

**THE KESPU'KWITK METIS COUNCIL
CONSTITUTION
AND
BY-LAWS**

Amended September 2016

Amended June 2018

Amended November 10, 2020

Amended September 2024



KESPU'KWITK METIS COUNCIL

Contents	Page No.
CONSTITUTION	4
Our Purpose	4
Our Values	4
Our Vision.....	4
Our People	5
CORPORATE SEAL	5
HEAD OFFICE.....	5
BY-LAWS	6
Name and Territory	6
Purpose of the Kespu'kwitk Métis Council	6
Conditions of Membership.....	6
Specified Age and Terms.....	8
Elections and Appointments	8
Elders	8
Elders Council.....	9
Appeals	10
Women's Council	10
Terms of Office.....	10
Vacancy of the Kespu'kwitk Métis Council Executive	11
Meetings.....	11
22) REVOKED	11
Powers of the Executive and Officers	12
Execution of Documents.....	13
Other Meetings and Quorum.....	13
Voting Members	14
Financial Year.....	14
Amendments of By-Laws & Constitution	14
Books and Records	15
Auditor	15

Duties and Powers of the President.....	16
Duties and Powers of the Vice President	16
Duties and Powers of the Secretary	16
Duties and Powers of the Treasurer	17
Card/Membership Administrator	17
Decision Making	18
Interpretation.....	18
37) REVOKED	18
Fund Raising	18
Indemnity	18
Removal	18
41) “Revoked”	19
42) “Revoked”	20
43) “Revoked”	20
Executive Meeting	20
Conditions	20
Executive Accountability to the Membership.....	21
By-Laws.....	21
Partnership, Accountability and Transparency	21
Mi’kmaq Rights	23

THE KESPU'KWITH MÉTIS COUNCIL CONSTITUTION

September 2016

Amended September 2024

Our Purpose

The Kespu'kwitk Métis Council was created and exists to foster, promote, and preserve our Métis identity and heritage. We will strive to provide education, training, business opportunities and leadership so that our people can reach their full potential and realize economic, cultural, social and spiritual wellness, while becoming more economically independent and self-reliant.

Our Values

The ultimate authority within the Kespu'kwitk Métis Council is the Métis membership. Control from the membership is ensured by the organizational structure of the Kespu'kwitk Métis Council, which takes into account the traditional values of our ancestors, with the belief that the whole community is more important than an individual or group of individuals.

Our Vision

As Indigenous People of Canada, recognized under section 35 of the *Constitution Act*, 1982 as stated by the Supreme Court of Canada in *Daniels v. Canada (Indian Affairs and Northern Development)*, 2016 SCC 12, we believe that all Métis are Indian under the *Constitution Act* 1867 sub-section 91 (24) and will be granted rights. We share a distinct role with our Indian, Inuit, and non-status Indian friends. It is our ultimate goal to become self-governing as laid out in the final report of the Royal Commission on Indigenous Peoples. Once again, for our ancestors, our families, and our future generations, we shall become known as “The people who own themselves”.

Our People

The membership of the Kespu'kwitk Métis Council comprises all those Métis or non-status Indigenous People who are registered with the Kespu'kwitk Métis Council.

For us, the coming together of Métis People is a historic moment for Métis People in Nova Scotia.

CORPORATE SEAL

1. The seal, an impression whereof is stamped in the margin hereof, shall be the seal of the corporation.

HEAD OFFICE

2. The head office of the Kespu'kwitk Métis Council shall be situated in the place, or Town of Yarmouth, and the province of Nova Scotia, specified in the Letters Patent, at such address as the board may, by resolution, determine. Subject to the Act, the Corporation may, by a by-law, change the place or municipality and the province in which the registered office of the Corporation shall be situated. A copy of the by-law approved by 50% + 1% of the votes cast in favor of the by-law shall be filed with the Minister.

