returning Officer.

11.8 WITHDRAWAL OF CANDIDATES

Candidates wishing to withdraw from an Election must submit a written statement to that effect to the Chief Returning Officer. The name of any withdrawn Candidate shall be removed from the ballot by the Chief Returning Officer prior to Election Day and, if any withdrawal occurs after notice providing the list of Candidates in an Election has been provided, notice shall be provided to Voters in the same manner as it was provided in relation to the original list of Candidates as soon as possible.

12. ELECTION SPENDING

12.1 DETAILED ACCOUNTING OF SPENDING

The Candidates shall provide the Chief Returning Officer with a detailed accounting of all Election-related spending pursuant to the *Candidates Statement of Campaign Spending* (Form 14) and shall provide the Chief Returning Officer with receipts, evidence, records, and other such supporting documents relevant to making a determination regarding Election spending. These documents are to be submitted no later than one (1) day prior to the Election Day, or upon the completion of Campaigning pursuant to Section 17.

12.2 NOMINATION DEPOSIT

The \$250.00 deposit submitted with the nomination form shall be refunded upon receipt of the documents referenced in Section 12.1 of this Policy. If a Candidate fails to submit these documents or spends more than \$10,000.00, the deposit will be forfeited to the Tribal Council and applied against the costs of holding the Election.

13. CANDIDATES DECLARED BY ACCLAMATION

In the event there is only one (1) Candidate nominated for any Executive position, the Board shall, on notice to it of such by the Chief Returning Officer and if such Candidate is qualified to be an Executive, at the Annual General Assembly immediately following Election Day or its next meeting following Election Day, acclaim as elected to the Executive office for which they were nominated such Candidate.

14. NOTICE OF ACCLAMATION TO VOTERS

As and when necessary, after an acclamation of election by the Board, the Chief Returning Officer shall post the *Notice of Acclamation for Grand Chief* (Form 11) in all Gwich'in Communities and any other means of communication deemed necessary.

15. BALLOTS AND METHODS OF VOTING

15.1 BALLOTS FOR EXECUTIVE

The Chief Returning Officer shall be responsible for the creation and printing of ballots for the position of Grand Chief. The ballots shall list the names of Candidates in alphabetical order and be substantially in the forms provided in the *Official Ballot for Grand Chief, Appendix I*.

15.2 ADDITIONAL IDENTIFYING INFORMATION

If two or more Candidates share the same name, the Chief Returning Officer may add such additional information to the ballot as he or she deems in his or her discretion necessary to distinguish between them.

15.3 NUMBER OF BALLOTS

The Chief Returning Officer shall:

- prepare as many ballots for the position of Grand Chief as there are voters on the List of Voters pursuant to Section 9.1 of this Policy;
- count all the ballots prepared in (a); and
- store the ballots in a secure place until Election Day.

15.4 METHODS OF VOTING

Each Voter may cast one (1) vote for the position of Grand Chief using one of the following methods:

- cast a ballot in person during the designated hours on Election Day at a Polling Station or by mobile poll; or,
- cast a vote by Remote Voting; or,
- cast a vote by absentee ballot application.

16. VOTING PROCEDURES

16.1 MOBILE POLL

The Chief Returning Officer shall ensure mobile voting is available, upon request, to Voters who reside in a Gwich'in Community but are unable to visit a Polling Station. Such request must be made at least twenty-four (24) hours in advance of Election Day.

An Election Official shall bring ballots to a Voter for them to execute in person where a Voter is:

- in a hospital;
- in a seniors' home or a similar institution; or
- otherwise unable to leave their home due to illness or infirmity.

16.2 REMOTE VOTING SYSTEMS

The Chief Returning Officer shall determine the appropriate systems and platforms for facilitating Remote Voting by Participant Members and shall provide a recommendation for the Board's approval.

17. CAMPAIGN RULES

Candidates may choose to use social media and/or establish a website for Campaign purposes. Candidates that choose to do so shall be solely responsible for all content on and the costs of such social media and website platforms.

