



**YUKON
REGION**

AFN YUKON REGIONAL CHIEF ELECTION RULES AND PROCEDURE

General

These AFN Yukon Regional Chief Election Rules and Procedures (“Election Rules”) are to provide for a fair and transparent election process to support the selection of the AFN Yukon Regional Chief.

These Election Rules may be amended from time to time as approved by the Yukon First Nations at an AFN Yukon First Nation Chiefs’ Summit.

In an election year the selection of the AFN Yukon Regional Chief will take place on the second day of the AFN Yukon Annual Summit.

Appointment of Electoral Officer

1. An Electoral Officer will be appointed at an AFN Yukon First Nation Chiefs Summit preceding the AFN Yukon First Nation Annual Summit scheduled for the election.
2. The Electoral Officer will be responsible for the administration of the election process which includes the following:
 - a. prepare and distribute a callout for nominations;
 - b. receive the nominations of candidates;
 - c. confirm the eligibility of candidates, in accordance with these Election Rules;
 - d. announce the list of candidates for the election if more than one candidate is seeking office;
 - e. announce the acclamation of the candidate if there is only one candidate seeking office;
 - f. prepare the voters’ list;
 - g. approve the ballot form;
 - h. conduct the all candidates forum;
 - i. secure the voter list, ballots, and ballot box(es);
 - j. supervise the tally of votes;
 - k. determine the status of spoiled ballots or irregularly marked ballots;
 - l. resolve disputes;
 - m. provide direction where necessary to maintain the integrity of the process;
 - n. announce the election results at the AFN Yukon First Nations Annual Summit;

- o. destroy the ballots; and
- p. within fourteen calendar days from the date of the election provide an election report to the AFN Yukon Regional Office and the AFN Yukon Executive Committee.

Election Oversight Committee

3. An Election Oversight Committee will be established and confirmed at the AFN Yukon First Nation Chiefs Summit preceding the AFN Yukon First Nation Annual Summit scheduled for the election.
4. The Election Oversight Committee will be comprised of three Yukon First Nation elected leaders and will be responsible to assist the Electoral Officer to ensure that the Election Rules are applied in a fair and transparent manner.
5. The Election Oversight Committee is an ad hoc committee and will dissolve on the date the AFN Yukon Regional Chief is sworn into office.
6. A designated AFN Yukon Regional Office staff member will provide administrative supports to Electoral Officer and Election Oversight Committee.

Nomination Period

7. The Electoral Officer will send out the call for nominations for the office of AFN Yukon Regional Chief no later than thirty-five (35) calendar days prior to the election date.
8. Nominations must be in Form A, appended to these Election Rules (the “Nomination Form”).
9. Nomination packages must be fully completed, signed by the nominee and include a one-page profile of the nominee.
10. Nominations packages must be delivered to the Electoral Officer by mail, in person, or by email no later than 4:00 p.m. (local time) twenty-one (21) calendar days prior to the date of the election.

Eligibility to Nominate and be Nominated

11. A candidate for the office of AFN Yukon Regional Chief must be nominated by three (3) Yukon First Nation Chiefs.
12. A member of the Election Oversight Committee cannot nominate a candidate.
13. If the candidate is a Yukon First Nation Chief, they cannot nominate themselves. In this situation, the candidate can be nominated by another Yukon First Nation Chief, or by the Acting Chief of the candidate’s First Nation.
14. Candidates are required to be 19 years of age or older and a citizen, member, or beneficiary of a Yukon First Nation.
15. The candidate must accept the nomination by signing their Nomination Acceptance Form (Form B) which must be included with their Nomination Forms.
16. If only one eligible candidate is nominated, in accordance with these rules, the Electoral Officer will declare the candidate to be elected as the AFN Yukon Regional Chief by acclamation at the AFN Yukon First Nations Annual Summit.

17. If two or more eligible candidates submit nominations, in accordance with these rules, then the Electoral Officer will prepare the necessary documents and ballots to conduct a vote for the office of the AFN Yukon Regional Chief.

Incumbent Regional Chief

The term election period means the “Campaign Period” for the purpose of the AFN Yukon Terms of Reference (July 15, 2020) and for the purpose of these Election Rules will commence on the date the Electoral Officer calls for nominations and will end on the date of the election.

18. An incumbent AFN Regional Chief is eligible for re-election.
19. An incumbent AFN Regional Chief seeking re-election is not required to take a leave of absence from the position as the AFN Regional Chief.
20. Unless conducting AFN Yukon business, the incumbent AFN Regional Chief shall not use AFN Yukon property or resources during the election period.
21. During the election period, the incumbent AFN Regional Chief will require the Executive Committee to approve expenditures over \$5,000.00

All Candidates Forum

22. The all candidates forum will take place on the day before, or the morning of, the election date.
23. Each candidate will be given ten (10) minutes at the all candidates forum to address the AFN Yukon First Nation Annual Summit delegates, subject to the Electoral Officer’s discretion.
24. After all of the candidates have spoken, the Electoral Officer will provide the opportunity for AFN Yukon First Nations Annual Summit delegates to ask the candidates questions. The amount of time for questions will be determined by the Electoral Officer.
25. The Electoral Officer may allow the candidates to make additional speeches in response to the questions raised by the AFN Yukon First Nation Annual Summit delegates.