THE KESPU'KWITK MÉTIS COUNCIL

BY-LAWS

Name and Territory

- 1) The name shall be the Kespu'kwitk Métis Council, further referenced in these bylaws as "KMC".
- 2) The territory shall encompass all of Nova Scotia and in the town of Yarmouth, Nova Scotia.
- 3) The Kespu'kwitk Métis Council was incorporated on 24 November 1999, under section 35 of the *Constitution Act*, 1982, and registered under the *Societies Act of the Registrar of Joint Stock Companies* in the Province of Nova Scotia (Registry Number 3039168), that a distinct Métis Society existed prior to European control circa 1650s.

Purpose of the Kespu'kwitk Métis Council

- 4) The Kespu'kwitk Métis Council shall serve and represent the Métis or non-status Indigenous People who are members.

Conditions of Membership

- 5) Membership in the Kespu'kwitk Métis Council shall be limited to Métis or non-status Indigenous persons who are at least 12 years of age and interested in furthering the objectives of the Kespu'kwitk Métis Council. Métis or non-status Indigenous persons, from the ages of 12 to 17 years (inclusive), may apply for a junior membership; however, they shall have no vote.

- a) To gain membership within the Kespu'kwitk Métis Council, applicants must meet the criteria under section 35 of the *Constitution Act*, 1982. Further, in reference to the Supreme Court of Canada decision in *Daniels v Canada* at paragraph 46:

A broad understanding of "Indians" under s. 91(24) [of the *Constitution Act*, 1867] as meaning "Aboriginal peoples" resolves the definitional concerns [...] s. 91(24) includes all Aboriginal peoples, including Métis and non-status Indians.

The Supreme Court of Canada finds that sections 35 and 91(24) should be read together.

- b) A Métis person is a person of Indian and European ancestry who self-identifies as Métis and is accepted within the Métis community, by birth or adoption.
 - c) Membership is obtained through application. Cards of the Kespu'kwitk Métis Council shall be the property of the Kespu'kwitk Métis Council; cards will be valid for a five (5) year period from the date of issuance. The cost of membership cards will be determined by the Executive on a yearly basis. Membership may be withdrawn by the Executive.
 - d) A person who meets the criteria in this section may become a member of Kespu'kwitk Métis Council.
 - e) **REVOKED**, September 17, 2024.
 - f) Members whose yearly dues are not paid in full are considered not in good standing; if, after three (3) years, the dues are still unpaid your membership/file will be considered inactive. Should dues still be outstanding at the end of five (5) years, your membership/file will be closed. A person wishing to rejoin KMC must repeat the entire application process.
 - g) If a member's file is inactive or closed, they will be required to pay a reactivation and card remake fee in order to reactivate their membership.
- 6) a)** Any authority within the Kespu'kwitk Métis Council shall be based on mutual respect, co-operation, sharing, tolerance, honour, honesty, and integrity. Breach of these concepts may subject any member to disciplinary action.
- b) A member may be removed as member of the Kespu'kwitk Métis Council and their membership card forfeited if it is recommended by the Kespu'kwitk Executive that the member be removed due to a breach of Section 5 and/or 6(a). This recommendation must be approved by the Elders' Council and Women's Council, by a majority vote of 50% + 1 of those present at the meeting. Upon removal, the member shall turn in his or her membership card to the President.

7) The head office shall be located in the County of Yarmouth, in the Province of Nova Scotia, address to be determined as and when required by the Executive.

Specified Age and Terms

8) Elected or appointed representatives of the Kespu'kwitk Métis Council must be at least 18 years of age, a resident within the territory, and be a member in good standing.

Elections and Appointments

9) The President, Vice-President, Secretary, and Treasurer shall be elected or appointed as provided for in sections 10 and 11.

10) The presidential candidates shall be nominated by the membership then selected by the membership by majority vote at the Annual General Assembly (further known as "AGM"). This appointment is for a 2 to 3 year term, (unless otherwise ratified by the membership), or as long as the President holds the confidence of the Kespu'kwitk Métis Council membership and is up for review yearly at the AGM. The President is responsible to, and takes direction from, the membership and its Executive.

a) If no suitable replacement can be found after a 2 to 3 year term, the President can be reinstated and ratified by majority vote at the AGM.

b) Before a member can hold the position of President or Vice-President of the Kespu'kwitk Métis Council, they must be sitting on the Executive for at least two (2) years (unless otherwise ratified by the membership).

