

This is Exhibit "2" referred to in the  
Affidavit of A. J. Gross  
sworn before me at Kelowna British  
Columbia this 6<sup>th</sup> day of October 2023



*Catherine McGowan*  
Catherine McGowan  
Barrister & Solicitor  
113 - 1890 Cooper Road  
Kelowna BC V1Y 8B7

Certified a true copy this  
6<sup>th</sup> day of October 2023  
*[Signature]*

Catherine McGowan  
Barrister & Solicitor  
113 - 1890 Cooper Road  
Kelowna BC V1Y 8B7

# SQWÁFIRST NATION

Community Ratification Process

Dated for Reference: October 3, 2023

RECEIVED  
06/10/23  
For Verification  
*[Signature]*

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1. The first part of the document  
describes the general situation  
of the company and its  
financial position.

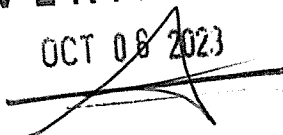
2. The second part of the document  
describes the company's  
operational performance  
and its financial results.

3. The third part of the document  
describes the company's  
operational performance  
and its financial results.

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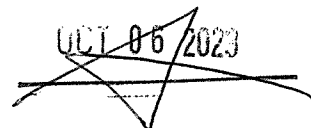
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## SQWÁ FIRST NATION COMMUNITY RATIFICATION PROCESS

### 1. TITLE AND PURPOSE

- 1.1 The title of this document is the Sqwá First Nation Community Ratification Process.
- 1.2 The purpose of this document is to set out the procedure by which the Eligible Voters of the Sqwá First Nation will decide whether to approve the Sqwá Land Code (Sqwá First Nation Land Code) and the Individual Agreement in accordance with the *Framework Agreement on First Nation Land Management*.

### 2. DEFINITIONS

- 2.1 In this Ratification Process:

“**Act**” means the *Framework Agreement on First Nations Land Management Act*, (S.C. 2022, c. 19, Assented to 2022-12-15);

“**Additional Voting Day**” means one or more dates that may be established by the Ratification Officer in accordance with section 20 of this Ratification Process for voting following the Official Voting Days;

“**Advance Polls**” means any early Voting Day held prior to the Official Voting Day to permit Eligible Voters who expect to be absent on the Official Voting Day to cast their ballots;

“**Background Documents**” means:

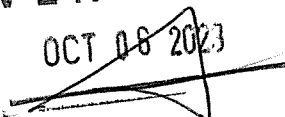
- (a) the *Framework Agreement*;
- (b) the *Act*;
- (c) a summary of the *Framework Agreement*;
- (d) a summary of the *Act*;
- (e) a summary of the *Sqwá Land Code*; and
- (f) a summary of the Individual Agreement;

“**Ballot**” means a Regular Ballot, Main-in Ballot or Electronic Ballot;

“**Ballot Question**” means the question asked in the Ratification Vote in Form 1;

“**Chief Administrative Officer**” means the Operations Manager of Sqwá First Nation;

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“**Council**” means the elected Chief and Councillors of the Sqwá First Nation;

“**Department**” means the Department/s of Indigenous Services Canada/Crown-Indigenous Relations and Northern Affairs Canada;

“**Eligible Voter**” means a Member of Sqwá First Nation who is 18 years on the Official Voting Day;

“**First Nation**” means Sqwá First Nation;

“**Framework Agreement**” means the *Framework Agreement on First Nation Land Management* entered into between Canada and the signatory First Nations on February 12, 1996, as amended;

“**Individual Agreement**” means the Individual Agreement between the Sqwá First Nation and His Majesty in right of Canada in accordance with clause 6.1 of the *Framework Agreement*;

“**Land Code**” means the proposed *Sqwá Land Code*;

“**Land Code Coordinator**” means the employee or contractor responsible for the development of the Sqwá Land Code, and includes a designate;

“**List of Eligible Voters**” means the List of Voters who are eligible to vote;

“**Mail-in Ballot**” means a ballot mailed or delivered by an Eligible Voter who is unable or does not wish to vote online or at the polls on Voting Day;

“**Member**” means a person whose name appears or is entitled to appear on the Sqwá First Nation membership list;

“**Minister**” means the Minister/s of Indigenous Services Canada/Crown-Indigenous Relations and Northern Affairs Canada;

“**Official Voting Day**” means the date set for holding the Ratification Vote;

“**Online Voting**” means casting a ballot via the internet voting;

“**Online Voting Contractor**” means the contractor retained by the Sqwá First Nation to provide the means by which Online Voting may take place;

“**Online Voting Platform**” means a web-based database where electronic ballots are cast are stored;

“**Ratification Documents**” means the Sqwá Land Code and the Individual

Agreement;

“**Ratification Officer**” means the person appointed by Council and confirmed under section 6.1(a);

“**Ratification Process**” means this Sqwá First Nation Community Ratification Process;

“**Ratification Vote**” means a vote by the Eligible Voters on the Ballot Question conducted according to the Ratification Process;

“**Regular Ballot**” means a paper ballot used to cast a secret vote at the polls on Voting Day(s);

“**Sqwá First Nation Land**” means all or part of a reserve described in Appendix G of the Individual Agreement;

“**Verifier**” means the person appointed pursuant to clauses 8 and 44 of the *Framework Agreement*, to observe the conduct of the vote and verify the opting in process;

“**Voter Information Package**” means the package of information containing voting information to be sent to all Eligible Voters; and

“**Voting Days**” means any Advance Polls, Official Day of Voting and additional day(s) for voting.

2.2 Unless otherwise provided, words defined in the *Framework Agreement* have the same meaning in this Ratification Process.

2.3 Where a time limit expires or falls on a weekend or a First Nation, federal or provincial holiday, the time limit is extended to the next business day.

2.4 Words in the singular include the plural, words in the plural include the singular and words in the masculine include the feminine and words in the feminine include the masculine, as the context may require.

2.5 A specified time of day is a reference to Pacific Standard Time.

### 3. INITIAL MATTERS

3.1 At least 60 days before the first Official Voting Day, the Sqwá First Nation will retain a dependable and independent Online Voting Contractor.

3.2 At least 60 days before the first Official Voting Day, the Land Code Coordinator, in consultation with Council, will ensure that an initial List of Voters is prepared containing the full name, Indian registry number, birth date and last known address of each Eligible Voter, and upon appointment of the Ratification Officer, will provide the list to the Ratification

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Officer.

#### 4. CONFIRMATION BY VERIFIER

- 4.1 At least 40 days before the Official Voting Day, Council will pass a resolution in Form 2 to provide the Verifier and Ratification Officer with an electronic copy of:
- (a) the Ratification Process;
  - (b) the *Sqwá Land Code*; and
  - (c) the List of Eligible Voters.
- 4.2 Upon receipt of the documents under section 4.1, the Verifier will review the *Sqwá Land Code* and the Ratification Process to determine whether they are consistent with the *Framework Agreement*.
- 4.3 In accordance with clause 8.9 of the *Framework Agreement*, the Verifier will, within 30 days of receiving the documents, issue a notice in Form 2A to the First Nation, the Minister and the Lands Advisory Board stating whether the *Sqwá Land Code* and the Ratification Process are consistent with the *Framework Agreement*.

#### 5. COUNCIL RESOLUTION

- 5.1 Upon receipt of written notice by the Verifier that the *Sqwá Land Code* and Ratification Process are consistent with the *Framework Agreement*, Council will pass a Resolution in Form 3 to:
- (a) appoint the Ratification Officer;
  - (b) confirm the List of Eligible Voters;
  - (c) confirm the use of Online Voting Methods with an Online Voting Platform service offered by an independent service provider;
  - (d) approve the text of the *Sqwá Land Code* and the Ratification Process;
  - (e) order that the Ratification Vote be held to determine if the Eligible Voters approve the Ratification Documents;
  - (f) confirm the wording of the Ballot Question;
  - (g) set the Advance Polls and the Official Voting Days; and
  - (h) subject to section 5.2, confirm that the *Sqwá Land Code* and Individual Agreement will be considered approved if a majority of the participating Eligible Voters vote to approve them.
- 5.2 Notwithstanding section 5.1(h) Council may in accordance with clause 7.4 of the *Framework Agreement* establish either or both of the following conditions:

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- (a) a percentage of Eligible Voters who must vote in order for the result to be binding;
- (b) that a percentage greater than fifty percent of the Eligible Voters who vote must vote to approve the Sqwá Land Code and Individual Agreement in order to obtain Sqwá First Nation approval;

and where applicable, shall include either or both conditions, as the case may be, in the resolution passed under section 5.1.