Timing and Location

26. An AFN Yukon Regional Chief will be elected every three (3) years at the AFN Yukon First Nations Annual Summit.
27. If, for whatever reason, the AFN Yukon Regional Chief is unable, or unwilling, to complete their three-year term, an interim AFN Yukon Regional Chief will be appointed at an AFN Yukon First Nation Chiefs Summit, followed by an election for a new AFN Yukon Regional Chief at the AFN Yukon First Nations Annual Summit scheduled in that calendar year.

Electronic Voting

28. To ensure that every Yukon First Nation can participate in the election, the Electoral Officer can include electronic voting by way of emails in addition to casting of ballots in person. The Electoral Officer will need to determine whether electronic voting is feasible, depending on the location of the election, and if there are sufficient resources available to assist the alternative voting option.

29. The Electoral Officer will inform each candidate of the voting methods that will be used for the election.

30. If electronic voting is permitted, an elector may cast their vote through the electronic voting platform or process, as confirmed by the Electoral Officer.

In-Person Polling

31. Voting will take place on the election date. The timing of the ballots will be determined by the Electoral Officer.

Electors

32. Each Yukon First Nation is entitled to cast five (5) ballots as follows:

- a. one ballot for the Chief or delegated representative of the Chief; and
- b. one ballot for each of the (4) representatives of a Yukon First Nation, as determined by the leadership of the Yukon First Nation.

33. Candidates are not permitted to vote in the election.

34. The Chief and four representatives from each Yukon First Nation must be registered with the Electoral Officer no later than 6 p.m. local time on the day before the election date to be placed on the voters' list.

35. The Electoral Officer will use the registrations to establish the voters' list.

36. Only those registered and listed on the voters' list may cast a ballot in the election of the AFN Yukon Regional Chief.

Proxies

37. A Chief or representative of a Yukon First Nation may cast their ballot by way of a proxy on the following conditions:

- a. the Chief or representative has authorized a person to cast their ballot by way of the Proxy Form (attached as Form C to these Election Rules); or alternatively
- b. the Chief or representative has authorized a person to be their proxy confirmed in writing on First Nation letterhead; and
- c. the name of the proxy and authorization has been delivered to the Electoral Officer in accordance with section 34 of these Election Rules.

38. A representative may carry a proxy for another representative, but no one person may carry more than two (2) proxies.

39. In the event of a dispute regarding a proxy, the Electoral Officer shall make a binding determination.

Voting

40. The vote shall be by secret ballot.

41. Once an elector or proxy has been confirmed against the voters' list, the Electoral Officer will give the elector or proxy a ballot.
42. The elector will go to the designated polling place, or space provided, and mark their ballot with an "X" in the square provided opposite to the name they desire to elect, fold the ballot and, in the presence of the Electoral Officer and scrutineers, deposit the ballot in a secure ballot box.
43. Ballots that are not marked or have writing or a mark other than an "X" will be declared as spoiled and will not be counted, except where the elector has made a mark, in the opinion of the Electoral Officer, clearly indicates their intention, in which case the Electoral Officer, may declare the ballot not spoiled and count it accordingly. The Electoral Officer's decision is final.
44. A candidate must receive at least 60% of the votes cast in the election to be elected as the AFN Yukon Regional Chief.
45. If there are two or more candidates and no single candidate attains the 60% of the votes cast on the first ballot, additional ballots will be held until one of the candidates attains the necessary number of votes. On each successive ballot, the name of the candidate with fewest votes will be removed.
46. In the event that neither of the last two candidates attains the 60% of the votes cast, subsequent ballots will be held until one of the candidates secures the 60% of the votes cast or one of the two candidates concedes.
47. The AFN Yukon First Nations Annual Summit delegates will direct the Electoral Officer to destroy the ballots following the declaration of the elected Yukon Regional Chief.

Scrutineers

48. The appointment of a scrutineer is to be confirmed at the time the candidate files their Nomination Acceptance Form with the Electoral Officer.
49. Each candidate may appoint one scrutineer to witness the collecting and counting of the ballots by the Electoral Officer. The scrutineer's name will be identified on the Nomination Acceptance Form.
50. Scrutineers may:
 - a. approve the voters list;
 - b. contest the right of a person to cast a ballot supported by a valid reason, and resolved by the Electoral Officer in the event of a dispute over voter eligibility;
 - c. verify the identity of each elector;
 - d. scrutinize the counting of the ballots by the Electoral Officer; and
 - e. sign the return of the poll.

Adoption of Election Rules

51. The AFN Yukon First Nation Chiefs hereby adopt these Election Rules for the purpose of electing the AFN Yukon Regional Chief.
52. All former Election Rules are hereby repealed and replaced with these Election Rules, dated August 24, 2021.

Approved by the AFN Yukon First Nation Chiefs Summit on August 24, 2021

Moved by: Chief Simon Mervyn, Nacho Nyak Dun

Seconded By: Chief Roberta Joseph, Tr'ondëk Hwëch'in