11) The Vice-President, Secretary, and Treasurer shall be elected by the membership for a three (3) year term in the same manner as the President.

Elders

12) Elders are members of the Kespu'kwitk Métis Council who are considered to be knowledgeable in their culture, traditions, and beliefs; they are to be held in high esteem within

their communities. They do not have to be elderly to be considered an Elder. Elders must always be given the utmost respect; their views are to be listened to and their advice considered, as they are our advisors and teachers. Elders are advisors to all of the members and therefore may not hold any political (i.e., Executive) positions. It is their responsibility to remain neutral.

- a) Executive positions are President, Vice-President, Secretary, Treasurer, and Captain of the Hunt.
- b) In order for the Elders to hold a political (i.e., Executive) position, they must first resign from the Elders' Council.
- c) Elders are to be voted in by their Council membership.
- d) An Elder who has a criminal record for which no pardon has been granted shall not be considered as a candidate.
- e) An elected Elder who is convicted of a criminal act must forfeit his/her appointment.
- f) There are no more than eight (8) Elders.

Elders Council

13) a) The Elders' Council is autonomous.

b) The Elders' Council shall comprise Elders from within the Kespu'kwitk Métis Council. Although they may be removed as an Elder for just cause, they will still have a voice within the Kespu'kwitk Métis Council as a regular member.

c) The Head Elder shall be elected by the Elders for a period of three (3) years. The election will occur at the Annual General Assembly.

d) The Head Elder may be removed by a vote of 65% by the Elders' Council.

e) The deputy head Elder shall be elected by the Elders, for a period of three (3) years at the Annual General Assembly.

f) The Deputy Head Elder may be removed by 65% of the vote by the Elders Council.

g) Should the Head Elder and/or Deputy Head Elder position(s) become vacant, the Elders Council may fill the position(s) by appointment until such time as an election is held. The election shall be held at the soonest possible opportunity or at the Annual General Assembly Meeting, whichever comes sooner.

h) Elders may attend any Kespu'kwitk Métis Council meeting by invitation of the Head Elder.

i) Elders, unless just cause has been demonstrated, are unable to terminate duly elected or appointed executive positions unless the individual in question has committed a criminal act or they are unable to perform their duties effectively.

Appeals

14) The Elders' Council shall act as an Appeal Board for members who do not agree with a Kespu'kwitk Métis Council decision. This pertains to a specific issue or grievance relating to a member or group of members on a particular decision, e.g.: removal of hunting rights.

a.) Appeals must be heard within thirty (30) days of the date of the Kespu'kwitk Métis Council decision in issue.

b) After receiving a written request for appeal of a decision of the Kespu'kwitk Métis Council, the Head Elder will gather all pertinent information regarding the matter for appeal and will convene an emergency meeting of the Elders' Council.

c) The Elders' Council will review all information and will make a non-biased decision, which will be considered final.

Women's Council

15) a) Kespu'kwitk Métis Council shall establish a Women's Council in order to deal with women's issues and concerns and to work closely with the Executive and Elders' Council on important issues.

b) The Women's Council is autonomous.

Terms of Office

16) a) Any Kespu'kwitk Métis Council Executive member may be impeached and removed from office by a majority vote of the Executive, at a duly constituted meeting held to

discuss the matter. This action is subject to ratification by the full membership of the Kespu'kwitk Métis Council. Refer to Section 40 for more details.

- b) In the case of the President, any such action is subject to the approval of the Elders and Women's Councils.
- c) These actions must be decided upon within thirty (30) days of notice of the removal of an Executive member and address the reasons why the member of the Executive should be impeached and removed.

Vacancy of the Kespu'kwitk Métis Council Executive

17) Any office shall be automatically vacated if one of the following occurs:

- a) They resign.
- b) They are unfit to perform the duties of the position.
- c) They die.
- d) They have been removed from office, pursuant to Section 16.

18) Should a vacancy exist, the Executive may fill it by appointment until such time as an election is held, at the soonest possible opportunity or at the Annual General Meeting, whichever is sooner.

