

NORTHERN SECWEPENC TE QELMUCW

Agreement-in-Principle Referendum Policy 2015

Adopted by resolution LC 2015-07002-004 of the NStQ Leadership Council
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PREAMBLE

Whereas:

- A. In 1992, the Canim Lake Indian Band, the Stswecem'c Xgat'tem First Nation (formerly Canoe Creek Indian Band), the Soda Creek Indian Band and the Williams Lake Indian Band entered the BC Treaty Process as a single First Nation known as the Northern Secwepemc te Qelmucw ("NStQ");
- B. NStQ has now concluded Agreement-in-Principle negotiations with Canada and British Columbia; and
- C. The NStQ Leadership Council has resolved that, before moving into Final Agreement negotiations, there shall be a referendum to determine if there is support from each of the NStQ Bands to do so;

the Councils of the Canim Lake Indian Band, Soda Creek Indian Band, Stswecem'c Xgat'tem First Nation and Williams Lake Indian Band adopt this policy and the procedures contained in it for the conduct of the referendum about moving into Final Agreement negotiations.

PART 1 – TITLE

1. This policy shall be called the NStQ Agreement-in-Principle Referendum Policy.

PART 2 – INTERPRETATION

2. In this policy

"Band Membership Clerk" means the Band employee or AANDC employee responsible for maintaining the official list of Band members for a particular NStQ Band;

"Deputy Referendum Officer" means any person appointed by the Referendum Officer for the purposes of a referendum to assist her or him in the conduct of the referendum process;

"Mail-in Ballot" means a ballot mailed or delivered in accordance with this Policy.

"Member" - any person entitled to Band membership as per each Band's membership requirements

“NStQ Band” means the Canim Lake Indian Band, Soda Creek Indian Band, Stswecem'c Xgat'tem First Nation or Williams Lake Indian Band;

“Oath” means a solemn affirmation.

“Ordinarily Resident on her or his Reserve” refers to the residential status of a Voter who is considered to have her or his ordinary residence on a reserve of the NStQ Band of which she or he is a member. A person’s ordinary residence can be described as:

- (a) the place the person normally eats and sleeps;
- (b) the place the person receives mail;
- (c) the residence of the person’s immediate family; or
- (d) a place in proximity to the person’s place of employment.

A person can only be ordinarily resident in one place at one time, and a person is ordinarily resident in that place until another place of ordinary residence is acquired. A person may also be temporarily absent from a place of ordinary residence for education, medical or temporary employment reasons.

“Polling Station” means a building, hall or room which is selected as the site at which voting takes place.

“Referendum Officer” means the person appointed by resolution of the NStQ Leadership Council, who has the responsibility for conducting the referendum and post-referendum procedures.

“Referendum Day - means the Day established for the vote

“Rejected Ballots” means those ballots that have been improperly marked and/or defaced by Voter(s) which are not included in the tally of valid ballots cast during the counting of the votes.

“Voter” means a person who:

- (a) is a member of an NStQ Band as per each Band's membership requirements
- (b) is at least 18 years of age on the Referendum Day.

“Voter Declaration Form” is a witnessed document that ensures the ballot is being returned by the designated Voter and includes personal information of the Voter.

“Voters List” means the list of band members eligible to vote in the referendum.

PART 3- APPLICATION

3. This Policy applies to a referendum on whether NStQ will enter into negotiations on a Final Agreement with Canada and British Columbia under the BC Treaty Process.

PART 4 – PRE-REFERENDUM PROCEDURES

Appointment of Referendum Officer

4. The Referendum Officer shall be appointed by the Northern Shuswap Tribal Council Board of Directors.
5. In the event that the Referendum Officer cannot fulfill their duties, the NSTC Board shall appoint another Referendum Officer to act in his/her place.
6. A Referendum Officer must be a person who:
 - a. is not a member of an NStQ Band;
 - b. has no vested interest in the outcome of the referendum;
 - c. is at least 18 years of age; and
 - d. has experience in the conduct of elections or has received appropriate training.

