

CUSTOM ELECTION RULES OF NOTICE AND PROCEDURES

1.0 DEFINITIONS

The definitions of the Algonquins of Pikwakanagan First Nation Custom Election Code apply to these rules.

In these Rules of Notice and Procedures, reference to the masculine includes the feminine, and references to the singular include the plural.

- 1.1 **“Code”** means the Algonquins of Pikwakanagan First Nation Custom Election Code.
- 1.2 **“Day”** means calendar days
- 1.3 **“Election Day”** means the day set for holding the election vote.
- 1.4 **“List of Voters”** means either the preliminary Membership Register of Voters or the revised Membership Register of Voters, as the context requires.

2.0 RESOLUTION OF THE COUNCIL

- 2.1 At least seventy (75) days prior to an election, the Council by Council Resolution will:
 - 2.1.1 Set the Election Date; and
 - 2.1.2 Appoint the “Electoral Officer” (Schedule A).

3.0 DESIGNATION OF ELECTORAL OFFICER

- 3.1 At least seventy-five (75) days prior to the date of the election, the Electoral Officer must be appointed by Council Resolution prior to the posting of the “Notice of Election”.
- 3.2 The Electoral Officer may appoint the Deputy Electoral Officer and may delegate any of his duties set out in these Election Rules of Notice and Procedures to the Deputy Electoral Officer, except those duties set out in Section 19. Upon the appointment of the Deputy Electoral Officer, the Electoral Officer will execute an “Appointment of a Deputy Electoral Officer” in the form attached as Schedule C.

4.0 NOTICE OF ELECTION

- 4.1 The Electoral Officer will post a “Notice of Election” (Schedule D) at least sixty-five (65) days prior to Election Day.
- 4.2 The Electoral Officer, in consultation with the Council, will post the “Notice of Election” and a Voter’s List in a visible place in the reception area of the Administration Office where the voters can read it. The Notice of Election (Schedule “D”) will be mailed to all voters who do not reside in Pikwakanagan and who have provided a current mailing address.
- 4.3 The Notice of Election that is posted will contain the following information:
 - 4.3.1 the date, place and time of Election (Schedule D);
 - 4.3.2 the date, place and time of the nomination meeting (Schedule E);
 - 4.3.3 the date, place and time of the platform process (Schedule F);
 - 4.3.4 the name of the Electoral Officer and his office address and telephone number; and
 - 4.3.5 the preliminary Voters List.
- 4.4 The “Notice of Election” that is mailed to members will contain the following information:
 - 4.4.1 the date, place and time of Election (Schedule D);
 - 4.4.2 the date, place and time of the nomination meeting (Schedule E);
 - 4.4.3 the date, place and time of the platform process (Schedule G);

4.4.4 the name of the Electoral Officer and his office address and telephone number.

5.0 LIST OF VOTERS AND REVISIONS

- 5.1 The Electoral Officer, in consultation with the Council, will ensure that the preliminary List of Voters is prepared and confirmed by the Registrar of Membership (Schedule B).
- 5.2 A list of members will be given to the Electoral Officer.
- 5.3 A list of those current mailing addresses and mailing labels of the eligible voters will be given to the Electoral Officer for the mail out.
- 5.4 A Member of the Algonquins of Pikwakanagan First Nation may apply to the Electoral Officer to have the List of Voters revised if such member believes that:
- 5.3.1 the name of the Voter has been omitted from the List of Voters; or
 - 5.3.2 the name of a Voter is incorrectly set out or should not be included on the List of Voters and completes an Oath or Affirmation of Identity of Elector Form (Schedule P).
- 5.4 A Member of the Algonquins of Pikwakanagan First Nation who is at least eighteen (18) years of age or will be eighteen (18) years of age on the Election Day may, up to and including the Election Day, apply to the Electoral Officer to have his name added to the List of Voters if that member can provide:
- 5.4.1 his current Certificate of Indian status card; and/or
 - 5.4.2 adequate proof of identification and age; and
 - 5.4.3 Proof of membership
- 5.5 Where the Electoral Officer is satisfied that a revision is necessary to the List of Voters, he will make the revision and such revision shall be final.