18. VOTING PROCEDURES PRIOR TO ELECTION DAY

18.1 RESPONSIBILITIES

One (1) day prior to the Election Day, the Chief Returning Officer shall:

- ensure all other Election Officials have been appointed and Forms 1, 2, 3 and 4, attached hereto, have been completed;
- ensure each Polling Station has a finalized List of Voters;
- ensure that the Polling Booth, supplies and equipment for voting are in place in each Polling Station;
- ensure that there are enough chairs for each Election Official and Candidates' Representative;
- ensure the Deputy Returning Officer has possession of the ballots and required forms are at each Polling Station;
- post visible signage that lists the violations listed in *GTC By-law No. 1*;
- ensure each individual Polling Booth has voting instructions posted in English and Gwich'in; and
- ensure arrangements have been made to provide mobile polls to those Voters who properly requested and are eligible for such.

18.2 POLLING STATION LOCATIONS

Notwithstanding anything else in this Policy, one (1) Polling Station shall be located in each Gwich'in Community. The Polling Stations shall be easily accessible for Elders and people with disabilities.

19. VOTING PROCEDURES ON ELECTION DAY

19.1 VOTING HOURS

The voting hours shall be on Election Day from 9:00 am to 8:00 pm.

19.2 PRIOR TO OPENING THE POLLING STATIONS

The Chief Returning Officer shall ensure that the Deputy Returning Officers complete the following:

- ensure the completion of the *Appointment of Candidate's Representative and Oath/Affirmation of Candidate's Representative* (Form 17) by each Candidate's Representative;
- remove of all campaign material from each Polling Station;
- open each ballot box and show every person present that it is empty;
- lock and seal each ballot box so that it cannot be opened without breaking the seal;
- place each ballot box on the table at which the Elections Officials sit;
- ensure that all Election Officials are present;
- confirm there are sufficient supplies for Elections Officials, including, but not limited to, Lists of Voters, ballots, ballot boxes, signage, and instructions for voting; and
- ensures Polling Booths are appropriately set up.

19.3 OPENING THE POLLING STATION

At the established opening time, the Election Officials shall open the door of the Polling Station to allow voting to begin.

19.4 PERSONS PRESENT AT A POLLING STATION

The following persons may be at a Polling Station while it is open for voting:

- Election Officials;
- Voters; and

- Candidate's Representatives.

The parties specified in (a) and (c) shall also be permitted to be present at a Polling Station before it opens for voting and during the counting of ballots. Such persons may also witness the locking and sealing of the ballot boxes and other preparations as provided for in this Policy.

19.5 VOTER PROCEDURE

As each Voter attends the Polling Station, the Deputy Returning Officer shall:

- Cross off the Voter's name from their copy of the List of Voters; if a person's name does not appear on the List of Voters, refer to Section 19.6 of this Policy;
- Fold the ballots so that Candidates' names are on the inside;
- Initial each ballot on the outside and hand it to the Voter;
-
- Direct the Voter to a Polling Booth and instruct the Voter to return the ballot after marking it;
- Provide the Voter with a Gwich'in Interpreter; if necessary; and
- Take back the ballot(s) from a Voter who has voted, check for the initial and place the ballot(s) in the appropriate ballot box.

19.6 DECLARATION OF ELIGIBLE VOTER

If a person's name does not appear on the List of Voters, the Deputy Returning Officer shall determine the person's eligibility to vote. In this respect the Deputy Returning Officer shall:

- Ask any reasonable question of the person;
- Review such person's identification;
- If the person is being vouched for by an Eligible Voter, obtain all necessary information from the voter during the vouching;
- In consultation with the Chief Returning Officer, make a determination as to the person's eligibility to vote;
- Notify the person on the grounds for determining the person's eligibility to vote; and
- Make a note on the voters' registry to document the decision.

19.7 HOW TO MARK A BALLOT

When a Voter reaches the Polling Booth, he or she shall:

- Open the ballot and place a mark (X or ✓) in the box that is opposite the name of the candidate for Grand Chief of his or her choice;

- Fold the ballot(s) in the same way they were received; and
- Return the folded ballot(s) to the same Election Official that gave the ballots to them.

19.8 PROCEDURE FOR RETURNED BALLOT

Upon receiving a folded ballot from a Voter, the Election Official shall:

- Verify that the initials on the outside of the ballot(s) are theirs;
- Mark the List of Voters to confirm the Voter in question has voted; and
- Place the folded ballot(s) in the appropriate ballot box.