Oath of Office

7. The Referendum Officer must swear an Oath to uphold the office in accordance with this policy.

Responsibilities and Ethics

8. The Referendum Officer is responsible for managing and executing all pre-referendum, referendum and post-referendum processes and procedures included in this policy. The Referendum Officer must:
 - a. uphold and abide by the rules and regulations established in this policy and pursuant to the Oath of office;

- b. remain neutral and professional in the conduct of the duties of her or his office, and refrain from providing any preferential treatment or expressing support for or opposition to the referendum question;
- c. not accept anything of value (including but not limited to money, offers of employment, gifts, travel) in exchange for preferential treatment or access to a public official or non-public information;
- d. not discriminate against anyone because of race, religion, sex, age or handicap;
- e. use public office facilities to fulfill the terms of her or his office, and not for personal or partisan benefit;
- f. not pressure or intimidate other officials or personnel to favour a certain position; and
- g. avoid conflicts of interest, or the appearance of conflicts of interest, by abstaining from decision-making where the Referendum Officer has a personal or private interest in the matter at issue.

Voters Lists

- 9. At least 70 days before the Referendum Day, the Referendum Officer shall obtain from the appropriate Band Membership Clerk, the official Band list of each NStQ Band including the names, band membership numbers and dates of birth of all Band members who will have attained the age of 18 years on the Referendum Day.
- 10. At least 65 days before the Referendum Day, each NStQ Band Administrator or their delegate shall provide the Referendum Officer with the last known addresses, if any, of all Band Voters who do not reside on the reserve.
- 11. Voters are responsible for providing their Band Administrator or their delegate with their current addresses.
- 12. A Voter's address shall be used by the Referendum Officer only for the purpose of providing notices, mail-in ballots or other referendum documents to Voters who are entitled to receive them under this policy.
- 13. Except for the purposes noted in the preceding section, the Referendum Officer shall not disclose a Voter's address without the consent of the Voter.
- 14. At least 60 days before the Referendum Day, the Referendum Officer shall prepare a Voters List for each NStQ Band containing the names of all of the

Voters in alphabetical order, and post the Voters List for that Band in a public area of that Band's administration building and in such other conspicuous places on that Band's reserves.

15. On request, the Referendum Officer or Deputy Referendum Officer shall confirm whether the name of a person is on the Voters List.
16. The Referendum Officer shall revise the Voters List upon presentation of documentary evidence which demonstrates that:
 - a. the name of a Voter has been omitted from the Voters List;
 - b. the name of a Voter is incorrectly set out in the Voters List; or
 - c. the name of a person not qualified to vote is included in the Voters List.
17. Challenges to the Voters' List must be received by the Referendum Officer at least 45 days prior to Voting Day.
18. The Referendum Officer shall give written notice to the person whose eligibility is challenged 45 days prior to the Voting Day, or as soon as practicable after that time.
19. The written notice given under the preceding section shall include the reasons for seeking the removal of their name from the Voters List and any supporting documents, and shall provide notice that a written reply may be sent to the Referendum Officer, which must be received as soon as practicable and no later than the day before the Referendum Day.
20. After consideration of all information and representations relating to amendments of the Voters List, the Referendum Officer shall add or delete names from the Voters List based on whether persons qualify as Voters.
21. The decision of the Referendum Officer under the preceding section is final and is not subject to appeal.
22. A person whose name does not appear on the Voters List shall be entitled to vote on the Referendum Day, provided she or he presents documentary proof to the Referendum Officer or a Deputy Referendum Officer demonstrating his qualifications as a Voter as provided by the Band Membership Clerk to the satisfaction of the Referendum Officer or Deputy Referendum Officer.

Appointment of Deputies

23. The Referendum Officer shall appoint deputies as deemed necessary, who shall work under her or his direction.
24. The Deputy Referendum Officer shall have such powers as described in this code as well as those powers of the Referendum Officer as delegated to the Deputy by the Referendum Officer.
25. At least four Deputy Referendum Officers shall have the same qualifications as the Referendum Officer as listed in Part 4 section 6 of this policy.
26. Every Deputy Referendum Officer shall swear an oath of office to:
 - a. uphold and comply with this policy
 - b. fulfill the duties and responsibilities of her or his office under this policy;
 - c. carry out her or his duties faithfully, honestly, impartially and to the best of her or his abilities;
 - d. keep confidential all personal information learned
27. The Referendum Officer may make such orders and issue such instructions consistent with the provisions of this code as she or he may deem necessary for the effective administration of the referendum.

Ballots

28. The Referendum Officer shall prepare ballot papers setting out the question to be voted on in the referendum, which question shall be:
Do you support the recommendation of the NStQ Leadership Council to proceed to Final Agreement negotiations?