Meetings

19) Meetings shall be held at least quarterly, at a specified location. Emergency meetings may be held as needed, provided forty-eight (48) hours' notice by fax or ninety-six (96) hours' notice by mail is given. **AMENDED (September 27, 2024)** to read: Meetings may be held quarterly, at a specified location, at the discretion of the Executive. Emergency meetings may be held as needed, provided forty-eight (48) hours' notice by email or social media, or ninety-six (96) hours' notice by mail, is given.

20) Regarding matters brought before the Kespu'kwitk Métis Council, all members shall have one vote each, except the President, who will be entitled to vote only in the event of a tie.

21) All meetings shall be opened with a silent prayer.

22) REVOKED

Powers of the Executive and Officers

23) a) All powers of the Executive come from the written bylaws and from the membership by vote.

b) The KMC Executive has the authority to appoint a C.E.O. (Chief Executive Officer) and other personnel required to perform tasks for KMC

c) The KMC Executive has the authority to make decisions on behalf of its members, provided that, following these decisions, they will be brought before the membership for approval.

d) The KMC Executive has the authority to pursue social and economic projects which they consider to be beneficial for KMC members.

e) The KMC Executive has the authority to formulate policies and present these to the KMC membership for ratification.

f) The KMC Executive has the authority to authorize expenditures other than budgeted expenditures.

g) The KMC Executive has the authority to recommend any changes to the constitution, bylaw or structure of KMC.

h) The KMC Executive has the authority to authorize any budgetary expenditure amount up to a maximum of \$1,200.00 (one thousand two hundred dollars) without membership approval.

i) The KMC Executive may represent KMC outside of Nova Scotia without Board approval.

j) The members of the Executive Committee shall be ex officio members of all standing and special committees of KMC.

k) The Economic Development Officer or CEO. (who is a member of the Executive) can speak on behalf of the KMC as they are involved in many undertakings on behalf of the Council. The position of Economic Development Officer/CEO is related to improving the quality of life of the Métis People.

Execution of Documents

24) The President, Vice-President, Secretary, and Treasurer, or such other members of the Executive as may be prescribed by KMC resolution passed at the Annual General Meeting (or at a duly constituted general meeting), are authorized to execute, on behalf of KMC, such contracts, deeds, bills of exchange, acts, and other instruments, or documents as may be required to be executed on behalf of KMC.

Other Meetings and Quorum

25)

a) The AGM (Annual General Meeting) is held once annually, normally during the month of September. Notice is provided via media including radio, newspaper, and our newsletter. Quorum is 50% + 1 of the Executive, as accepted at all meetings.

b) Thirty (30) days' notice shall be given to the membership of the Kespu'kwitk Métis Council prior to the Annual General Assembly. **AMENDED (September 17, 2024)** to read: Fifteen (15) days' notice shall be given to the membership of the Kespu'kwitk Métis Council prior to the Annual General Assembly.

c) All Kespu'kwitk Métis Council meetings shall be held within Nova Scotia.

d) Thirty (30) days' notice shall be given to the membership prior to regular meetings. Announcing the upcoming meeting at the end of the prior regular meeting will be considered sufficient notice to the membership. **AMENDED (September 17, 2024)** to read: Fifteen (15) days' notice shall be given to the membership prior to regular meetings. Announcing the upcoming meeting at the end of the prior regular meeting will be considered sufficient notice to the membership.

e) If a meeting will be dealing with special matters, sufficient information shall be posted with the notice. Special matters refers to matters not in the ordinary course of

business and includes, but is not limited to, removal of Executive, Elders and members; large expenditures; and decisions regarding court actions.

- f) Each voting member shall have only one vote.
- g) Proxy votes are allowable for members in good-standing, as long as the signature and card number of the absent member is present on an acceptable form.

Voting Members

26) a) All regular, card-carrying members in good standing of the Kespu'kwitk Métis Council shall be allowed to vote at the Annual General Meeting, or at any other general meeting.

b) Subject to Section 5, all members eighteen (18) years of age and older may vote.

c) Any member invited by the Executive or an Elder may attend a Kespu'kwitk Métis Council Executive meeting; however, they will have no voice or vote.

d) Any member may be removed from any Kespu'kwitk Métis Council meeting if it is determined, by the Chairperson that said member is disruptive to the meeting.