- 5.3 As soon as practicable after receiving the notice in Form 2A, Council will pass a Resolution in Form 3A to confirm the Individual Agreement.
- 5.4 The Chief of the Sqwá First Nation will thereupon initial the Individual Agreement and send it to the Regional Director General of Indigenous Services Canada to be initialed and returned to the Sqwá First Nation for inclusion in the Ratification Documents.

## **6. DUTY OF RATIFICATION OFFICER AND APPOINTMENT OF ASSISTANT**

- 6.1 Upon the appointment of the Ratification Officer, the Ratification Officer will execute an Appointment of Ratification Officer in Form 4.
- 6.2 The Ratification Officer is responsible for the overseeing the conduct of the Ratification Vote and has all the powers necessary to carry out that responsibility.
- 6.3 The Ratification Officer may appoint one or more assistant Ratification Officers and may delegate any of the duties to the assistants that are set out in the Ratification Process, except:
  - (a) the initialing of ballots under section 12.3(a) and section 16.8(i);
  - (b) the determination to hold an additional day for voting under clause 20;
  - (c) the deposit of the Mail-in Ballots in the ballot box under section 16.8(c);
  - (d) the safekeeping of ballot boxes under clause 16.6; and
  - (e) the counting of ballots under part 19.
- 6.4 Upon the appointment of an assistant, the Ratification Officer and each such assistant will execute an Appointment of an Assistant Ratification Officer in Form 4A.
- 6.5 If, at any time the Ratification Officer is unable to perform his duties, Council may appoint an acting Ratification Officer.

## **7. NOTICE OF VOTE**

- 7.1 The Ratification Officer, in consultation with Council, will post a Notice of Vote in Form 5

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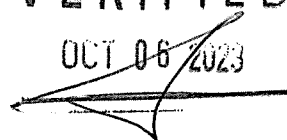
at least 30 days prior to the first Official Voting Day in public places where it can be read by the Members.

- 7.2 Upon the Notice of Vote being posted, the Ratification Officer shall send by electronic mail, a true copy of the Notice of Vote to the Verifier.
- 7.3 As soon as practicable after the Notice of Vote is posted, Council will send or cause to be sent to the Verifier an addendum to the List of Voters listing any changes to the initial List of Voters.
- 7.4 The Ratification Officer shall publish the Notice of Vote in various media as deemed appropriate, such as newspapers, online media, newsletters and websites, atleast 30 days prior to the Official Voting Day.
- 7.5 The Notice of Vote will contain the following information:
- (a) the date, place and time of the Advance Polls and Official Voting Day;
  - (b) the internet voting details, including the time and days designated for Online Voting Methods;
  - (c) that the *Sqwá Land Code* and Individual Agreement shall be approved if a majority of the participating Eligible Voters vote to approve them;
  - (d) the Ballot Question;
  - (e) instructions for completing an Eligible Voter declaration;
  - (f) the procedure for obtaining a Mail-in Ballot package;
  - (g) the procedures for Online Voting; and
  - (h) the name, mailing address, email address and telephone number of the Ratification Officer.

## 8. PRELIMINARY ACTIVITIES OF RATIFICATION OFFICER

- 8.1 The Ratification Officer, in consultation with the Land Code Coordinator, will:
- (a) designate one or more polling places;
  - (b) prepare sufficient copies of paper ballots and Mail-in Ballots, which will be uniform in size, appearance, quality and weight;
  - (c) prepare sufficient copies of the secrecy envelopes, the identification envelopes and the return envelopes for inclusion in the Mail-In Voting Package;
  - (d) prepare sufficient copies of the voting instructions;
  - (e) obtain a sufficient number of ballot boxes;
  - (f) provide for a designated voting area at each polling place to allow an Eligible Voter to mark a ballot free from observation;

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- (g) provide a sufficient number of lead pencils and blue or black ink pens for marking the ballot; and
- (h) ensure that samples of the Ballot Question are posted or available for examination at the poll.

8.2 The Ratification Officer will complete any necessary orientation or training prescribed for managing Online Voting protocols, processes and administration.

## 9. INFORMATION FOR ELIGIBLE VOTERS

9.1 Council will send or cause to be sent to each Eligible Voter at their last known address, in one or more mailings, the following:

- (a) a copy of the Notice of Vote;
- (b) a copy of the *Sqwá Land Code*;
- (c) a summary of the *Sqwá Land Code*;
- (d) a copy of the Individual Agreement;
- (e) a summary of the Individual Agreement;
- (f) a summary of the *Framework Agreement*; and
- (g) a summary of the Act.

9.2 The information sent in accordance with section 9.1 will be mailed at least 35 days prior to the first Official Voting Day unless the Eligible Voter has informed Council that the Eligible Voter wishes to receive the information electronically, in which case the information will be transmitted electronically at least 30 days prior to the first Official Voting Day.

9.3 In addition to the information provided under section 9.1 Council may conduct or cause to be conducted:

- (a) visits at the homes of Eligible Voters;
- (b) telephone contact with Eligible Voters;
- (c) information meetings at the Sqwá First Nation administrative offices and other appropriate places; and
- (d) such other information activities as may be deemed appropriate, including translation.

9.4 Notwithstanding section 9.3, personal visits, text, email, telephone or other contact by Council with an Eligible Voter on a Voting Day may take place only for the purposes of assisting the Eligible Voter to vote.

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## 10. INFORMATION FOR THIRD PARTIES

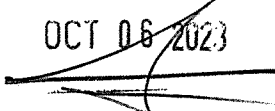
- 10.1 At least 28 days prior to the Official Voting Day, the Land Code Coordinator will send via regular mail the following information to persons who are not Members and who hold an interest in Sqwá First Nation land:
- (a) the date of the Ratification Vote;
  - (b) a communiqué from Sqwá First Nation explaining the effect of the Ratification Vote;
  - (c) a summary of the Act;
  - (d) a summary of the *Framework Agreement*;
  - (e) a summary of the *Sqwá Land Code*; and
  - (f) the name, mailing address, email address and telephone number of a person who may be contacted for purposes of obtaining copies of the Background Documents or further information about the effect of the Ratification Vote.
- 10.2 In addition to information provided in accordance with section 10.1, the Sqwá First Nation may meet with, or otherwise provide information directly to, persons who hold an interest in Sqwá First Nation Land but are not Members.
- 10.3 Nothing in this Ratification Process precludes the Sqwá First Nation from providing information in any form it deems appropriate to a municipal corporation, regional district, First Nation or other entity with an interest in land in the vicinity of Sqwá First Nation Land.

## 11. AVAILABILITY OF DOCUMENTS

- 11.1 Notwithstanding section 9.1, any Member may, on request, obtain a copy of the Ratification Documents and Background Documents at no cost.
- 11.2 For greater certainty, any Member or the representative of the Minister appointed under clause 6.2 of the *Framework Agreement* may upon request obtain a copy of the Ratification Process in relation to an objection under part 23 of this Ratification Process.
- 11.3 The Ratification Officer will ensure that the Ratification Documents, Background Documents and Ratification Process are available online and sufficient paper copies are available at the administration offices of the Sqwá First Nation.
- 11.4 The Ratification Documents and Background Documents will be made available electronically upon request.