6.0 NOMINATION MEETING

- 6.1 At least forty-five (45) calendar days prior to voting day, the Electoral Officer shall hold a Nomination Meeting.
- 6.2 At least fifteen (15) days before the day on which a Nomination Meeting is to be held, the Electoral Officer shall provide all documentation to the members of Pikwakanagan in accordance with Section 4.4.
- 6.3 The Nomination Meeting will be open to all members of the Algonquins of Pikwakanagan.
- 6.4 The Electoral Officer shall:
- 6.4.1 attend the meeting and shall declare the meeting open for the purpose of receiving the nominations;
 - 6.4.2 accept the nomination of eligible nominees;
 - 6.4.3 maintain order at all times during the Nomination Meeting and may cause to remove any person who in his opinion is disrupting or otherwise interfering with the meeting;
 - 6.4.4 prepare the Nomination Meeting Record Sheet (Schedule I).
- 6.5 A Nomination Meeting shall remain open for at least three (3) hours. At the end of this period, the Electoral Officer shall declare the meeting closed and shall receive no further nominations.

- 6.6 Persons may not be a candidate for both the office of Chief and the office of Councillor. The nominee must decide within five (5) calendar days after the Nomination Meeting of which position, he wishes to seek and then must withdraw in writing his candidacy for the other position. If the person fails to withdraw from one or the other, then the Electoral Officer shall remove his name as a nominee from both positions.
- 6.7 At the end of the Nomination Meeting, the Electoral Officer shall:
- 6.7.1 Where more than the required number of persons are nominated for election as Chief or Councillors, announce that an election will be held on the day set out in the notice referred to in subsection 4.
- 6.8 Whenever elections are to be held, the Electoral Officer shall cause to be posted in one or more areas throughout Pikwakanagan, a list of the nominees to that effect in the form prescribed.

7.0. ACCLAMATION

- 7.1 At the end of ten (10) calendar days the Electoral Officer shall:
- 7.1.1 if only one person has been nominated and met the criteria for the Position of Chief, declare that person to be elected by acclamation;
- 7.1.2 if the number of persons nominated and meet the criteria to serve as Councillor does not exceed the number to be elected, declare those persons to be elected unless there are members of the same family. If members of the same family are nominated for Councillor or has been acclaimed as Chief, the Electoral Officer shall put the three names in a hat and draw for the two family members that will be acclaimed.
- 7.1.3 If there are vacant Councillor positions remaining, another election will be called to fill the vacancy.
- 7.2 Where the position of the Chief and all positions of Councillors are filled by acclamation the Electoral Officer shall post in one or more areas throughout Pikwakanagan, and mail to every voter who has provided a current mailing address, a notice that sets out the names of the persons who have been acclaimed and state that an election will not be held.

8.0. PRE-ELECTION

- 8.1 The Electoral Officer shall, within two (2) days following the nomination meeting:
- 8.1.1 finalize the voters list;
- 8.1.2 post the nominations in prominent places throughout Pikwakanagan; and
- 8.1.3 notify all nominees of their nomination in writing. (Schedule "J").
- 8.2 A nominee must accept his nomination in writing (Schedule K) and provide a current Canadian Police Information Check (CPIC) to the Electoral Officer (no older than 3 months) within ten (10) calendar days from the Nomination Meeting. Any nominee who does not provide a CPIC to the Electoral Officer will not have his name entered on the ballot. A CPIC in or of itself does not qualify a nominee for office. Non-submission of the CPIC can only be the basis for disqualification.
- 8.3 Any nominee running for office may withdraw at any time up to Election Day by filing with the Electoral Officer a notice in writing (Schedule L) of his intention to withdraw signed in front of the Electoral Officer or his Deputy.
- 8.4 If a nominee withdraws after the ballots are prepared, his name will remain on the ballot and any votes for him will not be counted. Withdrawals will remain confidential until the time of the counting of the ballots.
- 8.5 The Electoral Officer shall not be bound by any rules of evidence and the decision of the Electoral Officer shall be final and binding.

- 8.6 Ballots (Schedule O) will be prepared at least 35 days before Election Day and will be mailed to all voters. All members who have been nominated and have been accepted as a candidate will have their names on the ballot in alphabetical order.
- 8.7 Should ballots be lost or spoiled, the voter may request another. It is understood that only one ballot per voter shall be counted.
- 8.8 At the discretion of the Electoral Officer, campaign material may be enclosed with this mail out. The Electoral Officer will determine the size and costs. The candidate will be responsible to cover the costs.