Financial Year

27) The fiscal year for the Kespu'kwitk Métis Council shall be from June 1st to May 31st of the following year.

Amendments of By-Laws & Constitution

28) a) The by-laws and constitution may be amended from time to time and enacted by a majority of the Executive. This will be achieved by the Executive at duly authorized and constituted meetings. These changes are subject to ratification by the full membership at the Annual General Meeting.

b) Two-thirds (2/3) majority vote of the members present at the AGM shall constitute acceptance of said changes.

c) The Executive shall, within fourteen (14) days of the amendment being passed, issue a report for circulation to the membership through the locals. As well, a full report shall be issued annually.

d) Members have the right to call a general meeting to discuss these amendments or other special concerns, provided that thirty (30) days' notice is given to the Executive.

e) It is the responsibility of said member(s) to host the meeting within their local, provided that the repeal or amendment of such by-laws shall not be enforced or acted upon until the approval of the Minister of Industry has been obtained.

f) Any amendments or additions to these by-laws shall be constructed in a clear and concise manner, bearing in mind the spirit and intent of the by-law, amendment or addition in question so that the Kespu'kwitk Métis Council of Yarmouth and District Executive shall not be constrained by the technical definitions of the language.

g) Any amendments or additions to these by-laws shall only be enforced after a full year has passed, at the next AGM.

Books and Records

29) a) The members of the Executive will see that all necessary books and records of the Kespu'kwitk Métis Council required by these by-laws, or any applicable statute or law, are regularly and properly kept by the treasurer and secretary, with the exception of genealogy records (for privacy purposes).

b) All financial documents, including yearly audits are available to all members for inspection upon forty-eight (48) hours written notice being given to the treasurer.

c) The safekeeping of the genealogy records shall be the responsibility of the Genealogy committee and shall be carried out in accordance with the purpose and principles of protection of privacy legislation in mind.

Auditor

30) The accounts of the Council are to be audited by an unbiased individual annually; the Executive shall decide upon this individual. The audit shall be done one month prior to the Annual General Assembly, and must be appointed by the members. Account procedures are for small non-profit organizations.

Duties and Powers of the President

31) a) The President of Kespu'kwitk Métis Council shall be the sole spokesperson for the KMC and shall represent the Council along with the KMC Executive to all local, provincial, federal and all other bodies the Kespu'kwitk Métis Council has dealings with. The President can attend any unofficial meeting without the consent of the KMC Executive; however, official business of the Kespu'kwitk Métis Council cannot be discussed.

b) The President shall have a voice, but no vote, in any meetings of the Kespu'kwitk Métis Council unless a tie-breaker vote is required.

c) For further clarification, the President has no powers other than those specifically given by the membership.

d) The President will also see that all orders and resolutions of the Executive are carried into effect.

Duties and Powers of the Vice President

32) a) The Vice-President will also see that all orders and resolutions of the Executive are carried into effect.

b) In the absence of the President, the Vice-President will perform the duties and exercise the powers of the President as laid out in section 31.

c) The Vice-President shall also perform other duties as directed by the Executive from time to time.

Duties and Powers of the Secretary

33) a) The Secretary shall be responsible to attend all meetings and act as clerk thereof, taking minutes and records of all votes and proceedings.

c) The Secretary shall also be responsible for giving notice of all meetings to the members of the Kespu'kwitk Métis Council.

Duties and Powers of the Treasurer

- 34)** a) The Treasurer shall have custody of the funds of the Kespu'kwitk Métis Council and shall keep full and accurate accounts of all assets, liabilities, receipts, and disbursements of the Kespu'kwitk Métis Council in the books belonging to the Kespu'kwitk Métis Council. The Treasurer shall deposit all monies and valuable effects in the name of and to the credit of Kespu'kwitk Métis Council in a chartered bank, credit union, or *caisse populaire* as may be designated by the executive from time to time.
- b) The Treasurer shall disburse these funds as directed by the Executive taking proper vouchers/receipts, and shall render to the President and Executive at the regular meetings of the Executive, or whenever they require it, an accounting of all transactions and a statement of the financial position of the Kespu'kwitk Métis Council.
- c) KMC requires a minimum of two (2) authorized signatures on any financial disbursement.
- d) Payee and amount must be stated on any cheque (or similar commodity) before requesting an authorized signature.

