

Working Group on the Revision of the Code électoral

Summary of the Modifications Project to the Code de représentation de la Nation Wendat

CODE ÉLECTORAL

Theme	Articles Concerned	Currently	Proposed modifications	Explanations
Number of terms	Art. 3.1	Unlimited.	Limitation to three (3) consecutive terms for Elected Officials.	<p>The discussions weighed democratic freedom (letting the population decide) against the need to foster new leadership. The compromise reached recognizes the value of experience while avoiding the professionalization of elected positions.</p> <p>Three (3) consecutive terms provide a sufficient cycle to complete projects while ensuring the renewal of ideas and faces.</p>
Vacancy of position and by-election	Art. 4	If a position became vacant six (6) months before a general election, a by-election had to be held.	<p>If a position becomes vacant twelve (12) months before a general election, a by-election must be held within 3 months following the vacancy.</p> <p>However, in the case of the Grand Chief position, if the vacancy occurs less than twelve (12) months before the General Election for that position, the Council shall attempt to appoint an interim Grand Chief and, failing that, a by-election must be held no later than three (3) months following the vacancy.</p> <p><i>Addition</i> of a possibility for the Council to postpone the by-election to the General Election.</p>	

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Grounds for vacancy of position and grounds for ineligibility as Candidate	Art. 5 and 14.1	—	<i>Addition</i> of a new ground for vacancy of position: a violation of personal information confidentiality policies (Art. 70.1 to 70.3 of the <i>Code électorale</i>). <i>Addition</i> of an exception if found guilty in cases of defense or reasonable assertion of rights.	
Election methods	Art. 6 and 15	Preferential majority election (indicate 1, 2, 3 in order of preference) following an election by Family Circles.	The candidates with the greatest number of votes are elected and a return to X, +, √ or filled-in ballots.	The preferential method, introduced to increase representativeness, proved complex and sometimes misunderstood. The working group chose to return to simplicity and clarity, so that each vote counts directly and comprehensibly.
Decolonization of vocabulary		"Band" list.	"List of the Wendat Nation maintained in accordance with the rules of the Nation or the laws in force." "Wendat." Amendment to the title of the Code: Onywatenda'yerahutih de akhilihontha', Onkhierihahhtändihk (Commissioner of ethics and professional conduct), Hennennonhnhah' (Committee of Guardians).	
Abolition of Family Circles in the electoral process but possibility of maintaining them otherwise	Art. 9 et seq.	—	Abolition of Family Circles in the electoral process but possibility of maintaining them otherwise	Family Circles are no longer proportional to the number of members they represent. The working group concluded that it was necessary to return to a simple and open system where any Wendat with voter status

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				can stand as a candidate, without Family Circles limitations.
Incompatibility of functions	Art. 14.2	—	<i>Addition</i> of an incompatibility of function between the position of Elected Official and member of a municipal Council or elected at the provincial or federal level.	
Appointment of Election President	Art. 19	By the Council.	Public competition or public call for tenders supervised by Hennennonhna'. The appointment is then confirmed by resolution of the Council.	
Duration of electoral Period	Art. 46	Fifty-one (51) days.	Forty (40) days.	The fifty-one (51) day campaign duration was considered too long and costly. The shortening allows: <ul style="list-style-type: none"> ○ reduction of voter and candidate fatigue; ○ better focus of the debate on real issues; ○ simplification of the Election President's work.
Tie or insufficient Positions	Art. 153 para. 2 and 61.1	—	<i>Addition:</i> by-elections must be held within two (2) months in the first case and within six (6) months in the second case.	
Provisions concerning the protection/confidentiality of personal information	Art. 70.1 to 70.3	—	<i>Addition:</i> provisions providing for the confidentiality of information, particularly that contained in the electoral list, and the accountability of the Candidate who obtained the list.	The coming into force of "Bill 25" in Quebec and the increased importance given to the protection of personal information in our society also influenced the modification of the Code, to ensure the protection of data collected for an election.

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Electronic voting	Art. 99.1	—	<i>Addition:</i> provision allowing for the possibility of electronic voting.	Electronic voting will be permitted in case of postal strike, if technology allows.

ANNEXE 1 – RÈGLEMENT ÉLECTORAL

Theme	Articles Concerned	Currently	Proposed modifications	Explanations
Candidacy supported by Twenty (20) Signatures of Wendat Voters	Art. 53 of the <i>Code électoral</i> and form 2 c) and d) of the Regulation	Candidacy supported by a proposer and seconder only + 5% of the Family Circle and selection at the Family Circle assembly.	Candidacy supported by twenty (20) signatures of Wendat voters.	

ANNEXE 2 – ADDITION OF RÈGLEMENT CONCERNANT HENNENNONHNHA' AND ABOLITION OF RÈGLEMENT CONCERNANT LE CERCLE DES SAGES

Theme	Articles Concerned	Currently	Proposed modifications	Explanations
Oversight body for compliance with the <i>Code électoral</i> and Composition of Hennennonhnha'	Art. 1 and definitions	Cercle des Sages (eight (8) Sages).	Hennennonhnha' (five (5) guardians).	The Wendat who responded to the 2023 survey expressed attachment to the Cercle des Sages (82% wish to maintain it), but also a desire to better define its role (52% of Wendat wish to review its role). The Cercle des Sages would be maintained, but would remain apolitical and, as such, would no longer be involved in the <i>Code électoral</i> or the <i>Code d'éthique et de déontologie des élus du Conseil de la Nation Wendat</i> .