Notice of Referendum

29. At least 60 days before the Referendum Day, the Referendum Officer shall post a notice of referendum in at least one conspicuous place on each reserve where Voters ordinarily reside, which notice shall include:
 - a. the date of the referendum;
 - b. the times at which the polling station(s) will open and close;
 - c. the location of the polling station(s) at which the Voter may vote in person in accordance with section 42 of this policy;
 - d. the time and location of the counting of the votes; and

- e. a statement that the Voters List will be posted for public viewing (stating the locations) at least 60 days before Voting Day.

Mail-in Ballots

- 30. The Referendum Officer shall, at least 35 days prior to the Referendum Day, mail to every Voter who is not Ordinarily Resident on her or his Reserve for whom a valid postal address is known a mail-in ballot package consisting of:
 - a. a ballot initialled on the back by the Referendum Officer;
 - b. an inner postage-paid return envelope, pre-addressed to the Referendum Officer;
 - c. a second inner envelope marked "ballot" for insertion of the completed ballot;
 - d. an Voter declaration form which shall set out:
 - i. the name of the Voter;
 - ii. the membership number and date of birth of the Voter; and
 - iii. the name, address and telephone number of the witness to the signature of the Voter;
 - e. the notice of referendum set out in section 30; and
 - f. a letter of instruction regarding voting by mail-in ballot which shall also include:
 - i. a statement advising Voters that they may vote in person at any polling station on the Referendum Day if they return their mail-in ballot to the Referendum Officer at the polling station or swear a written declaration before the Referendum Officer, a justice of the peace, notary public or duly appointed commissioner for taking oaths that they have lost the mail-in ballot; and

- 31. A Voter who is Ordinarily Resident on her or his Reserve and who is unable to vote in person on the Referendum Day may request a mail-in ballot package from the Referendum Officer.

32. A Voter not residing on the reserve who has not received a mail-in ballot package may request a mail-in ballot package from the Referendum Officer.
33. Upon receipt of a request for a mail-in ballot package under section 31 or 32, the Referendum Officer shall mail or deliver a mail-in ballot package described in section 30 to the Voter whose name appears on the application.
34. The Referendum Officer shall indicate on the Voters List that a ballot has been provided to each Voter to whom a mail-in ballot was mailed or otherwise provided and keep a record of the date on which, and the address to which, each mail-in ballot was mailed or otherwise provided.
35. A Voter shall vote by mail-in ballot by:
 - a. placing an "X" or other mark that clearly indicates the Voter's choice on the referendum question but does not identify the Voter;
 - b. placing the ballot in the inner envelope and sealing the envelope;
 - c. completing and signing the Voter declaration form in the presence of a witness who is at least 18 years of age;
 - d. placing the inner envelope and the completed, signed and witnessed Voter declaration form in the postage-paid envelope; and
 - e. delivering, mailing or otherwise ensuring receipt by the Referendum Officer or Deputy Referendum Officer of the envelope before the close of polls on the Referendum Day.
36. Where a Voter is unable to vote in the manner set out in the preceding section, the Voter may enlist the assistance of another person to mark the ballot and complete and sign the Voter declaration form in accordance with that section.
37. A witness referred to in the preceding section shall attest to:
 - a. the fact that the person completing and signing the Voter declaration form is the person whose name is set out in the form; or
 - b. the fact that the Voter is the person whose name is set out in the form and that the ballot was marked according to the directions of the Voter.
38. Mail-in ballots that are not received by the Referendum Officer or Deputy Referendum Officer before the close of polls on the Referendum Day shall not be counted.

Equipment for the Referendum

39. The Referendum Officer shall, before the polling station is open, supply the polling station with:
- a. sufficient ballot boxes;
 - b. a sufficient number of ballots;
 - c. a sufficient number of voting compartments enabling Voters to mark their ballots free from observation;
 - d. instruments for marking the ballots;
 - e. a sufficient number of voting instructions as may be required;
 - f. all other equipment necessary to establish and equip the voting locations; and
 - g. the final Voters List.