## 12. VOTER INFORMATION

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- 12.1 The Ratification Officer will, at least 30 days before the first Official Voting Day, send to each Eligible Voter at their last known address an information package containing:
- (a) a Mail-in Voting Package; and
  - (b) the information about the Online Voting process set out in section 15.5.
- 12.2 The information package under section 12.1 may be sent together with the information sent under section 9.1.
- 12.3 The Mail-in Voting Package under section 12.1 will contain:
- (a) a pre-folded and initialed ballot in Form 1;
  - (b) an identification envelope in Form 6;
  - (c) a secrecy envelope;
  - (d) a prepaid return envelope; and
  - (e) voting instructions.

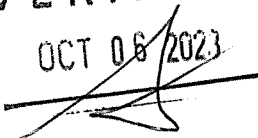
### **13. METHODS OF VOTING**

- 13.1 An Eligible Voter may cast a vote by:
- (a) Online Voting,
  - (b) Mail-in Ballot, or
  - (c) Voting in person at a polling place on a Voting Day, in accordance with this Ratification Process.

### **14. ONLINE VOTING CONTRACTOR RESPONSIBILITIES**

- 14.1 The Online Voting Contractor will provide an Online Voting Platform that will provide the following:
- (a) a secure SSL web-based platform for Eligible Voter registration, online voting and vote management along with data encryption provisions to secure and protect personal voter data and voting activities;
  - (b) web based access and management of the voting activities and List of Voters for the Ratification Officer;
  - (c) web based access and observation of the voting event activities and List of Voters list for the Verifier;
  - (d) web based registration and voting support for Eligible Voters and technical support for the Ratification Officer and Verifier;
  - (e) vote management integrations, including the ability to enter vote results

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manually following the close of polls;

- (f) Mail-in Ballot vote management integrations, including the ability to enter vote results manually following the close of polls;
- (g) a complete electronic audit record of each Eligible Voter's interaction with the Online Voting Platform accessible by the Eligible Voter, Ratification Officer and Verifier; and
- (h) a final voting event tabulation and finalization by the Ratification Officer, including the electronic posting of results.

14.2 The Verifier shall have administrative access to the online voting platform to view and download daily reports and detailed activities reports.

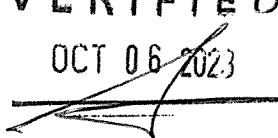
14.3 The Ratification Officer shall have administrative access to the Online Voting platform to view and download daily reports and detailed activities reports.

14.4 The Online Voting Platform will ensure that:

- (a) individual Online Voting results will remain secret at all times and individual voter choices are encrypted in such a way as to ensure Eligible Voter anonymity;
- (b) once an Eligible Voter has voted by Online Voting using their personal credentials, they cannot vote again by Online Voting using the same credentials, and will be restricted from doing so again by the Online Voting Platform;
- (c) automated email notifications will be generated in real-time to the Eligible Voter, Verifier and Ratification Officer of any activity associated with a voter using the Online Voting Platform, including:
  - i. attempted registration;
  - ii. attempted voting;
  - iii. completed voter registration;
  - iv. confirmation of registration;
  - v. delivery of online voting instructions;
  - vi. delivery of a Personal Identification Number;
  - vii. failed registration;
  - viii. failed vote;
  - ix. notification of vote recorded; and
  - x. notification of the voting events final results.

14.5 Online Voting procedures will meet or exceed the threshold of verification and due diligence for Mail-in Ballots, and will require for each Eligible Voter at least:

- (a) confirmed registration for Online Voting;


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- (b) date of birth;
  - (c) a Personal Identification Number; and
  - (d) the Indian registry number appearing on the Eligible Voter's status card.
- 14.6 The Online Voting Contractor will, in a timely manner, provide by email to each Eligible Voter who has registered for Online Voting:
- (a) a website address which the Eligible Voter can access to vote online;
  - (b) a unique Personal Identification Number; and
  - (c) instructions for voting online.
- 14.7 The Online Voting Contractor will provide the Ratification Officer and Verifier with electronic notifications of:
- (a) real-time updates of each Online Vote cast;
  - (b) a daily summary of voting activities; and
  - (c) any unresolved Eligible Voter use or interface errors.
- 14.8 An inventory of all reports generated by the Online Voting Platform shall be maintained and accessible on the Online Voting Platform.
- 14.9 The Online Voting Contractor will provide the Ratification Officer and Verifier with timely notification of any system or communication failures, interruptions or lost data.
- 14.10 The Ratification Officer will provide to the Online Voting Contractor the List of Voters, in the manner and format prescribed by the Online Voting Contractor, at least 47 days prior to the first Official Voting Day and the Online Voting Contractor will enter the list in the Online Voting Platform.
- 14.11 Unless otherwise directed by Council in writing the Online Voting Contractor will permanently delete all data on the Online Voting Platform and will notify Council that the data has been deleted.

## **15. ONLINE VOTING**

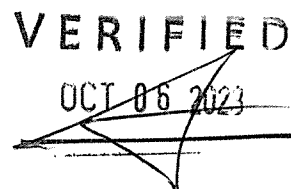
- 15.1 An Eligible Voter may cast a ballot by Online Voting.
- 15.2 No proxy voter shall be used at any time.
- 15.3 Online Voting shall be confidential and by secret vote.
- 15.4 Online Voting will be permitted at any time the Online Voting Platform is in operation prior to the close of the polls on the last Voting Day.

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- 15.5 In accordance with section 12.1, at least 30 days prior to the first Official Voting Day, the Ratification Officer will send to each Eligible Voter at the Eligible Voter's last known address, information on Online Voting that will include:
- (a) instructions to retrieve the unique Personal Identification Number;
  - (b) instructions to locate and download the Online Voting application; and
  - (c) graphic and narrative instructions on the process of registration and Online Voting.
- 15.6 To cast an Online Vote, an Eligible Voter will:
- (a) enter the website address provided;
  - (b) confirm their name, date of birth, and Indian registry number (add: as shown on status card);
  - (c) be provided the opportunity to update their personal contact information;
  - (d) confirm their desire to vote online;
  - (e) confirm their eligibility to vote by Online Voting;
  - (f) declare their intent to vote online;
  - (g) confirm their registration and intent to vote online by entering their Personal Identification Number, date of birth and Indian registry number;
  - (h) open the link to the online ballot sent by email and cast their Online Vote by selecting either YES or NO; and
  - (i) confirm their vote.
- 15.7 Immediately after an Online Vote is completed the List of Voters on the Online Voting Platform will be automatically updated with the time and date that the Online Vote was cast.
- 15.8 Immediately after an Online Vote is successfully cast the Online Voting Platform will automatically generate an email to the Eligible Voter, the Ratification Officer and the Verifier confirming that the vote of the Eligible Voter was received and recorded.
- 15.9 Upon receipt of the email under section 15.8, the Ratification Officer will:
- (a) record the Eligible Voter's online registration;
  - (b) confirm that no other Mail-in Vote, in-person ballot, or Online Vote was received from the Eligible Voter; and
  - (c) record the date when the Online Vote was received.
- 15.10 For greater certainty, where an Eligible Voter has voted online the Eligible Voter shall not be permitted to vote in person or by Mail-in Ballot.

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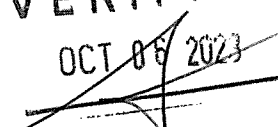


- 15.11 Where the Ratification Officer is notified of an incomplete or failed Online Vote or registration, the Ratification Officer will as soon as possible contact the Eligible Voter and provide assistance or alternative voting options, including Mail-in Ballot or voting in person.
- 15.12 Online Voting will cease automatically upon the closing of the poll on the last Voting Day and the Online Voting Platform will thereafter no longer be accessible to Eligible Voters.
- 15.13 After the closing of the poll on the last Voting Day and upon being informed by the Ratification Officer that the Ratification Vote has ended, the Online Voting Contractor will immediately email to the Verifier and Ratification Officer a link to a web page that summarizes the Online Voting results, and make the information accessible on the Online Voting Platform.