19.9 VOTER UNABLE TO MARK BALLOTS

At the request of a Voter who is unable to mark a ballot, two (2) Election Officials shall assist that Voter by:

- Marking the Voter's ballot(s) as directed by the Voter;
- Returning the marked and folded ballot(s) to the Voter;
- Directing the Voter to return the ballot(s) to the same Election Official that gave the ballot(s) to the Voter; and
- Noting the circumstances in the List of Voters.

19.10 VOTER MARKS BALLOT BY MISTAKE

If a Voter makes a mistake on a ballot, he or she may return the ballot to the Deputy Returning Officer who shall mark the ballot as "SPOILED", place it in a separate envelope, indicate receiving and cancelling the ballot on the Voters' Register (Form 15), and give the Voter another ballot.

19.11 CLOSING THE POLLING STATION

The Election Officials shall:

- Lock the door of the Polling Station at the published closing time; and
- Thereafter allow only those Voters to vote who are already standing in line at or near the Polling Station at the time of closing.

20. COUNTING AND RECORDING VOTES

20.1 PROCEDURE FOLLOWING VOTING

When voting has ended and the last Voter has left the Polling Station, the Deputy Returning Officer shall:

- Invite any Candidate's Representatives to officially witness the ballot count;
- Verify that the seals on the ballot boxes are intact; and
- Open the ballot boxes and proceed to count the number of votes in each ballot box with assistance from Election Officials, as necessary.

20.2 EXAMINING AND TALLYING BALLOTS FOR CANDIDATES

As each ballot is opened, the Deputy Returning Officer shall:

- Ensure that all persons present can clearly see how each ballot is marked;
- Put each Accepted Ballot into a single pile;
- Put each Rejected Ballot into another pile;
- Record the vote beside each Candidate's name on the *Election Tally Sheet for Grand Chief* (Form 17).

20.3 RECORDING VOTES

After all the ballots have been counted and recorded, the Deputy Returning Officer shall submit the completed *Election Tally Sheet for Grand Chief* (Form 17) to the Chief Returning Officer.

20.4 PUBLICATION OF PRELIMINARY ELECTION RESULTS

The Chief Returning Officer shall:

- Compile the tally sheets, above, submitted by the Deputy Returning Officer of each Polling Station;
- Transfer the results of the *Election Tally Sheet for Grand Chief* (Form 17) to the *Preliminary Election Results for Grand Chief* (Form 18); and
- Within three (3) hours of the published closing of the Polling Station, publish the preliminary election results for the Grand Chief on the website or social media.

If a recount is required, the Chief Returning Officer shall publish the results of such recount.

21. RECOUNTS

21.1 RECOUNTS

After receiving notification of the preliminary elections results, a Candidate has twenty-four (24) hours to request a recount. When requesting a recount, a Candidate shall indicate his or her reasons for requesting the recount.

If a Chief Returning Officer decides that a recount is warranted, he or she must notify (by any means possible) everyone who was involved in the initial count within twenty-four (24) hours of receiving a request for a recount.

The recount shall occur within forty-eight (48) hours of the Chief Returning Officer determining that a recount is warranted.

22. BREAKING A TIE VOTE

Should one or more Candidates for an Executive position receive the same number of votes, the Chief Returning Officer shall:

- Conduct a recount per the procedures in Section 21 hereof;
- If there is still a tie vote after such recount, call for a Runoff Election within twenty-four (24) hours of the conclusion of such recount; and
- Set a date for the By-Election to be within two (2) weeks of the original Election Day.

23. REPORTING VIOLATIONS

23.1 REPORT TO ELECTIONS COMMITTEE

Any Voter may report to the Elections Committee any violations of *GTC By-law No. 1* or this Policy regarding an Election or Runoff Election that they believe were committed.

Such reports must be in writing and delivered no later than 12:00 PM on the day following the Election Day. The report must cite the violation(s) that the Voter believes were committed and provide a description of the allegations and parties involved and any facts/evidence supporting the Voter's claim.

However, if the report alleges that an Election Official committed any violation(s), the report described above shall be made to the Board.

23.2 ELECTION COMMITTEE CONSIDERS REPORT

Immediately upon receipt of a report, the Election Committee shall:

- Review and investigate the allegations described in the report;
- Determine the validity of the complaint; and
- Within five (5) days of the receipt of such report, provide a report and recommendations, based on the investigation, to the Board, which shall then have an additional five (5) days to render a final decision on such report.