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Body for selection of Hennennonhnha' Guardians	Art. 2	By Family Circles.	For the first appointees: Working Group on the Revision of the Code électoral. For subsequent Guardians: The Selection Committee composed of the Council Clerk, as well as two (2) Hennennonhnha' Guardians.	
Composition of Hennennonhnha'	Art. 3	Elders.	<p>At the absolute discretion of the Selection Committee from among: young Wendat, men and women, aged eighteen (18) to thirty-five (35), Wendat residing in Wendake, Wendat not residing in Wendake, as well as Wendat elders aged sixty-five (65) or older.</p> <p>The candidates sought for Hennennonhnha' stand out through their belonging within the Wendat Nation as well as their knowledge of its culture and traditions. Coming from diverse professional, social, and cultural backgrounds, these Guardians embody the Nation's values in both their personal and professional circles: respect, integrity, responsibility, honor, sharing, oral tradition, diplomacy, and alliances.</p>	The diversity of the Guardians in the composition of Hennennonhnha' makes it possible to reflect a variety of experiences and perspectives.
Term duration for Hennennonhnha' Guardians	Art. 4	Uniform term of four (4) years.	Staggered terms (three (3) members for four (4) years, one (1) member for three (3) years, and one (1) member for two (2) years) + one (1) renewal possible.	

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Obligation for Hennennonhnhha' to adopt a code of ethics and guidelines on remuneration	Art. 10 and 29 para. 3	—	Obligation to adopt a code of ethics and guidelines on remuneration.	
Functions of Hennennonhnhha'	Art. 12 to 14 and 19-20	<ul style="list-style-type: none"> - Right of oversight on regulations and resolutions; - Right to a referendum; - Must confirm an election; - Advisory power on elections and amendments to the <i>Code électorale</i>; - Power of recommendation to the Council; - Research power on any matter; - Role of advisor to the Council; - Role of mediator. 	<ul style="list-style-type: none"> - Must confirm an election; - Powers relating to elections and amendments to the <i>Code électorale</i>: <ul style="list-style-type: none"> o Annul an election; o Declare a vacancy in office (art. 5 of the Code); o Declare a candidate ineligible to stand for election (art. 14.1 of the Code).; o Role of advisor to the Council on any matter as needed. 	
Budget of Hennennonhnhha'	Art. 29	—	<i>Addition</i> of an annual budget for Hennennonhnhha' in cases where they must mandate external resources and for the remuneration of its members.	

ANNEXE 3 – RÈGLEMENT SUR LA PROCÉDURE ET LE FONCTIONNEMENT DES ASSEMBLÉES

Theme	Articles Concerned	Currently	Proposed modifications	Explanations
Procedure on petitions	Art. 16.1 to 16.3	—	<p><i>Addition:</i></p> <ul style="list-style-type: none"> - Any letter, request, petition, report, or any other document must be transmitted to the Council Clerk; - The Council Clerk tables this document at the session following receipt and informs the Council of the nature and origin of the document; - The Assembly President may also receive, during the first part of the question period or during the session, the physical filing of such a document, unless its content is vexatious; - A document filed with the Council is not subject to debate. The Assembly President may, however, authorize a question to clarify its scope. 	<p>The petition has risen in popularity over the past year, and the working group wished to provide provisions to regulate this mechanism.</p> <p>These new provisions will govern not only petitions, but also any letter, request, petition, report, or any other document intended to be submitted to the Council.</p>

ANNEXE 4 – CODE D'ÉTHIQUE ET DE DÉONTOLOGIE POUR LES ÉLUS DU CONSEIL DE LA NATION WENDAT

Theme	Articles Concerned	Currently	Proposed modifications	Explanations
<i>Addition</i> of a Commissioner for Ethics and Professional Conduct (Onkhierihahtändihk) who will fill the role of the Cercle des Sages regarding ethics and professional conduct	Definitions and Art. 12.1, 12.2 and 15.1	Cercle des Sages (eight (8) Sages).	Onkhierihahtändihk, who is Wendat and who has relevant experience (in law, for example), is appointed for four (4) years. They must mandate a lawyer to assist them.	Onkhierihahtändihk will be supported by an external lawyer and will be compensated per diem for each request.
Attendance and Absence of Elected Officials	Art. 9 para. 2 and 3	—	<i>Addition:</i> - Absence for more than three (3) consecutive months for serious reason: end of term at the Council's discretion, and if they remain in office = half of emoluments; - Absence for more than six (6) consecutive months = vacancy of position.	To remedy absences of Elected Officials for an indefinite duration.
Conduct Detrimental to the Honor and Dignity of the Position of Elected Official	Art. 10.1	—	<i>Addition:</i> provision prohibiting an Elected Official from behaving disrespectfully and engaging in conduct detrimental to the honor and dignity of the position of Elected Official.	
Defense Costs	Art. 24 and 25	—	<i>Addition:</i> provisions on defense costs and the Council's obligation to assume the defense of Elected Officials subject to a process under the Code of Ethics.	