## **16. MAIL-IN BALLOTS**

- 16.1 An Eligible Voter may cast a Mail-in Ballot.
- 16.2 To cast a Mail-in Ballot, an Eligible Voter will:
- (a) mark the ballot by placing a cross (“X”) in the box marked “YES” or in the box marked “NO”;
  - (b) enclose and seal the ballot in the secrecy envelope;
  - (c) enclose and seal the secrecy envelope in the identification envelope;
  - (d) sign the outside of the identification envelope;
  - (e) enclose and seal the identification envelope in the prepaid mailing envelope; and
  - (f) deliver the sealed mailing envelope to the Ratification Officer.
- 16.3 An Eligible Voter may deliver a Mail-in Ballot to the Ratification Officer by mail, courier or hand delivery.
- 16.4 A Mail-in Ballot must be received by the Ratification Officer no later than the close of the poll on the last Voting Day and any ballot received after that time will be rejected.
- 16.5 After the Ratification Officer has received a Mail-in Ballot, the Ratification Officer will:
- (a) record, on the online platform, the date when the Mail-in Voting Package was received from the Eligible Voter;
  - (b) confirm that the secrecy envelope is in fact contained in the Mail-in Voting Package but will not open the secrecy envelope;
  - (c) confirm that no other Mail-in Voting Package, in person, or Online Vote has been received from this Eligible Voter;

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- (d) update the List of Voters to show this Eligible Voter has cast a Mail-in Ballot; and
- (e) store the Mail-in Voting Package in a secure location until the close of the poll

on the last Voting Day.

16.6 The Ratification Officer is personally responsible for the safekeeping of Mail-in Voting Packages until such time as the packages are opened, verified and deposited in the ballot box in accordance with section 16.8.

16.7 The Ratification Officer will, after the last mail delivery on or before the last Official Voting Day and prior to the close of the poll on the last Official Voting Day, retrieve any Mail-in Voting Packages from the mail.

16.8 At the poll on the Advance Voting Day and each Official Voting Day, and, if applicable, the Additional Voting Day, the Ratification Officer will, in the presence of two or more witnesses;

- (a) open each Mail-in Voting Package;
- (b) confirm that the secrecy envelope has not been opened;
- (c) deposit the secrecy envelope (unopened) into the ballot box;
- (d) open and tally the Mail-in Ballots at the public vote count when the last Official Voting Day and, if applicable, the Additional Voting Day poll closes.

16.9 Where:

- (a) an Eligible Voter has previously voted at a poll, Online or by Mail-in Ballot;
- (b) the identification envelope is not signed; or
- (c) the identification envelope is not otherwise completed properly,

the Ratification Officer will reject the Mail-in Ballot and note the reason for the rejection on the List of Eligible Voters and on the unopened identification envelope and will keep the unopened identification envelope in an envelope suitable for that purpose.

16.10 After completing the process set out in section 16.8, the Ratification Officer will:

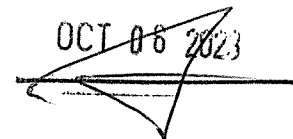
- (a) execute a Declaration of Ratification Officer in Form 7; and
- (b) ensure that each witness executes a Statement of Witness in Form 8 and Form 9.

## 17. VOTING AT A POLL

17.1 The poll will be open from 8 a.m. until 8 p.m. on each Voting Day.

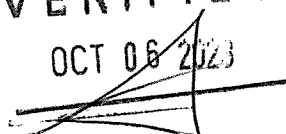
17.2 Subject to section 6.3, any reference to a Ratification Officer in this part includes an assistant Ratification Officer.

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- 17.3 The Ratification Officer will be present at the poll at all times while the poll is open.
- 17.4 All voting at a poll will be by secret ballot.
- 17.5 The Ratification Officer is responsible for determining whether a person is an Eligible Voter.
- 17.6 The Ratification Officer will:
- (a) before the first vote is cast, open a ballot box and request an Eligible Voter to witness that the ballot box is empty;
  - (b) thereupon seal the ballot box and place their signature on the seal and ask the witness to place their signature on the seal;
  - (c) keep the ballot box in view for reception of ballots;
  - (d) execute a Declaration of Ratification Officer in Form 10; and
  - (e) ensure that the witness executes a Statement of Witness in Form 11.
- 17.7 Prior to the opening of the poll on a Voting Day the Ratification Officer will in the presence of the Verifier and any Eligible Voters who are in attendance, record the names of Eligible Voters who voted by Online Voting by drawing a line through their name on the List of Voters and noting that they voted by an Online Vote as the case may be.
- 17.8 Where, at the poll on a Voting Day, the Ratification Officer is notified that an Eligible Voter has voted by Online Voting, the Ratification Officer will in the presence of the Verifier and any Eligible Voters who are in attendance, immediately record the name of that Eligible Voter by drawing a line through the name on the List of Voters and noting that they voted by Online Voting.
- 17.9 When a person at the poll wishes to vote, the Ratification Officer will:
- (a) ensure that the person is an Eligible Voter;
  - (b) check the List of Voters to ensure that the person has not already voted in person, by mail or by Online Voting; and
  - (c) if the Eligible Voter has not already voted, provide the Eligible Voter with a folded paper ballot, on the back of which are affixed the Ratification Officer's initials so that the initials can be seen when the ballot is folded.
- 17.10 The Ratification Officer will place, on the List of Voters, a line through the name of every Eligible Voter receiving a ballot at a poll.
- 17.11 The Ratification Officer will explain the method of voting upon request.
- 17.12 If the Ratification Officer determines that the name of an Eligible Voter has been omitted,

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incorrectly set out or incorrectly included on the List of Voters, they will, in their sole discretion, make the necessary revision and such revision will be final.

17.13 An Eligible Voter may request special assistance from the Ratification Officer at the poll.

17.14 The Ratification Officer will, on request under section 17.13 and in the presence of a witness acceptable to the Eligible Voter and the Ratification Officer, provide special assistance to an Eligible Voter at the poll by marking a ballot in secret as directed by the Eligible Voter and immediately folding and depositing the ballot into the ballot box.

17.15 The Ratification Officer, after providing special assistance to an Eligible Voter, will make an entry on the List of Voters opposite the name of the Eligible Voter indicating:

- (a) that the ballot was marked by the Ratification Officer at the request of the Eligible Voter;
- (b) the reason for the Eligible Voter's request; and
- (c) the name of the witness.

17.16 Except for an Eligible Voter requiring special assistance, every Eligible Voter receiving a ballot at a poll will:

- (a) proceed immediately to a designated voting area;
- (b) mark the ballot by placing a cross ("X") in the box marked "YES" or in the box marked "NO";
- (c) fold the ballot so as to conceal the mark and expose the initials of the Ratification Officer; and
- (d) immediately give the folded ballot to the Ratification Officer.

17.17 Upon receiving a marked ballot, the Ratification Officer, without unfolding it, will:

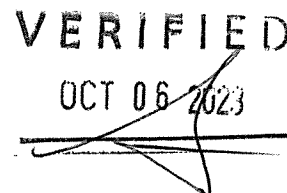
- (a) verify the Ratification Officer's initials;
- (b) remove the perforated strip, if any; and
- (c) deposit the ballot into the ballot box.

17.18 An Eligible Voter at a poll who receives a spoiled or improperly printed ballot, or who accidentally spoils a ballot when marking it, is entitled to receive another ballot from the Ratification Officer after returning the original ballot.

17.19 The Ratification Officer will record a ballot returned in accordance with section 17.18 as cancelled.

17.20 An Eligible Voter at a poll who receives a ballot and does not return it to the Ratification Officer will forfeit the right to vote and the Ratification Officer will make an entry on the List

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of Voters stating that the Eligible Voter left the poll without delivering the ballot and will record the ballot as cancelled.

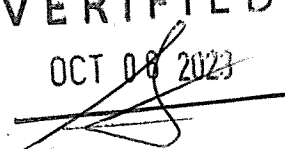
- 17.21 At the time set for closing the poll, the Ratification Officer will declare the poll closed, and entry will be denied to the poll.
- 17.22 Notwithstanding section 17.21, any Eligible Voter remaining in the poll at that time is entitled to complete their vote.