If a report is made to the Board, it shall follow these same steps, except that it will render a final decision within five (5) days of receiving the report.

24. PUBLICATION OF OFFICIAL ELECTION RESULTS

When appeals have been exhausted, the Chief Returning Officer shall give notice of the *Official Election Results for Grand Chief* (Form 19) and *Declaration of Elected Executive* (Form 23) to the Annual General Assembly.

25. DESTROYING BALLOTS AND ELECTION MATERIALS

Immediately after the votes have been recorded, the Chief Returning Officer and Election Officials shall seal the ballots and all other documents pertaining to the Election. For greater certainty, the ballots may be reopened, as needed, for a recount and resealed thereafter.

Subject to any extensions to the timeline of an Election made under this Policy, the Annual General Assembly shall resolve to destroy the Ballots no later than thirty (30) days after Election Day in front of two (2) witnesses, *Declaration of Destroyed Ballots and Elections Material* (Form 24).

Appendix I: Election Offences

1. Under this Policy, it is an offence for a voter, Candidate, Candidate's representative or Election Officials to:
 - a. Influence or attempt to influence a voter to vote or not vote for any Candidate(s) by means of libel, bribery, threats, force or intimidation;
 - b. Intentionally direct a voter with an impairment to vote for any Candidate(s) other than the one(s) he or she chooses;
 - c. Impersonate another voter in order to vote;
 - d. Vote twice or attempt to vote twice except as provided for in the Policy (e.g. receive a second ballot to replace the one that has been spoiled);
 - e. Campaign in any way in or near the Voting Station on Election Day on behalf of a Candidate;
 - f. Use or attempt to use any form of ballot other than the one issued by the Chief Returning Officer or Deputy Returning Officer;
 - g. Intentionally remove ballots from the Voting Station;
 - h. Intentionally disrupt the orderly conduct of the election process inside the Voting Station; or
 - i. Assist another person to commit an election offence.
2. Under this Policy it is also an offence for the Chief Returning Officer, Deputy Returning Officer, Election (Poll) Clerk or Gwich'in Interpreter to:
 - a. Knowingly unfold and examine any returned ballot prior to depositing it in the ballot box;
 - b. Divulge information to anyone as to how a voter voted; or
 - c. Neglect, fail or refuse to carry out his/her duties under this Policy.

A perceived offence under this Policy is grounds for appealing the validity of the election of any Candidate to the Election Committee as provided for in this Policy.

Appendix II: Official Ballot for Grand Chief

Vote for ONE (1) candidate ONLY by marking an X or ✓ in the box beside the candidate's name.

Jack Doe	<input type="checkbox"/>
Jane Smith	<input type="checkbox"/>

Instructions for Voters voting in person:

- After marking the ballot, fold the ballot as received to show initials on the outside and return the ballot to the person that gave the Voter the ballot.
- Watch the Deputy Returning Officer deposit the ballot in the ballot box.

Instructions for Voters voting at a Mobile Poll:

- Fold the ballot as received to show Deputy Returning Officer's initials on the outside, place in envelope marked BALLOT and seal envelope.
- Place sealed BALLOT envelope in ballot box/envelope brought by the Election Officials.

Appendix III: Election Timeline

Prior to Election Day, no later than:

Sixty (60) days, appoint a Chief Returning Officer;

Fifty (50) days, appoint Deputy Returning Officers;

Fifty (50) days, provide a notice of the precise date of the Election, the location of the Polling Stations, and the actual voting hours for the Election; such notice shall also call for nominations;

Forty (40) days, the Chief Returning Officer shall obtain a List of Voters from the Tribal Council;

Thirty five (35) days, close of nominations at 5:00 pm or extension of nominations, if necessary;

Thirty five (35) days, send out Remote Voting package;

Thirty (30) days, the Chief Returning Officer shall review and confirm List of Voters obtained from the Enrolment Register;

Thirty (30) days, post copies of the List of Voters;

Twenty (20) days, to register for Remote Voting or absentee ballot;

Twenty (20) days, appoint Poll Clerks; and

Fourteen (14) days, changes to the List of Voters up to 5:00pm, finalize list, post finalized amended List of Voters.

After Election Day, subject to any recounts or reports of prohibited acts, the Board shall pass a resolution to accept the Election Results and to destroy Ballots.