Card/Membership Administrator

35) The card/membership administrator is a non-voting position and shall be appointed by the Executive for a period of three (3) years. This position may be held by any Executive member or may be transferred to any member outside the Executive as long as the Executive agree upon the person designated as the card/membership administrator. Card administration may also be performed by the KMC office administrator. The duties of the card/membership administrator shall include, but may not be limited to:

- a) Secure numbers for the membership cards
- b) Make and sign the membership cards
- c) Confirm the genealogy
- d) Keep a database of all membership

Genealogy reports are accepted when they are researched by Le Musée Acadien, by L'Université Sainte Anne, or by a respected professional person with genealogy experience.

Decision Making

36) All decisions shall be made by majority vote of the members present unless specifically provided for elsewhere in these by-laws.

Interpretation

37) REVOKED

Fund Raising

38) The Executive may authorize a committee to enter into fund-raising agreements with third parties.

Indemnity

39) Every Executive or officer of the Kespu'kwitk Métis Council or other person who has undertaken or is about to undertake any liability on behalf of the Kespu'kwitk Métis Council, (including any company controlled by that person, their heirs, executors and administrators estate and effects respectively), shall at all times be indemnified and saved harmless out of the funds of the Kespu'kwitk Métis Council from and against:

- a) All costs, charges and expenses which such person sustains or incurs in or about any action, suit or proceedings against such person in connection with the execution of the duties of such person's office(s) or in respect of any such liability.
- b) All other costs, charges and expenses which such person may sustain or incur in connection with the execution of the duties of such person's office.
- c) However this section does not cover such costs, charges or expenses as are occasioned by such person's own willful neglect, default, or misfeasance.
- d) KMC **must** carry office lifelong and Executive liability insurance.

Removal

40) The Kespu'kwitk Métis Council may suspend or remove an Executive member for the following reasons so long as the prohibited action in question takes place during the council member's term of office:

- 1) Failure to attend three (3) regular or special meetings consecutively, absent with good cause as defined by ordinance, which shall include provisions for leave for the following reasons: sickness, vacation, death in the immediate family, and failure to receive adequate notice of the meeting

2) Final conviction by tribunal or court of any of the following offenses:

- a) An offence found in the criminal code, indictable offences, or a hybrid offence where the Crown proceeds indictable, except where it is solely for the purposes of dealing with the limitation period
- b) Any sex related crime
- c) Drunk and disorderly conduct or its equivalent
- d) Three (3) summary conviction offences while serving on the Kespu'kwitk Métis Council
- e) Contempt of court.

3) Gross neglect of duty or gross misconduct

a) A Kespu'kwitk Métis Council member appealing a conviction of an offence listed in **40(2)** may be suspended pending the outcome of the final appeal.

b) The Kespu'kwitk Métis Council member suspended or removed under article **40 (1) or (2)** shall be by majority vote of the Kespu'kwitk Métis Council. The Kespu'kwitk Métis Council member suspended or removed under article **40 (3)** shall be by a majority vote by members of the Kespu'kwitk Métis Council executive.

4) Derelict of duty, lack of confidence, and not collaborating with the directions by its members or Executives.

5) Once an Executive is removed under any section of our by-Laws, they cannot hold an Executive position again.

6) When an Executive is in conflict, they must remove themselves voluntarily.

41) "Revoked"

42) “Revoked”

43) “Revoked”

Executive Meeting

44)

a) The Executive meeting will consist of a president, vice president, secretary, treasurer and chair of each committee.

b) The general public and members cannot attend Executive meetings; only the Executive and committee members who have signed a confidentiality report may attend.

c) Executive meetings are held monthly, excluding July and August; quorum and voting rights are stipulated in our by-laws (see section 25).

Committees

45) The following committees are responsible to the membership: (The Chair of each is a member of the Executive)

- a) Captain of the Hunt
- b) Women’s Circle
- c) Youth Council
- d) Genealogy Committee
- e) Education Committee
- f) Spiritual Committee
- g) Cultural Committee
- h) Indigenous and Constitutional Rights
- i) Social and Economic Development
- j) Any future committee recognized by the Executive and its membership
- k) Special Events

Conditions

46) 1) Conditions of membership are by Application.