## **18. ORDERLY VOTING**

- 18.1 Council, with the assistance of the Ratification Officer, will provide a suitable polling place with an appropriate number of private booths so that voting can be accomplished in person by secret ballot.
- 18.2 Council, with the assistance of the Ratification Officer, will ensure that peace and good order are maintained at the poll.
- 18.3 The Ratification Officer will allow only one Eligible Voter at a time into a designated voting booth, except for an Eligible Voter receiving special assistance under section 17.14.
- 18.4 No person will:
- (a) interfere or attempt to interfere with an Eligible Voter when the Eligible Voter is voting;
  - (b) without the consent of the Eligible Voter, obtain or attempt to obtain information as to how an Eligible Voter is about to vote or has voted;
  - (c) mark a ballot in a way that identifies the Eligible Voter;
  - (d) mark the secrecy envelope for a Mail-in Ballot in a way that indicates how the ballot was marked; or
  - (e) vote or attempt to vote more than once.
- 18.5 The Ratification Officer will make best efforts to ensure that no Eligible Voter votes more than once.

## **19. COUNTING OF BALLOTS**

- 19.1 After the close of the polls on the last Voting Day and after Mail-in Ballots have been deposited into the ballot box in accordance with section 16.8, the Ratification Officer, in the presence of the Verifier and any Eligible Voter who may be present will examine all ballots contained in ballot boxes, and will remove any ballot that is spoiled by reason that the ballot:
- (a) was not supplied by the Ratification Officer or assistant Ratification Officer;

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- (b) was not marked as either "YES" or "NO";
  - (c) was marked as both "YES" and "NO";
  
  - (d) was marked outside a box marked "YES" or "NO" such that the Ratification Officer cannot reasonably discern the intent of the Eligible Voter; or
  - (e) has any writing or mark which might identify the Eligible Voter.
- 192 A ballot marked with anything other than a mark ("X"), or marked with anything other than a lead pencil or blue or black pen, will not be removed as spoiled if:
- (a) the mark is in a box;
  - (b) the mark does not identify the Eligible Voter; and
  - (c) in the opinion of the Ratification Officer, the intent of the Eligible Voter is clear.
- 193 The Ratification Officer will:
- (a) count the number of ballots from the ballot boxes marked "YES", the number of ballots marked "NO", the number of rejected ballots and the number of spoiled ballots;
  - (b) add the Online Voting results to the results from the ballot boxes; and
  - (c) announce the result of the Ratification Vote.
- 194 Council will post an announcement of the result of the Ratification Vote in the Sqwá First Nation administration building, and any other method as determined by Council, as soon as reasonably possible after the Ratification Officer's announcement. Council will also publish an announcement of the result of the Ratification Vote in the community newsletter if it is in regular circulation.
- 195 Upon completion of the Ratification Vote, the Ratification Officer will execute a Certification by Ratification Officer in Form 12.

## 20. ADDITIONAL VOTING DAY

- 20.1 Notwithstanding any other provision of this Ratification Process, where upon the close of the poll on the last Official Voting Day fewer than the percentage of Eligible Voters required to vote in order for the result to be binding under section 5.2(a) have voted, the Ratification Officer may, in their sole discretion, determine that one or more Additional Voting Days will be held in consideration of factors including, but not limited to:
- (a) severe inclement weather;
  - (b) death of a community member;

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- (c) natural disasters such as fire, earthquake, tornado;
  - (d) other disasters such as explosions, power failure, act of sabotage; or
  - (e) any other significant community emergency.
- 20.2 Within 24 hours of a decision under section 20.1, the Ratification Officer will notify the Verifier and Council in writing of the decision.
- 20.3 The Ratification Officer and Council will, within 2 days of receiving the Ratification Officer's written notification under section 20.2, set a date for an Additional Voting Day which shall not be more than 20 days after the last Official Voting Day.
- 20.4 The Ratification Officer will post an updated Notice of Vote in Form 5 showing the reason for any Additional Voting Day and the date and details of any Additional Voting Day, and will notify all Eligible Voters by mail, hand delivery service, telephone or e-mail.
- 20.5 The poll will be open from 8:00 am until 8:00 pm on an Additional Voting Day.
- 20.6 The Ratification Officer will ensure that the Online Voting Platform and Mail-in Voting remain active and available until the close of the poll on the last Additional Voting Day.
- 20.7 A poll on an Additional Voting Day will be conducted in the same manner as the poll on an Official Voting Day.
- 20.8 Only Eligible Voters who did not vote before the close of the poll on the last Official Voting Day will be entitled to vote on the Additional Voting Day.

## 21. POST-VOTE PROCEDURES

- 21.1 The Ratification Officer will seal in separate envelopes the spoiled ballots, the rejected ballots, the ballots cast in favour and the ballots cast against the Ballot Question and will thereupon:
- (a) affix their signature to the seals; and
  - (b) request the Verifier to affix their signature to the seals.
- 21.2 The Ratification Officer will retain the separate envelopes for at least 60 days after the last Voting Day in their secure possession, and will unless otherwise instructed by Council in writing thereafter destroy the ballots cast, the rejected ballots and the spoiled ballots.
- 21.3 The Online Voting Contractor will retain all Online Voting data for at least 60 days after the last Voting Day and will unless otherwise instructed by Council in writing thereafter delete and wipe all online voting data.
- 21.4 Upon completing the actions required under sections 21.2. and 21.3, the Ratification Officer

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and the Online Voting Contractor respectively will notify Council that the ballots and Online Voting data have been destroyed and deleted.

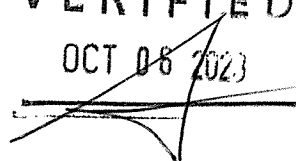
## **22. PROCEDURAL AMENDMENTS**

- 22.1 In order to give effect to and carry out the objectives and purpose of the Ratification Vote, the Ratification Officer, Council or a designated member of Council and the Verifier may agree upon a variation of the procedural requirements of this Ratification Process if they:
- (a) deem it necessary to do so; and
  - (b) reasonably believe the variation will not result in any substantive change to those procedural requirements.
- 22.2 The Ratification Officer will state in writing the nature and basis of a variation under section 22.1 and make a copy of the statement publicly available.
- 22.3 The Ratification Officer or Verifier may modify any form appended to this Ratification Process to add, correct or update, but not remove, any material information.

## **23. OBJECTIONS**

- 23.1 Any Eligible Voter may file an objection with the Verifier if the Eligible Voter has reasonable grounds for believing that:
- (a) there was a violation of, or irregularity, in this Ratification Process; and
  - (b) the final result of the Ratification Vote might have been different but for the violation or irregularity.
- 23.2 An objection shall be received by the Verifier within 5 days after the Voting Day.
- 23.3 An objection shall be in writing and shall:
- (a) identify the name, address and telephone number of the Eligible Voter making the objection;
  - (b) summarize the grounds for the objection; and
  - (c) be accompanied by a statutory declaration setting out the grounds for the objection.
- 23.4 The Verifier may, if the material provided under clause 23.3 is insufficient to decide the validity of the objection, conduct such further investigations as the Verifier deems necessary.
- 23.5 If an objection is filed under this section, the Verifier will, within 10 days after the Official Voting Day determine whether the objection is valid.

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23.6 If the Verifier determines the objection is valid, the Verifier may allow the objection and call another Ratification Vote.

23.7 The Verifier will dismiss the objection if the Verifier determines that:

- (a) there was neither a violation of the Ratification Process nor an irregularity in that process; or
- (b) there was a violation or an irregularity but the final result of the Ratification Vote was not affected.

## 24. REPORT BY VERIFIER

24.1 Within 15 days of the last Voting Day, the Verifier will send a report in Form 13 on the conduct of the Ratification Vote to Council, the General Manager, and the Minister.

## 25. CERTIFICATION OF SQWÁ LAND CODE

25.1 The *Sqwá Land Code* and the Individual Agreement will be approved if a majority of participating Eligible Voters vote in favour.