Polling Stations

40. The Referendum Officer will establish a polling station at each of the following reserves:
- a. Canim Lake Indian Band Reserve # ____ (Canim Lake);
 - b. Stswecem'c Xgat'tem First Nation Reserve # ____ (Canoe Creek);
 - c. Stswecem'c Xgat'tem First Nation Reserve # ____ (Dog Creek);
 - d. Williams Lake Indian Band Reserve # ____ (Sugarcane); and
 - e. Soda Creek Indian Band Reserve #2 (Deep Creek)
41. A Voter may either vote by Mail-in Ballot or in person at a polling station on a reserve of the NStQ Band of which she or he is a member. For greater certainty, a Voter may not vote in person at a polling station on a reserve of an NStQ Band of which she or he is not a member.
42. The Referendum Officer shall provide a voting compartment in the polling station where Voters can mark their ballots free from observation and the Referendum Officer may appoint security to maintain order in the polling station.
43. The Referendum Officer shall oversee and manage the voting at one of the polling stations and shall appoint a Deputy Referendum Officer with the

qualifications described in section 6 of this policy to oversee and manage the voting at each of the other polling stations listed in the preceding section.

PART 5 – THE REFERENDUM DAY

Polling Hours

44. Each polling station shall be open from 9 a.m. until 8 p.m. local time on the Referendum Day.

Verification of the Ballot Box

45. The Referendum Officer or Deputy Referendum Officer shall, immediately before the commencement of the poll:
- a. open the ballot box and call such persons as may be present to witness that it is empty and complete a written statement to that effect, verified by a witness;
 - b. lock and properly seal the ballot box in a manner preventing it from being opened without breaking the seal; and
 - c. place the ballot box in public view for the reception of the ballots.

Secrecy and Security

46. Voting shall be by secret ballot.
47. No Voter may vote by proxy or authorize another person to vote on her or his behalf.
48. The Referendum Officer or Deputy Referendum Officer shall maintain order at all times in the polling station and may cause to be removed any person who in any way interferes, disrupts or attempts to influence the orderly conduct of the poll.
49. No person shall, on the day the referendum is held, on the premises of the polling station:
- a. distribute any referendum-related printed materials except such materials as may be distributed by the Referendum Officer or Deputy Referendum Officer for the purpose of conducting the referendum;

- b. attempt to interfere with or influence any Voter in marking her or his ballot; or
- c. attempt to obtain information as to how a Voter is about to vote or has voted.

Voting Procedure

- 50. Each person, on arriving at the polling station, shall give her or his name to the Referendum Officer or Deputy Referendum Officer.
- 51. The Referendum Officer or Deputy Referendum Officer shall, if the person's name is set out in the Voters List, place her or his initials on the referendum ballot and provide it to the Voter.
- 52. The Referendum Officer or Deputy Referendum Officer shall cause to be placed in the proper column of the Voters List a mark opposite the name of every person receiving a ballot paper.
- 53. A Voter to whom a mail-in ballot was mailed or provided under this policy may obtain a ballot and vote in person at a polling place if:
 - a. the Voter returns the mail-in ballot to the Referendum Officer or deputy Referendum Officer; or
 - b. where the Voter has lost the mail-in ballot, the Voter provides the Referendum Officer or deputy Referendum Officer with a written affirmation that the Voter has lost the mail-in ballot, signed by the Voter in the presence of the Referendum Officer, deputy Referendum Officer, a justice of the peace, a notary public or a commissioner for oaths.
- 54. The Referendum Officer or deputy Referendum Officer shall, when requested to do so, explain the method of voting to the Voter.
- 55. After receiving a ballot, a Voter shall:
 - a. immediately proceed to the compartment provided for marking ballots;
 - b. mark the ballot by placing an "X" or other mark that clearly indicates the Voter's choice but does not identify the Voter;
 - c. fold the ballot in a manner that conceals the Voter's choice but exposes the initials on the back; and
 - d. deliver the ballot to the Referendum Officer or deputy Referendum Officer.

