

## **SCHEDULE “A”: ONLINE VOTING FRAMEWORK**

[Explanatory note: This Schedule has been added to the Rules of Procedures as of September, 23, 2020 to provide for online voting during Chiefs Assemblies that take place at a meeting that must be held by video-conference due to exceptional circumstances.]

### **APPLICATION**

I. This Schedule applies to the 2020 Annual General Meeting, which will be held online due to the COVID-19 pandemic and related provincial health and safety guidelines and precautions.

II. This Schedule may also apply in future Assemblies if, after considering advice from public health authorities, the Executive Committee decides that due to exceptional circumstances a meeting will occur at a time when it is unlikely that in-person voting can be done in a safe manner.

### **ONLINE VOTING**

III. Voting as set out in Section 51 of the Rules of Procedures for AFN Assemblies may be conducted using an internet-based system that facilitates confidential voting (an “Online Voting System”).

IV. For votes that take place using an Online Voting System:

(a) in respect of each poll, a member may exercise its one vote by having its member delegate or duly appointed proxy cast a vote using the Online Voting System;

(b) to be eligible to vote, i. a member delegate must be on the voters list and be present at the meeting, and ii. a proxy must be duly appointed and be present at the meeting;

(c) a member will be deemed to be “present” at the meeting for the purposes of the Bylaws, the Rules of Procedures for AFN Assemblies, the Charter of the Assembly of First Nations and this Schedule, if the member delegate or duly appointed proxy attends the videoconference in accordance with instructions provided by the Assembly of First Nations Secretariat as part of the meeting notice;

(d) member delegates on the voters list and duly appointed proxies who are present at the meeting will be provided access to the Online Voting System; and

(e) casting a vote in a poll using the Online Voting System will be deemed to be a “secret ballot” for the purposes of the Bylaws and Governance Manual.

f) in circumstances where a member delegate or duly appointed proxy wishes to publically declare their abstention or opposition to a vote, the Chair may publically enter this into the Record of Proceedings.

g) in circumstances where a delegate or duly appointed proxy cannot access the Online Voting System, the Registration Coordinator will make available an alternate means to cast a vote (i.e. vote by telephone.) In these circumstances, all other rules set out in this Schedule apply.

V. The specific Online Voting System to be used in an Assembly will be selected by the Executive Committee in consultation, and must:

(a) incorporate an authentication system to confirm that voters are entitled to vote and to restrict voting to one vote per member per poll;

(b) ensure the secrecy of the vote; and

(c) include security protocols and data and privacy protection measures.

## **MEETING TO CONTINUE DURING ONLINE VOTING PERIOD**

VI. The Chair of the Assembly, in consultation with the Resolutions Committee and the Registration Coordinator will determine when and for how long online voting will be open to members during the meeting (the “Online Voting Period”), provided that notice of the Online Voting Period is provided to members as part of the meeting notice.

VII. If at any time during the Online Voting Period there is no business being conducted other than online voting, then at such times:

(a) the meeting is deemed to be in session; and

(b) quorum requirements are deemed to be satisfied.

## **QUORUM**

VIII. Quorum will be established with a test vote for all voters each Day the Virtual Assembly begins through the Online Voting System or through alternate methods as identified by the Registration Coordinator.

## **COUNTING THE VOTES**

IX. For resolutions conducted in accordance with this Schedule, the Chair will:

a) confirm the final count of votes cast using the Online Voting System and read the results into the record before the meeting is adjourned.

X. The Registration Coordinator will:

a) generate and make a secure electronic record of votes cast, the voters list, the identities of members who cast votes using the Online Voting System, and any other record the Registration Coordinator deems appropriate (the “Electronic Record”) to allow for verification of the voting and results of the vote.

b) the Electronic Record made will be delivered to AFN’s head office, where it will remain for thirty (30) calendar days after the Assembly or such longer period as a court of competent jurisdiction may order. The Electronic Record may be accessed and/or inspected only in the presence of legal counsel for AFN.

XII. No one may challenge the voting results unless filing an appeal in accordance with the Bylaws.

## **RESOLUTIONS PROCESS**

XIII. The Executive Committee is empowered to alter the timeline for Resolutions to facilitate the hosting of a virtual Assembly.

XIV. The Executive Committee may choose to suspend the acceptance of all late resolutions until such a time when they may be dealt with.

XV. Resolutions that are not approved by the Executive Committee during a virtual Assembly will be dealt with at an Executive Committee meeting or a future Assembly and will be subject to all other criteria stipulated in the Resolutions Procedures.

## **Interpretation**

XIII. This Schedule is intended to be consistent with the Bylaws, Rules of Procedure for AFN Assemblies and the AFN Charter.

XIV. The Bylaws, Rules of Procedures for AFN Assemblies and the AFN Charter continue to apply to an Assembly conducted in accordance with this Schedule. To the extent that an inconsistency is identified between this Schedule and the Bylaws, the Bylaws will prevail to the extent of the inconsistency, and the remainder of the Schedule will continue to be valid and apply.