



Heiltsuk Tribal Council
P.O. Box 880
Bella Bella, BC V0T 1Z0

Heiltsuk Custom Election Rules Amendment Vote – June 27, 2024

Summary of Recommended Amendments

A. PURPOSE AND LIMITATIONS

The purpose of this document is to provide Heiltsuk Electors with a summary of the amendments (the “Amendments”) to the Heiltsuk Custom Election Rules (the “Rules”) that are being recommended by Heiltsuk Council. The Amendments will be voted on by Heiltsuk Electors at an Amendment Vote scheduled to occur on June 27, 2024, the outcome of which will determine whether the Amendments will be approved or rejected.

Per the Rules, the Amendments will take effect immediately if they are approved by a majority of the Electors casting ballots in the Amendment Vote.

Please note that this document is only meant to provide a simple summary of the Amendments. Certain Amendments have been omitted, shortened, or simplified in this document for ease of use, length, and readability. This document should not be solely relied upon, and Electors are encouraged to review the Amendments in full. Please note that capitalized terms used in this document that are not defined in this document have the meaning given to those capitalized terms in the Rules.

B. WHY IS COUNCIL RECOMMENDING THE AMENDMENTS?

Heiltsuk previously had an election scheduled for August 24, 2020. Due to the impacts and complications of the COVID pandemic, which was occurring at the time, Council made the decision to cancel the election. Heiltsuk has had elections since that time. However, as the Rules require that Council serve staggered terms of office, the cancellation of the August 24, 2020, election has resulted in misalignment of Heiltsuk’s staggered elections. Council, with the assistance of legal counsel, has developed the Amendments to:



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- (a) realign Heiltsuk's staggered elections;
- (b) ensure that staggered elections are maintained should an Election be delayed or cancelled in the future; and
- (c) reduce the amount of time Council must appoint an Electoral Officer prior to an Amendment Vote.

C. SUMMARY OF RECOMMENDED AMENDMENTS

1. Terms of Office and Timing of Elections (sections 4.1 and 4.2)

Council recommends that section 4.1 be amended, and a new section 4.2 be added, to re-align the timing of Elections by specifying that those Council members elected in Heiltsuk's 2025 Election hold office until August 8, 2028.

Practically, this means that those Council members elected in Heiltsuk's 2025 Election (to be held in March), and only those Council members elected in Heiltsuk's 2025 Election, will serve a reduced term. Usually, members of Council serve a four-year term. To re-align the timing of Elections those Council members will serve a reduced term that will end on August 8, 2028.

2. Extension of Term of Office (sections 4.4 and 4.5)

Council recommends that section 4.3 be amended (which will become section 4.4), and a new section 4.5 be added, to ensure that if an Election is delayed or cancelled in the future, the Rules will not need to be amended to re-align the timing of Elections.

Practically, this means that the timing of Elections will automatically be re-aligned in the future should an Election be delayed or cancelled by reducing the term of those Council members who are elected in the subsequent Election.

It is important to note that, under the Rules, Elections can only be delayed if a death occurs in the Heiltsuk community (sections 30.1 – 30.3). The Rules do not specifically allow an Election to be cancelled by Council.



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3. Amendments (section 29.3)

Council recommends that section 29.3 be amended to specify that Council needs to appoint an Electoral Officer at least 60 days prior to an Amendment Vote rather than at least 90 days as is currently required.

This clarification is needed to ensure that the requirement that Council appoint an Electoral Officer at least 90 days prior to Elections does not apply to Amendment Votes. As Amendment Votes do not have the same procedural requirements as Elections (the requirement to hold a Nomination Meeting, for example), there is no practical reason for requiring that Council appoint an Electoral Officer at least 90 days prior to an Amendment Vote.