56. On receipt of a completed ballot, the Referendum Officer or deputy Referendum Officer shall, without unfolding the ballot, verify the initials placed on it and deposit it in the ballot box in the presence of the Voter and any other persons entitled to be present at the polling station.
57. While a Voter is in the compartment for the purpose of marking her or his ballot paper, no other person shall, except as provided in section 58, be allowed in the same compartment or be in any position from which she or he can see the manner in which the Voter marks her or his ballot paper.
58. At the request of any Voter who is unable to vote in the manner set out in section 54, the Referendum Officer or deputy Referendum Officer shall assist that Voter by marking her or his ballot in the manner directed by the Voter in the presence of another Voter selected by the Voter as a witness and shall place the ballot in the ballot box.
59. The Referendum Officer or Deputy Referendum Officer shall note on the Voters List opposite the name of a Voter requiring assistance the fact that the ballot paper was marked by her or him at the request of the Voter and the reasons therefore.
60. A Voter who has inadvertently dealt with her or his ballot paper in such a manner that it cannot be conveniently used shall, on one occasion only, upon returning it to the Referendum Officer or deputy Referendum Officer, be entitled to obtain another ballot paper. The Referendum Officer or Deputy Referendum Officer shall write the word "cancelled" upon the spoiled ballot paper and preserve it.
61. Any person who has received a ballot and who leaves the polling place without delivering the same to the Referendum Officer or a Deputy Referendum Officer in the manner provided, or after receiving a ballot, refuses to vote, shall forfeit her or his right to vote at the referendum, and the Referendum Officer or deputy Referendum Officer shall make an entry in the Voters List in the column for remarks opposite the name of such person to show that such person received a ballot and declined to vote, and the Referendum Officer or deputy Referendum Officer shall mark upon the face of the ballot the word "declined" and all ballots so marked shall be preserved.

Counting the Ballots

62. The Referendum Officer or Deputy Referendum Officer shall supply other Deputy Referendum Officers and those present who so request, with a tally sheet to keep their own tally of the votes.

63. Immediately after the mail-in ballots have been deposited in the ballot box, the Referendum Officer or Deputy Referendum Officer shall, in the presence of all who are present, open all ballot boxes and examine each ballot.
64. The Referendum Officer or Deputy Referendum Officer shall call out what vote was cast on how the Voter voted on all valid ballots.
65. A Deputy Referendum Officer shall mark a tally sheet in accordance with the votes being called out under the preceding section, for the purpose of arriving at the total number of votes cast for each choice on the referendum ballot.

Ballots not Counted

66. In examining the ballots, the Referendum Officer or Deputy Referendum Officer must reject any ballots that:
 - a. do not contain the initials of the Referendum Officer or Deputy Referendum Officer;
 - b. do not give a clear indication of the Voter's intention; or
 - c. contain a mark by which the Voter can be identified.
67. The Referendum Officer or Deputy Referendum Officer shall attach a note to each ballot rejected which outlines the reason for rejection.
68. Subject to review on recount or on an appeal, the Referendum Officer or Deputy Referendum Officer shall take a note of any objections made by any Voter present to any of the ballots found in the ballot box and decide any questions arising out of the objection.
69. The Referendum Officer or Deputy Referendum Officer shall number objections to ballots raised pursuant to the preceding section and place a corresponding number on the back of the ballot paper with the word "allowed" or "disallowed", as the case may be, with her or his initials.

Other Polling Stations

70. Immediately upon completion of the counting of the ballots at a polling station other than that managed by the Referendum Officer, the Deputy Referendum Officer shall transmit the results to the Referendum Officer.

Tie

71. A majority (50% +1) of those Voters voting in the referendum from each NStQ Band must vote in favour of the referendum question for the referendum to pass with respect to that NStQ Band.
72. If it is not possible to determine whether or not the referendum passed with respect to any NStQ Band, the Referendum Officer or Deputy Referendum Officer shall establish a time for the conduct of a recount of the ballots cast by Voters of that Band, and publicly announce this time in the presence of all those present in the polling station.
73. A recount conducted pursuant to the preceding section must take place as soon as practicable and, in any event, within 24 hours of the announcement by the Referendum Officer made pursuant to the preceding section, in the presence of Voters who wish to attend.
74. At the time established pursuant to section 71, the Referendum Officer shall conduct a recount of the valid ballots.
75. If the recount fails to determine whether or not the referendum passed, the referendum shall be deemed defeated with respect to that NStQ Band.