9 PLATFORM PROCESS

- 9.1 The Electoral Officer shall invite the nominees that have accepted their nomination to speak to the voters on the 2nd Saturday following the nomination meeting.
- 9.2 The Electoral Officer may limit the amount of time allotted to each nominee, if required, to a minimum of ten (10) minutes and a maximum of twenty (20) minutes.
- 9.3 Only eligible voters may address the nominees and questions.
- 9.4 No one under the influence of alcohol or drugs will be allowed to remain in the building.

10 VOTING PROCEDURES

- 10.1 The Electoral Officer shall prepare ballots setting out:
- 10.1.1 in alphabetical order, the names of the candidates nominated for election as Chief; and
- 10.1.2 in alphabetical order, the names of the candidates nominated for election as Councillors.

Where two or more candidates have the same name, the Electoral Officer shall add to the ballots such additional information as is necessary to distinguish between those candidates.

- 10.2 At least thirty-five (35) days before the day on which an election is held, the Electoral Officer shall mail to all voters who provided a current mailing address, a package consisting of:
- 10.2.1 a ballot, initialed on the back by the Electoral Officer;
- 10.2.2 an outer, return envelope, self-addressed to the Electoral Officer;
- 10.2.3 a second inner envelope marked "Ballot Only" for insertion of the completed ballot;
- 10.2.4 a voter declaration form (Schedule N);
- 10.2.5 a letter of instruction for completing and returning the ballot (Schedule M);
- 10.2.6 a statement
- a) identifying the location of the polling station;
- b) advising the voter that he may vote in person at a polling station on the day of the election in accordance with Section 14.0 in lieu of voting returned ballot; and
- c) a list of the names of the candidate(s) who were acclaimed, if applicable.
- 10.2.7 an invitation to vote by the Electronic Voting Methods
- a) a unique Personal Identification Number (PIN) and
- b) instructions for internet and/or automated telephone voting and procedures for voting information.

11.0 ELECTRONIC VOTING PROCESS

- 11.1 Each Eligible Voter may cast a vote by Electronic Voting Methods.
- 11.2 No proxy voter shall be used at any time.
- 11.3 Electronic Voting Methods shall open and close at the hours and dates specified in the Notice of Vote.

- 11.4 Electronic Voting Methods shall not be permitted on Voting Day.
- 11.5 The electronic ballot shall contain the same Ballot Question as the Ballots mailed to the Voters and the Regular Ballots.
- 11.6 Automated telephone voting can only be done either through a touch tone telephone or cellular telephone, voting cannot be completed by using a rotary dial telephone.
- 11.7 To cast an electronic ballot, a Voter:
- Be provided with a unique Personal Identification Number (PIN)
 - Follow the instructions provided with the Notice of Vote to vote electronically or by telephone
 - Shall be provided with confirmation that their electronic ballot has been cast.
- 11.8 Upon submission of the final electronic ballot, no changes can be made.
- 11.9 An Eligible Voter shall be limited to only one vote through the use of a unique PIN.

12.0 ELECTRONIC VOTING PLATFORM

- 12.1 The Electronic Voting Platform shall:
- confirm that the Voter has not previously voted;
 - record on the List of Eligible Voters that the Voter cast an electronic ballot and the date and time the electronic ballot was received;
 - put the electronic ballot cast by a Voter into the electronic ballot box; and
 - shall send an e-mail notification to the Electoral Officer to confirm the Eligible Voter has cast their electronic ballot.
- 12.2 Once a Voter has voted electronically, they cannot vote again electronically or otherwise, and shall be restricted from doing so again.
- 12.3 Where the Electoral Officer is notified of an incomplete electronic vote, the Electoral Officer shall attempt to contact the Eligible Voter immediately with alternative voting solutions, including Mail-in-Ballot or voting in person.

13. ELECTRONIC VOTING PROTOCOL

- 13.1 The Algonquins of Pikwakanagan First Nation has authorized the use of Electronic Voting Methods, internet and/or automated telephone voting, with the use of an Electronic Voting Platform service offered by an independent third-party service provider.
- 13.2 All Eligible Voters can exercise their right to cast a ballot with full confidence that the following principles are assured:
- the secrecy and confidentiality of individual votes is paramount;
 - the Electoral Vote shall be fair and non-biased;
 - the Electoral Vote shall be accessible to all Eligible Voters;
 - the integrity of the Electoral Process shall be maintained throughout the Electoral Vote;
 - certainty that the results of the Electoral Vote reflect the votes cast; and
 - Eligible Voters shall be treated fairly and consistently.
- 13.3 At a minimum, the Electronic Voting Platform shall meet the threshold of verification and due diligence for Mail-in-Ballots.
- 13.4 The Electronic Voting Platform shall be populated with the confirmed List of Eligible Voters at least 60 days prior to the Official Voting Day.

