



Kwikwetlem First Nation
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k^wik^wəłəm

CUSTOM ELECTION CODE FACT SHEET

Commonly asked Question and Answers by Community Members

Q: Why is there an Oath requiring confidentiality by members of the Custom Code Election Committee? Shouldn't the process be transparent and open to membership?

A: Like most committees, members are required to sign a Terms of Reference which typically includes a confidentiality clause. This Oath is no different than these previous Terms of Reference documents. Members are expected to maintain a moral level of confidentiality given the nature of what is discussed at their meetings. The Oath, as always, is there to protect the Committee and the Nation itself.

Q: Why are we amending the code now?

A: The current Custom Election Code was ratified in 2013. Good governance, and best practices, recommend revisiting the code on a consistent basis. Since 2013, the k^wik^wəłəm government has identified some gaps in the code as well as some technical inconsistencies which should be addressed.

Q: Are American or other non-Canadians able to run for elections?

A: No, according to our current code this is unallowed. Although we do have many members who reside in the United States, we may want to keep this requirement in our Custom Election Code. A non-Canadian Citizen is not fully able to represent the fiduciary obligations of signing their name(s) on documents, checks, etc., unless they are a Canadian citizen or have dual citizenship, such as American and Canadian.

Q: Why are we using a consultant if in the past we have utilized the skills and resources of our members who created our last Custom Election Code in 2013?

A: While the current code was carefully drafted and subsequently ratified, it has some technical inconsistencies that we have identified. By hiring a consultant who has experience in drafting Custom Election Codes for First Nations, as well as other related facets of governance, we will be in a better position of having a more consistent and succinct Custom Election Code.

Q: Can we change the number of elected Councilors / Yewal Siya:m through this process?

A: Yes, the current review of the code can address the number of leaders.