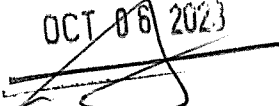
25.2 If the *Sqwá Land Code* and the Individual Agreement are approved by the Eligible Voters, Council will, as soon as practicable after receiving the report of the Verifier under section 24.1, pass a resolution in Form 14 and send a true copy of the approved *Sqwá Land Code* to the Verifier.

25.3 Upon receiving the *Sqwá Land Code* and the resolution in Form 14, the Verifier will certify the *Sqwá Land Code* and forward a commissioned copy of the certified *Sqwá Land Code* to Council, the General Manager, the Minister and the Chair of the Lands Advisory Board.

## 26. EFFECTIVE DATE

26.1 The *Sqwá Land Code* will come into effect on the later of:

- (a) sixty (60) calendar days following certification of this *Land Code* by the verifier, or
- (b) the date the Individual Agreement is executed on behalf of Canada.

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**BALLOT QUESTION**

Do you approve:

1. The *Sqwá Land Code* dated \_\_\_\_\_ for reference; and
2. The *Individual Agreement* between Sqwá First Nation and His Majesty the King in right of Canada?

**EXPLANATION**

A **“YES”** vote means that Sqwá First Nation will manage its own reserve lands under the *Sqwá Land Code*.

A **“NO”** vote means that Sqwá First Nation lands will continue to be managed by the Indigenous Services Canada under the *Indian Act*.

**YES**

**NO**

**Mark this Ballot by placing a mark (“X”) in one of the above boxes.**

**Form 2**  
**Information to Verifier**

**SQWÁ FIRST NATION**  
**COUNCIL RESOLUTION**  
(Information to Verifier)

The Council of Sqwá First Nation, in accordance with the clause 8.4 of the *Framework Agreement* on First Nation Land Management and section 4.1 of the *Sqwá Community Ratification Process*, do hereby resolve to submit the following information to the Verifier:

1. the proposed *Sqwá Land Code*, dated \_\_\_\_\_ for reference;
2. the initial List of Voters who, according to the records of Sqwá First Nation, would be eligible to vote on whether to approve the proposed *Sqwá Land Code*; and
3. the proposed *Sqwá Community Ratification Process*, dated \_\_\_\_\_ for reference.

This resolution is supported by the undersigned and passed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Quorum of Council:** \_\_\_\_

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

**Form 2A**  
**Sqwá Land Code and Individual Agreement Verification**

**CONFIRMATION BY VERIFIER**

(Land Code and Individual Agreement Ratification Process)

CANADA )  
 )  
PROVINCE OF BRITISH COLUMBIA )

I, A.J (AJ) Gross, of Kelowna, in the Province of British Columbia, DO SOLEMNLY  
DECLARE THAT:

1. I was appointed as the Verifier for Sqwá First Nation by the Council on\_\_\_\_\_ and by Canada on\_\_\_\_\_for the purpose of verifying the community approval of their Land Code and their Individual Agreement, in accordance with the *Framework Agreement* on First Nation Land Management and the *First Nations Land Management Act*.
2. In accordance with clause 8.4 of the *Framework Agreement*, I received the following information from Sqwá First Nation on\_\_\_\_\_:
  - a. a copy of the *Sqwá Land Code*;
  - b. a list of the names of every Member of Sqwá First Nation who, according to Sqwá Membership records at that time, would be eligible to vote on whether to approve the Land Code and the Individual Agreement; and
  - c. a detailed description of the community approval process that Sqwá First Nation proposes to use.
3. A true copy of the Land Code, entitled the *Sqwá Land Code*, dated\_\_\_\_\_for reference is attached as Exhibit “1” to this Declaration.
4. A true copy of the community approval process, entitled Sqwá Community Ratification Process, dated\_\_\_\_\_for reference is attached as Exhibit “2” to this Declaration.
5. In accordance with clause 8.5 of the *Framework Agreement* and section 8 of the Act, I reviewed the *Sqwá Land Code* and the Sqwá Community Ratification Process to decide whether:

- a. the *Sqwa Land Code* conforms with the requirements of clause 5 of the *Framework Agreement* and section 6 of the Act; and
  - b. the Sqwa Community Ratification Process conforms with clause 7 of the *Framework Agreement* and section 8 of the Act.
6. In accordance with clause 8.9 of the *Framework Agreement* and section 8.1(a) of the Act, the *Sqwa Land Code* and the Sqwa Community Ratification Process are hereby *confirmed/not confirmed* as being consistent with the *Framework Agreement*.
7. My reasons for not confirming the *Sqwa Land Code* or *Sqwa First Nation Community Ratification Process* are as follows:

•

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the )  
\_\_\_\_\_ of \_\_\_\_\_ in the )  
Province of British Columbia, this )  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. )  
\_\_\_\_\_)  
\_\_\_\_\_)  
A Commissioner for Oaths in and for )  
the Province of British Columbia )

\_\_\_\_\_  
A.J (AI) Gross, Verifier

**FIRST NATION COUNCIL RESOLUTION**  
(Commencement of Vote)

The Council of Sqwá First Nation, at a duly convened meeting and in accordance with the *Framework Agreement on First Nation Land Management* and section 5.1 of the Sqwá Community Ratification Process, do hereby resolve to:

1. Confirm One Feather as the Ratification Officer;
2. Confirm the initial List of Voters;
3. Confirm that an Online Voting option will be provided;
4. Confirm the text of the Sqwá Community Ratification Process, dated \_\_\_\_\_ for reference as confirmed by the Verifier on \_\_\_\_\_;
5. Approve for community ratification *the Sqwá Land Code*, as confirmed by the Verifier and dated \_\_\_\_\_ for reference;
6. Hold a Ratification Vote to determine if the Eligible Voters approve the Ratification Documents in accordance with the Sqwá Community Ratification Process;
7. Confirm the Ballot Question in form 1;
8. Confirm that the Ratification Documents will be considered approved if a majority of the Eligible Voters vote to approve them; and
9. Set the Official Voting Day(s) to be November 16 and 17, 2023.

This resolution is supported by the undersigned and passed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**Quorum of Council:**

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

**Form 3A**  
**Approval of Individual Agreement for the Vote**

**SQWÁ FIRST NATION  
COUNCIL RESOLUTION**  
(Approval of Individual Agreement for Vote)

The Council of Sqwá First Nation, in accordance with the *Framework Agreement on First Nation Land Management* and section 5.3 of the Sqwá Community Ratification Process, do hereby resolve to approve for community ratification the Individual Agreement, which includes a process for amendment;

This resolution is supported by the undersigned and passed this day of \_\_\_\_\_, 20\_.

**Quorum of Council:** \_\_\_\_\_

\_\_\_\_\_  
Chief

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor

**Form 4**  
**Ratification Officer Appointment**

**ACCEPTANCE OF APPOINTMENT BY RATIFICATION OFFICER**

Date:

I, \_\_\_\_\_, agree to act as Ratification Officer for the Ratification Vote to determine if the voters of the Sqwá First Nation approve the Ratification Documents, and will discharge my duties in accordance with the Sqwá Community Ratification Process and the requirements of confidentiality.

-----  
Ratification Officer



**Form 4A**  
**Assistant Ratification Officer Appointment**

**APPOINTMENT OF AN ASSISTANT RATIFICATION OFFICER**

Date:

I, \_\_\_\_\_, Ratification Officer, appoint \_\_\_\_\_ to act as my assistant in carrying out my duties in accordance with the Sqwá Community Ratification Process for the purpose of the Ratification Vote.

-----  
Ratification Officer

I, \_\_\_\_\_, agree to act as an assistant to the Ratification Officer for the purpose of the Ratification Vote and promise to carry out all assigned duties to the best of my abilities and in accordance with the Sqwá Community Ratification Process and the requirements of confidentiality.