- 13.5 The List of Eligible Voters shall be a confidential live web-based list.
- 13.6 Once an Eligible Voter casts an electronic ballot, their name shall be automatically recorded on the List of Eligible Voters as having cast their electronic ballot indicating the date, time and location.
- 13.7 The Electronic Voting Platform will provide the following to the Electoral Officer upon request;
- providing daily/weekly reports and detailed activity reports;
 - modifying, updating and viewing the List of Eligible Voters;
 - viewing, issuing and canceling unique PINs;
 - providing the List of Eligible Voters who voted on the Electronic Voting Platform; and
 - providing the summary of the vote results after the closing of the electronic voting.
- 13.8 Individual voting results shall remain secret at all times, shall not be revealed and shall be encrypted in such a way that it can never be revealed.
- 13.9 Automated e-mail notifications shall be generated in real-time to the Eligible Voter and Electoral Officer of all and any activity associated with an Eligible Voter's unique PIN using the Electronic Voting Platform, including:
- attempted voting;
 - completed voting;
 - failed to vote; and
 - system or communication failures, interruptions or lost data.
- 13.10 Following this Electoral Process and prescribed time frame, all electronic data shall be deleted and wiped after 60 days if an appeal is not received.
- 13.11 At the official close of Electronic Voting Methods, the option to vote electronically is removed as an option from the Electronic Voting Platform.
- 13.12 On the day prior to the Official Vote Day, the Electoral Officer shall cause the Electronic Voting Platform to seal the electronic ballot box, and the results shall be sent to the Electoral Officer.

14. BALLOTS SENT BY MAIL

- 14.1 The voters shall be provided with a Ballot package referred to in 4.4.
- 14.2 A voter may vote by delivering the Ballot by:
- Clearly marking the Ballot in the box which clearly indicates the voter's choice but does not identify the voter, opposite the name of the candidate or candidates for whom he desires to vote;
 - Folding the Ballot in a manner that conceals the mark but exposes the Electoral Officers initials on the back and placing the Ballot in the envelope marked "Ballot" and sealing the envelope;
 - Completing and signing the declaration in the presence of a witness; and
 - Delivering, having delivered or mailing the Ballot to the Electoral Officer. The Ballot must be received by the close of the Voting Station.

15 HOURS OF VOTING

- 15.1 The Electoral Officer or his Deputy must be in attendance at the polling station at all times during the Election Day. The polling station will open at 9:00 a.m. local time. It must remain open until 7:00 p.m. local time of the same day. At the Electoral Officer's discretion, the voting hours may be extended by up to one (1) hour in the evening. The polling station must be closed at the latest by 8:00 p.m. local time.

16 OPENING THE POLL

- 16.1 The Electoral Officer will:
- 16.1.1 open the ballot box and ask a voter to witness that the ballot box is empty before any vote is cast;
 - 16.1.2 properly seal the ballot box;
 - 16.1.3 place the ballot box in view for receiving the ballot papers;
 - 16.1.4 execute a "Declaration of Election" (Schedule R); and
 - 16.1.5 ensure that the witness executes a "Statement of Witness" (Schedule Q).
- 16.2 Candidates or their scrutineers will not be allowed on the premises or within 100 metres of the polling station for the purpose of canvassing on Election Day. Signage within 100 meters is to be removed prior to Voting Day.

17 THE ELECTION

- 17.1 The Electoral Officer, after being satisfied that a person is a voter, will:
- a) affix his initials on the back of a ballot so that the initials can be seen when the ballot is folded; and
 - b) provide the voter with that ballot.

If there is a question, a voter may be requested to complete an Oath or Affirmation of Voter (Schedule "P")

- 17.2 Upon providing that voter with a ballot, the Electoral Officer will place, on the List of Voters, a line through his name.
- 17.3 The Electoral Officer will explain the method of voting to a voter upon request.
- 17.4 If requested by a voter who:
- a) incapacitated by blindness or other physical cause; or
 - b) is not able to read;
 - c) is requires assistance for any other reason;

the Electoral Officer will assist that voter by marking his ballot as directed by the voter and the Electoral Officer will immediately fold and deposit it into the ballot box.