2) The Officers are elected at the Annual General Assembly held in September. Terms of office: three (3) years. Powers: as per Section 23. Remuneration: strictly volunteer. Removal: as per Section 40.

3) Our Constitution and by-laws can only be ratified at our Annual General Assembly as per Section 28 (of our by-laws).

Executive Accountability to the Membership

47) Accountability

- 1) The Executive is accountable to the membership in all facets of our organization.
- 2) The Executive decisions are made monthly, unless emergency situations dictate otherwise.
- 3) The membership is advised of all business and financial transactions at our quarterly meetings. **AMENDED (September 17, 2024)** to read: The membership is advised of all business and financial transactions at our annual meetings.
- 4) The dates of our quarterly membership meetings are provided to the membership thirty (30) days in advance. **AMENDED (September 17, 2024)** to read: The dates of our quarterly membership meetings are provided to the membership fifteen (15) days in advance.
- 5) Our financial statements are always presented at both the Executive and the Membership meetings. Members are also made aware of all business and/or other occurrences at the Quarterly Meetings.
- 6) Members are provided with advance notice of any extraordinary meeting via media, email and/or telephone. **AMENDED (September 17, 2024)** to read: Members are provided with advance notice of any extraordinary meeting via social media, email and/or telephone.

By-Laws

48)

Partnership, Accountability and Transparency

A partnership is defined as “a group of stakeholders brought together from a range of organizations, to be responsible to overcome mainly long-term challenges and opportunities in which they have a shared interest” where the partners:

1. Are otherwise independent bodies
2. Agree to co-operate to achieve a common goal(s).

Each partnership must:

3. a) Maintain the integrity and identity of each organization so as not to devalue any or promote one at the expense of the other(s).
- b) Have a clear set of goals and objectives that can be seen to help Council fulfill its mandate.
- c) Have an agreed upon plan with an appropriate timeline to reach the(se) goal(s).
4. Create a new organizational structure or process to achieve the(se) goal(s) separate from their own organizations.
5. Clearly specify the resource(s) (time, money, knowledge) required of each organization.
6. Plan and implement a joint agreed program, often with joint staff or resources.
7. Outline the means through which information will be disseminated and finances will be managed.
8. Share relevant information.
9. Pool risks and rewards.
10. An organization which wishes to amalgamate/affiliate and/or become associated with Kespu'kwitk Métis Council in one or more ventures, it must be stipulated that prior to a member of their organization being eligible for the position of President or Vice President and a member of the Executive "with voting privileges" there will be a three (3) year moratorium prior to eligibility. The sole exception to this ruling shall be "should/when the full Executive votes in favour of accepting an individual with less than the three (3) year moratorium."
11. Accountability is defined as the fashion on which partnerships operate and represents good practice through representatives and participative democracy; there is clarity on where responsibility and accountability lie in the partnership.
12. Transparency is defined as clarity on how partnerships operate and on what and how decisions are made. They are open to scrutiny.

13. This section (48) outlines the steps to forming partnerships. Operating in a successful partnership allows organizations to most effectively use their resources and talents. Forming a partnership utilizes much thought, preparation, and diligence; however, the benefits of partnering can be huge.

When entering into a partnership agreement, KMC Staff or Council Members will be decided by a membership meeting.

The Council will only join in partnership if it can resource the investment (of time, knowledge and money) required to effectively do so.

In no way does entering into a partnership entitle members of respective organizations to sit on each other's boards or maintain Executive positions (unless otherwise agreed to by the partners). In such cases, members of partnering organizations are only eligible for the position of President or Vice-President or any other member of the Executive "with voting privileges" with the KMC after first serving a three (3) year moratorium. The sole exception to this ruling, as described in section 48(10), shall be "when the full Executive votes in favour of accepting an individual with less than the three (3) year moratorium."

Mi'kmaq Rights

49) The Kespu'kwitk Métis Council (KMC) and its members are to respect our cousins the Mi'kmaq People and their treaty rights.