-----  
Assistant Ratification Officer

**NOTICE OF SQWÁ COMMUNITY RATIFICATION VOTE**

**TAKE NOTICE** that a Ratification Vote will be held in accordance with the *Sqwá* Community Ratification Process on \_\_\_\_\_ in order to determine if Eligible Voters approve the *Sqwá Land Code* and the Individual Agreement.

The following question will be asked of the Eligible Voters of *Sqwá* First Nation by ballot:

**“Do you approve the *Sqwá* Land Code, dated \_\_\_\_\_ for reference and the Individual Agreement with His Majesty the King in Right of Canada?”**

Advanced Poll	Regular Poll	Electronic Voting
(date) (time) (location)	(date) (time) (location)	(date) (time) (location)
<b>Mail-in Ballot</b>		

**AND FURTHER TAKE NOTICE** that all members of *Sqwá* First Nation 18 years of age or older as of the last date of the Ratification Vote are eligible to vote. Voter information documents will be sent to all Eligible Voters whose address is on record with the *Sqwá* First Nation. Further information is also available from \_\_\_\_\_, Ratification Officer at the address and telephone number appearing below.

**Please Note:** Any Eligible Voter may vote in person or by Mail-in Ballot or by Online Voting. If an Eligible Voter has not received an information package by \_\_\_\_\_, please contact \_\_\_\_\_, Ratification Officer so that the necessary documents can be provided to you.

**DATED** at *Sqwá* First Nation, British Columbia this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_

Ratification Officer

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For more information, please contact \_\_\_\_\_, Ratification Officer

Ph/Txt: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

**IDENTIFICATION ENVELOPE**

SQWÁ FIRST NATION  
RATIFICATION VOTE

**PLEASE ENCLOSE ONE SECRECY ENVELOPE CONTAINING ONE BALLOT**

I, \_\_\_\_\_ am an Eligible Voter, and:  
(Print Full Legal Name)

1. I Will be voting by mail.	My Band Number (Status No.) is:
2. My Date of Birth is:	My Full Mailing Address is:
3. My Phone Number is:	

I make this solemn declaration believing it to be true and know that it has the same force and effect as if made under oath. I understand that it is an offence to make a false statement in this declaration.

Signature of Voter

Date

\_\_\_\_\_

\_\_\_\_\_

Declaration of Ratification Officer (Mail-in Ballots)

DECLARATION OF RATIFICATION OFFICER

(Mail-in Ballots)

CANADA )

)

Province of British Columbia )

I, \_\_\_\_\_, Ratification Officer, of \_\_\_\_\_, in the Province of British Columbia, DO SOLEMNLY DECLARE THAT:

- 1. I was personally responsible for receiving all Mail-in Ballots at Sqwá First Nation when Eligible Voters of Sqwá First Nation voted in a Ratification Vote concerning the Ratification Documents.
2. In preparation for depositing Mail-in Ballots and receiving Online Votes, I opened ballot box number # \_\_\_\_\_.
3. I saw that the ballot box was empty and I asked Eligible Voters who were present to witness that the ballot box was empty.
4. I then properly sealed the ballot box, in front of the Eligible Voters who were present, and prepared it for the reception of ballot papers.
5. I personally opened each secrecy envelope, initialed each ballot and then deposited all of the Mail-in Ballots received by me into ballot box #\_ , and kept the ballot box sealed when not in my custody until the ballots were counted.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the Canada Evidence Act.

DECLARED BEFORE me at the \_\_\_\_\_ of \_\_\_\_\_ in the Province of British Columbia, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

A Commissioner for Oaths in and for the Province of British Columbia

\_\_\_\_\_  
Ratification Officer

**Form 8**  
**Statement of Witness (Deposit of Mail-in Ballots)**

**STATEMENT OF WITNESS**  
(Deposit of Mail-in Ballots)

Date:

I, \_\_\_\_\_ was personally present at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ when the Ratification Officer deposited  
the Mail-in Ballots in ballot box #\_\_\_\_; and

1. I am an Eligible Voter.
2. I witnessed that ballot box #\_\_\_\_ was empty before any Mail-in Ballots were deposited.
3. I witnessed the Ratification Officer seal the ballot box and sign the seal.
4. I signed the seal, as requested by the Ratification Officer.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Telephone Number or email address

**Form 9**  
**Statement of Witness (Opening of Mail-in Ballots)**

**STATEMENT OF WITNESS**  
(Opening of Mail-in Ballots)

Date:

I, \_\_\_\_\_ was personally present at \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 20 when the Ratification Officer opened the  
Mail-in Ballot mailing envelopes; and

1. I am an Eligible Voter.
2. The Mail-in Ballot mailing envelopes were unopened immediately prior to the time the Ratification Officer opened them.
3. The Ratification Officer confirmed that the mailing envelopes were completed properly and correctly.
4. The Ratification Officer checked the List of Voters and ensured that the Eligible Voter whose name appeared on the identification envelope had not previously voted in person or by Mail-in Ballot or Online Voting.
5. The Ratification Officer placed a line through the name of each Eligible Voter on the List of Voters after she opened each secrecy envelope, initiated each ballot without checking the selection on the ballot and then deposited the ballot of that Eligible Voter in the separate ballot box kept for that purpose.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Telephone number or email address

**Form 10**  
**Declaration of Ratification Officer (Regular Polls)**

**DECLARATION OF RATIFICATION OFFICER**  
(Regular Polls)

CANADA )  
 )  
Province of British Columbia )

I, \_\_\_\_\_, Ratification Officer, of \_\_\_\_\_, in the Province of British Columbia, DO SOLEMNLY DECLARE THAT:

1. I was personally present at \_\_\_\_\_ on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ when Eligible Voters of Sqwá First Nation voted in a Ratification Vote concerning the Ratification Documents.
2. Immediately before the Ratification Vote began, I opened ballot box number # \_\_\_\_.
3. I saw that the ballot box was empty and I asked Eligible Voters who were present to witness that the ballot box was empty.
4. I then properly sealed the ballot box, in front of those persons who were present, and kept it in view for the reception of ballot papers.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the \_\_\_\_\_ )  
\_\_\_\_\_ of \_\_\_\_\_ in the )  
Province of British Columbia, this )  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. )  
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 )  
 )  
 )  
A Commissioner for Oaths in and for )  
the Province of British Columbia )

\_\_\_\_\_  
Ratification Officer



**STATEMENT OF WITNESS**  
(Regular Polls)

Date:

I, \_\_\_\_\_ was personally present at the polling place at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ when Eligible Voters of the Sqwá First Nation were to vote in a Ratification Vote concerning the Ratification Documents, and

1. I am an Eligible Voter.
2. I witnessed that the ballot box # \_\_\_\_\_ was empty before any votes were cast in the Ratification Vote.
3. I witnessed the Ratification Officer seal the ballot box and sign the seal.
4. I signed the seal, as requested by the Ratification Officer.

\_\_\_\_\_  
Witness

**CERTIFICATION BY RATIFICATION OFFICER**  
(Conclusion of Vote)

CANADA )  
 )  
Province of British Columbia )

I, \_\_\_\_\_, Ratification Officer for Sqwá First Nation in the Province of British Columbia, DO SOLEMNLY DECLARE THAT:

1. I was present at \_\_\_\_\_ on the \_\_\_ day of \_\_\_\_\_, 20\_\_ when Eligible Voters of Sqwá First Nation voted concerning approval of *the Sqwá Land Code* and Individual Agreement in accordance with the Sqwá Community Ratification Process.
2. A true copy of the Notice of Vote is attached as Exhibit "1" to this Declaration.
3. In accordance with section 7.1 of the Sqwá Community Ratification Process I posted the Notice of Vote at least 30 days prior to the first Official Voting Day.
4. The voting procedure, including the handling of Mail-in Ballots and the counting of ballots, was conducted in accordance with parts 12 to 22, both inclusive of the Sqwá Community Ratification Process.
5. The names of \_\_\_\_\_ Eligible Voters were listed on the final List of Voters.
6. The number of Eligible Voters who constituted a majority was \_\_\_\_\_.
7. The results of the Ratification Vote are as follows:
  - a. \_\_\_\_\_ Mail-in Ballots were cast in the Ratification Vote in accordance with part 16 of the Sqwá Community Ratification Process;
  - b. \_\_\_\_\_ paper ballots were cast in the Ratification Vote in accordance with parts 17 and 18 of the Community Ratification Process;
  - c. \_\_\_\_\_ Online Votes were cast in the Ratification Vote in accordance with part 15 of the Sqwá Community Ratification Process;
  - d. \_\_\_\_\_ ballots were marked as spoiled as provided in section 19.1 of the *Sqwá Community Ratification Process*;
  - e. \_\_\_\_\_ ballots were rejected as provided in section 16.9 of the Sqwá Community Ratification Process and not opened or deposited into a ballot box;

- f. \_\_\_\_\_ ballots were cancelled as provided in section 17.18 of the Sqwá Community Ratification Process;
- g. \_\_\_\_\_ ballots in favour of the Ballot Question were marked “YES” and counted;
- h. \_\_\_\_\_ ballots against the Ballot Question were marked “NO” and counted.