- 17.5 In the circumstance described in subsection 17.4, the Electoral Officer, after assisting the voter, will make an entry on the List of Voters opposite the name of the voter indicating that the ballot was marked by the Electoral Officer at the request of the voter and the reason for the voter's request.
- 17.6 Except as provided in Subsection 17.4 every voter receiving a ballot will:
- a) proceed immediately to a voting booth;
 - b) mark the ballot beside the candidate's name that they desire to vote for;
 - c) fold the ballot to conceal the mark and to expose the initials of the Electoral Officer; and
 - d) immediately give the folded ballot to the Electoral Officer who, without unfolding it, will:
 - i) verify his initials; and
 - ii) deposit the ballot into the ballot box.
- 17.7 A voter who receives a spoiled or improperly printed ballot, or who accidentally spoils his ballot when marking it, will, upon returning it to the Electoral Officer, be entitled to receive another ballot. The returned ballot will be counted as spoiled.
- 17.8 A voter who receives a ballot and does not return it to the Electoral Officer will forfeit the right to vote and will not be counted as having voted. The Electoral Officer will make an entry on the List of Voters stating that the voter left the polling station without delivering the ballot.

- 17.9 At the time set for closing the polling station, the Electoral Officer will declare the polling station closed, and deny any further entry. Any voter who is inside the polling station at the time fixed for closing the polling station shall be entitled to vote before the polling station is closed.

18 ORDERLY VOTING

- 18.1 The Council, with the assistance of the Electoral Officer, will ensure that appropriate measures are in place to maintain peace and good order at the polling station.
- 18.2 The Electoral Officer will ensure secrecy of the voter's ballot.
- 18.3 The Electoral Officer will allow only one voter at a time into a voting booth.
- 18.4 A voter who is inside the polling station before the set closing time will be entitled to vote.
- 18.5 No person will interfere or attempt to interfere with a voter when he is voting, nor will a person obtain or attempt to obtain information as to how a voter is about to vote or has voted.

19 OPENING RETURNED BALLOTS

- 19.1 In the presence of those scrutineers who want to be present, the Electoral Officer will commence opening the returned ballots at 1:00 p.m. local time on Election Day.
- 19.2 The Deputy Electoral Officer will act as Electoral Officer during this period.
- 19.3 The Electoral Officer will examine the declaration to ensure that the declaration is completed properly, that the voter did not vote in person or electronically.
- 19.4 If everything is in order, the ballot envelope will be opened and the ballots placed in the ballot box.
- 19.5 If the declaration is incomplete or the voter cannot be identified, the Electoral Officer will not accept the vote, and mark on the ballot envelope the reason for not accepting it and record it on the "Record of Rejected Ballots or Declarations" (Schedule 5).

20 COUNTING OF BALLOTS

- 20.1 A maximum of two (2) scrutineers for each candidate will be allowed to be present at the counting of the ballots. Candidates will not be allowed to act as scrutineers.
- 20.2 At the close of the polling station, the Electoral Officer will, in the presence of the scrutineers:
- a) examine all ballots contained in the ballot boxes;
 - b) reject all ballots that:
 - i) have not been supplied by the Electoral Officer or the Deputy;
 - ii) are not marked for any candidate;
 - iii) are marked for more than the maximum number of candidates that are to be elected;
 - iv) has any mark or writing that may identify the voter and record the reasons (Schedule "S")

NOTE: Ballots will be accepted if the mark does not constitute identification of the voter and if the intent of the voter is clear. A ballot, which has less votes marked on it, is acceptable.

- 20.3 Either portion of ballots, on which positions for both Chief and Councillors are combined, may be rejected according to the above criteria, while the remaining portion may still be accepted. When a portion of a ballot is rejected, the Electoral Officer may mark that portion with the word "rejected" and retain the ballot with the accepted ballots so that the votes on the good portion can be counted. Spoiled or rejected ballots will not be counted.
- 20.4 The Electoral Officer will count the accepted ballots (Schedule T).
- 20.5 The Electoral Officer will count the number of ballots accepted, the number of rejected ballots, the number of spoiled ballots and the number of unused ballots.
- 20.6 The Electoral Officer shall not be entitled to vote in any capacity or manner, except where there is a tie vote. In the event of a tie vote, the Electoral Officer shall draw the name of the successful candidate. The name drawn will be the Electoral officer's vote
- 20.7 When the results of the Election have been determined, the Electoral Officer will review the results and determine if there are more than two members of the same family. Same family will be anyone with a relationship to the candidate which includes the word father, mother, brother, sister, spouse and grandparents, step family and spouse's family. If there are more than two members of the same family, the one with the least votes will not be accepted. The Electoral Officer will go to the next person with the most votes (if not a member of the same family) and announce to those present the results of the count and declare who has been elected.
- 20.8 The Electoral Officer will seal in separate envelopes, the ballots that are accepted, rejected, spoiled and unused, and will initial each envelope.
- 20.9 After sixty (60) days, unless an appeal is filed in accordance with Section 25.0 the ballots shall be destroyed.