PART 6 - POST-REFERENDUM PROCEDURES

Announcement

76. After completion of the counting of the votes, the Referendum Officer shall declare whether the referendum passed or was defeated by each NStQ Band.
77. Following the declaration made pursuant to the preceding section, the Referendum Officer shall complete and sign a referendum report which shall contain:
 - a. the referendum question or questions;
 - b. the number of ballots cast for each choice by the Voters of each NStQ Band; and
 - c. the number of rejected ballots from Voters of each NStQ Band.
78. Within 4 days after completion of the counting of the votes, the Referendum Officer shall:

- a. sign and post, in at least one conspicuous place on each reserve where Voters ordinarily reside, the referendum report prepared in accordance with the preceding section;
- b. mail a copy of the referendum report to every NStQ Voter who is not Ordinarily Resident on her or his Reserve who has provided their address for referendum purposes; and
- c. forward a copy of the referendum report to each NStQ Band Administrator.

Retention of Ballots and Other Referendum Material

- 79. The Referendum Officer shall deposit all ballot papers in sealed envelopes, including those rejected, spoiled and unused, and shall retain these ballots and all materials in connection with the referendum.
- 80. All ballots and materials retained in accordance with the preceding section shall be retained for 45 days from the date on which the referendum was held or until a decision on an appeal is rendered, whichever date is later, after which time the Referendum Officer may, unless directed otherwise by the NSTC Board of Directors, destroy them in the presence of two witnesses who shall make a declaration that they witnessed the destruction of those papers.

PART 7 - APPEALS

Timing

- 81. A Voter may, within 10 days from the date on which the referendum was held, submit an appeal to the Northern Shuswap Tribal Council

Grounds for Appeals

- 82. An appeal submitted pursuant to the preceding section must sufficiently outline one or both of the following:
 - a. that there was a violation of this code in the conduct of the referendum that might have affected the result of the referendum; or
 - b. that there was corrupt or fraudulent practice in relation to the referendum.

Submission

- 83. An appeal submitted to the Northern Shuswap Tribal Council must:

- a. be in writing and set out in an affidavit sworn before a notary public or duly appointed commissioner for taking oaths, the facts substantiating the grounds for the appeal accompanied by any supporting documentation; and
- b. be accompanied by a deposit in the amount of (\$250).

Procedure

- 84. Upon receipt of a referendum appeal, the Northern Shuswap Tribal Council shall, immediately after the 10 day appeal period described in section 81 above, instruct the BC Arbitration and Mediation Institute ("BCAMI") or similar professional organization to appoint an Arbitrator with experience in First Nations issues to adjudicate the appeal and shall forward to it the required administrative filing fee, the appeal and any supporting documents. A copy of the appeal or appeals shall also be posted in each NStQ Band Office.
- 85. The Arbitrator shall:
 - a. in the case where the appeal is submitted in accordance with sections 83 and 84, forward a copy together with supporting documents by registered mail to the Referendum Officer and each NStQ Band Administrator; or
 - b. in the case where the appeal is not submitted in accordance with this policy, inform the appellant(s) in writing that the appeal will not receive further consideration.

Response to the Allegations

- 86. The Referendum Officer may, within 5 working days of the receipt of the appeal(s), forward to the Arbitrator by registered mail a written response to the appeal allegations, together with any supporting documentation.

Investigation

- 87. After a review of all of the evidence received, the Arbitrator shall rule:
 - a. that the evidence presented was not sufficiently substantive to determine that:
 - i. a violation of this code has taken place that might have affected the result of the referendum; or
 - ii. there was a corrupt or fraudulent practice in relation to the referendum that might have affected its results,

and dismiss the appeal; or

- b. that all evidence and information gathered allows for the reasonable conclusion that:
 - i. a violation of this code has taken place that might have affected the result of the referendum; or
 - ii. there was a corrupt or fraudulent practice in relation to the referendum that might have affected its results,

and uphold the appeal by setting aside the results of the referendum.

88. The decision of the Arbitrator made pursuant to the preceding section shall be:

- a. published in the community's newsletter, which is mailed to band members, or in a separate written notice delivered or mailed to all band members; and
- b. posted in at least one conspicuous place on each reserve where Voters ordinarily reside and by posting to a members only electronic site.

89. The decision of the Arbitrator is final and not subject to appeal.

PART 8 - OFFENCES

90. No person shall directly or indirectly offer a bribe to influence a Voter to vote or refrain from voting or to vote or refrain from voting in a particular manner in the referendum or accept or agree to accept a bribe that is offered.

91. No person shall, by intimidation or duress, compel a person to vote or refrain from voting or to vote or refrain from voting in a particular manner in a referendum, or by any pretence or contrivance, induce a person to vote or refrain from voting or to vote or refrain from voting in a particular manner in a referendum.