8. Based on the need to meet or exceed the number of Eligible Voters in item 7, the number of Eligible Voters in item 8, above, and the number of YES ballots in favour of the Ballot Question, the Ratification Documents were *approved/not approved* by the Eligible Voters.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the \_\_\_\_\_ )  
 \_\_\_\_\_ of \_\_\_\_\_ in the )  
 Province of British Columbia, this )  
 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. )  
 )  
 )  
 )  
 \_\_\_\_\_ )  
 A Commissioner for Oaths in and for the )  
 Province of British Columbia )

\_\_\_\_\_  
 Ratification Officer

**REPORT BY VERIFIER**  
(Conclusion of Vote)

CANADA )  
 )  
Province of British Columbia )

I, A.J (AJ) Gross of Kelowna, in the Province of British Columbia, DO SOLEMNLY  
DECLARE THAT:

1. I have personal knowledge of the matters hereinafter deposed to save and except where based on information and belief and where so based I verily believe the same to be true.
2. I was present at \_\_\_\_\_ on the \_\_ day of \_\_\_\_\_, 20 \_\_\_\_ when Eligible Voters of Sqwá First Nation voted concerning approval of the *Sqwá Land Code* and Individual Agreement in accordance with the Sqwá Community Ratification Process.
3. A true copy of the Notice of Vote is attached as Exhibit “1” to this Declaration.
4. In accordance with section 7.1 of the Sqwá Community Ratification Process the Ratification Officer posted the Notice of Vote at least 30 days prior to the first Official Voting Day.
5. In accordance with section 7.4 of the Sqwá Community Ratification Process, I arranged for the Notice of Vote to be published in the \_\_\_\_\_ the \_\_\_\_\_ at least 28 days prior to the first Official Voting Day.
6. In accordance with section 9.2 of the Sqwá Community Ratification Process, a copy of the Notice of Vote and the documents listed in section 9.1 were sent to each person on the List of Voters at their last known address at least 30 days prior to the first Regular Voting Day.

7. In accordance with sections 9.3 of the Sqwá Community Ratification Process, the following community information processes were carried out: door- to-door visits, community information meetings and telephone contacts were made in the community.
8. In accordance with section 10.1 of the Sqwá Community Ratification Process, the information package was sent to any persons who are not Members who hold an interest in Sqwá First Nation Land at least 28 days prior to the first Official Voting Day.
9. The names of \_\_\_\_\_ Eligible Voters were entered on the final List of Voters.
10. The number of Eligible Voters who constituted a majority was \_\_\_\_\_.
11. The results of the Ratification Vote are as follows:
  - a. \_\_\_\_\_ Mail-in Ballots were cast in the Ratification Vote in accordance with part 16 of the Sqwá Community Ratification Process;
  - b. \_\_\_\_\_ paper ballots were cast in the Ratification Vote in accordance with parts 17 and 18 of the Sqwá Community Ratification Process;
  - c. \_\_\_\_\_ Online Votes were cast in the Ratification Vote in accordance with part 15 of the Sqwá Community Ratification Process;
  - d. \_\_\_\_\_ ballots were spoiled as provided in section 19.1 of the Sqwá Community Ratification Process;
  - e. \_\_\_\_\_ ballots were rejected in accordance with section 16.9 of the Sqwá Community Ratification Process and not opened or deposited into the ballot box;
  - f. \_\_\_\_\_ ballots were cancelled in accordance with section 17.18 of the Sqwá Community Ratification Process;
  - g. \_\_\_\_\_ ballots were rejected in accordance with section 16.9 of the Sqwá Community Ratification Process;
  - h. \_\_\_\_\_ ballots were marked "YES" for the Ballot Question;
  - i. \_\_\_\_\_ ballots were marked "NO" for the Ballot Question.
12. Based on the number of ballots marked "YES" in item 11(h) above, the Ratification Documents were **approved/not approved** by the Eligible Voters.

13. I received \_\_\_\_\_ objections filed in accordance with section 23 of the Squá Community Ratification Process. I completed all necessary investigations and determined that \_\_\_ of these objections was valid.

AND I MAKE THIS SOLEMN DECLARATION conscientiously believing it to be true and knowing that it is of the same force as if made under oath and by virtue of the *Canada Evidence Act*.

DECLARED BEFORE me at the )  
\_\_\_\_\_ of \_\_\_\_\_ in the )  
Province of British Columbia, this )  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. )  
)  
)  
)  
\_\_\_\_\_)  
A Commissioner for Oaths in and for )  
the Province of British Columbia )  
)

\_\_\_\_\_  
A.J. (AI) Gross, Verifier

**Form 14**  
**Submission to Verifier at Conclusion of Vote**

**FIRST NATION COUNCIL RESOLUTION**  
(Submission to Verifier at Conclusion of Vote)

WHEREAS the *Sqwá Land Code* and the Individual Agreement were submitted to a Ratification Vote at Sqwá First Nation on the \_\_\_ day of \_\_\_\_, 20\_\_;

AND WHEREAS the Verifier has reported that the Ratification Vote was conducted in accordance with the Sqwá Community Ratification Process confirmed by the Verifier;

AND WHEREAS the Eligible Voters approved these documents at the Ratification Vote held on the \_\_\_ day of \_\_\_\_, 20\_\_;

NOW THEREFORE the Council of Sqwá First Nation, in accordance with the *Framework Agreement on First Nation Land Management and* section 25.2 of the Sqwá Community Ratification Process, do hereby resolve to send to the Verifier a true copy of the fully signed Individual Agreement hereto attached as Annex "1" and the approved *Sqwá Land Code*, attached hereto as Annex "2", for certification by the Verifier.

This resolution is supported by the undersigned and passed this \_\_\_ day of \_\_\_\_, 20\_\_.

**Quorum of Council:** \_\_\_\_\_

\_\_\_\_\_  
Chief  
\_\_\_\_\_  
Councillor  
\_\_\_\_\_  
Councillor  
\_\_\_\_\_  
Councillor

\_\_\_\_\_  
Councillor  
\_\_\_\_\_  
Councillor  
\_\_\_\_\_  
Councillor  
\_\_\_\_\_  
Councillor

**CERTIFICATION OF SQWÁ LAND CODE**

WHEREAS the *Sqwá Land Code* and the Individual Agreement were submitted to a Ratification Vote at Sqwá First Nation on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_;

AND WHEREAS I have reported that the Ratification Vote was conducted in accordance with the Sqwá Community Ratification Process confirmed by me as the Verifier;

AND WHEREAS the *Sqwá Land Code* and the Individual Agreement were approved by the Eligible Voters at the Ratification Vote on the \_\_\_ day of \_\_\_\_\_, 20\_\_\_;

THEREFORE, I hereby certify the *Sqwá Land Code*, attached as Annex #1 hereto.

Dated at \_\_\_\_\_ this \_\_\_ day of \_\_\_\_\_, 20\_.

\_\_\_\_\_  
A,J. (AI) Gross, Verifier