21 BALLOT RECOUNT

- 21.1 A candidate may, within 24 hours of the count, request a recount only if the number of votes is less than ten (10) between the successful candidate and the defeated candidate. Candidates may request a recount but must pay a fee of two hundred dollars (\$200.00) to offset the expenses of the recount.
- 21.2 The Electoral Officer will set for a time and date, within two (2) days of the Election day, for the recount and only those scrutineers that were present for the first count will be allowed to be present at the recount.

22.0 PROCEDURAL AMENDMENTS

- 22.1 In order to give effect to and carry out the objectives and principle of the Election, the Electoral Officer and the Chief of the Algonquins of Pikwakanagan may agree on a departure from the procedural requirements of the Custom Election Rules of Notice and Procedures, where they deem it necessary and where they believe it will not result in any substantive change. The Electoral Officer and the Chief will state in writing the nature and basis of such departure.

23.0 REPORTING REQUIREMENTS

- 23.1 The Electoral Officer will provide, within five (5) days, to the Council of the Algonquins of Pikwakanagan First Nation a completed Electoral Officer's Report (Schedule U) which summarizes the activities of the election. The Electoral Officer's Report will be posted in the same locations as the "Notice of Election" was posted and will be mailed to all eligible voting members who have provided current mailing addresses.

- 23.2 A copy of the report will be mailed to the Department of Indian and Northern Affairs Canada within two (2) weeks from Election Day.

24 OFFENCES

- 24.1 Anyone who interferes with the conduct of an Election or who violates a provision of the Custom Election Code or the Custom Election Rules of Notice & Procedures may be liable to a fine not exceeding two thousand five hundred dollars (\$2,500.00), or to imprisonment for a term not exceeding six (6) months, or both.

25 APPEALS

25.1 Before Election Day

- a) A voter may file an appeal at least 30 days before Election day, on where the election process has not been followed and that it may affect the outcome of the election with the Electoral Officer.
- b) The Electoral Officer will review the appeal and see if the issue can be resolved; If not,
- c) The Appeal Board will be called upon to hear the appeal and determine if the election process has been compromised and it could affect the result of the election or if not, then dismiss the appeal and continue with the process.

25.2 After Election

- 25.2.1 A voter who has voted, may file an appeal within fifteen (15) days from election day if there was
- a) here was a violation of the Custom Election Code or these Election Rules of Notice and Procedures that may have affected the results of the election; or
 - b) there was corrupt practice that may have affected or has affected the results of the election;
- 25.1.2 to file an appeal, the appellant must
- a) complete the Appeal Form Schedule (V) and sending, by registered mail to the Executive Director, with particulars thereof duly verified by affidavit by a Commissioner, Notary Public or a lawyer
 - b) The appellant must also submit a petition signed by ten (10) voters who voted in the election supporting the need for an appeal with their name, date and signature.
- 25.2 Where an appeal is filed under subsection 25.1.2, the Appeal Board, within seven (7) days of receiving it, shall forward a copy of the appeal to the Electoral Officer and the candidates.
- 25.3 The Electoral Officer will, within seven (7) days of receiving the appeal, prepare a report on the particulars stated in the voter's declaration.
- 25.4 If the material sent under this subsection is not sufficient to decide the validity of the grounds of the appeal, the Appeal Board members may request that further investigations be carried out, as deemed necessary.
- 25.5 The Appeal Board will hear the appeal within 45 days of receiving the appeal and provide a report within 10 days of the hearing.
- 25.6 Subject to subsection 25.2.1, where the Appeal Board agrees, the appeal may be allowed and another election called for the position that is being appealed.

- 25.7 Where the Appeal Board agrees that the grounds of the appeal:
- a) are not valid; or
 - b) will not affect the results of the election;

the appeal will be dismissed.

26 AMENDMENT TO ELECTION RULES AND PROCEDURES

- 26.1 The Council, by motion, may amend these Custom Election Rules of Notice and Procedures as required.