

## INFORMATION PACKAGE

### ASHCROFT INDIAN BAND MAY 1, 2025 ELECTION

#### The May 1, 2025 Election

The May 1, 2025 election of Chief and Council is being held under the *First Nations Elections Act* ("*FNEA*") and *First Nations Elections Regulations* ("*FNER*").

#### Eligibility for Election

To be eligible for election to Chief and Council, a person:

- (a) must be an Ashcroft Indian Band member, 18 years or older on the date of the election: See *FNEA* s. 9(1);
- (b) cannot have been convicted of an offence under *FNEA* within five years prior to the election: See *FNER* s. 40;
- (c) must both be nominated for election and have his or her nomination seconded either:
  - (i) at the nomination meeting on March 4, 2025 at the Roundhouse, 380 Cornwall Road, Ashcroft, BC V0K 1A0, from 4 pm to 7pm; or
  - (ii) using the mail in nomination package forwarded by mail to the electors by the Electoral Officer: See *FNEA* s. 9(3) and *FNER* ss. 5(1) and (2); and
- (d) must submit to the Electoral Officer or Deputy, by 6:00 PM on March 7, 2025, a signed declaration confirming his or her candidacy, and eligibility to be a candidate: See *FNER* paragraph 5(2)(k). This declaration form is provided by the Electoral Officer.

#### Who Gets to Vote?

Four groups get to vote:

- (a) anyone admitted to membership in the Band prior to 1997;
- (b) all persons entitled to "automatic membership" under either sections 3 or 4 of the *Membership Rules* of the Band, after 1996;
- (c) persons whose application to transfer their membership to the Band after 1996 was accepted in a Band membership vote; and
- (d) persons admitted as discretionary members of the Band in the Membership Admission Vote held on January 25, 2024.

Please see the *Membership Rules Regulation* of the Band, section 4.2.

### **The Court Decision**

It was determined in *Pittman et al v. Ashcroft Indian Band* 2022 FC 1380 (F.C.) (the “**Court Decision**”), that Band membership votes to admit new members were not held after 1996: See paragraphs 16 and 63. Instead, the Band adopted the practice of automatically admitting to membership, children having only one Band member parent, without a Band membership vote: See paragraph 63. The court determined that all these post 1996 discretionary memberships were not lawful, because there was no Band membership vote.

### **The January 25, 2024 Membership Admission Vote**

The Court Decision provided that persons who were admitted to discretionary membership in the Band after 1996, had until April 5, 2024 to have their membership confirmed in a Membership Admission Vote. Failing such confirmation, their membership would be lost as of April 6, 2024.

The Band gave all those persons admitted to discretionary membership after 1996, the opportunity to have their discretionary membership confirmed, by way of the January 25, 2024 Membership Admission Vote. 81 persons applied and all were confirmed as members by that vote.

Many such persons did not apply, and as a result lost their membership in the Band as of April 6, 2024.

Those persons who lost their membership in the Band as of April 6, 2024, are not eligible to be nominated for office, to make or second a nomination, or to vote either in the May 1, 2025 election of Chief and Council or in the May 1, 2025 Membership Admission Vote.

### **Questions**

Please contact the Membership Clerk at 250-453-9154 or by e-mail to [membership@ashcroftband.ca](mailto:membership@ashcroftband.ca), with any questions.