

19 March 2019

To: Electors of the Mamalilikulla Nation

From: Maggie Paquet, Electoral Officer

I have read the various comments about the election and the election code that many have posted on the Facebook page. I think it's important to explain why the election was held when it was.

The mandate of the current Chief and Council ends on 30 April 2019. Ideally, an election needed to be held before that date. There were two choices on how to proceed:

1. Take the time to do extensive community consultations, circulating various drafts to make any desired changes, and coming to agreement on the final version. Chances were very high that this would take much more time than was available before the current Chief and Council's mandate expired. That would leave your nation with no way to legally carry out the financial business of the nation. Until there was a new Chief and Council election, INAC would need to step in and manage your nation's business.
2. Hold the election before the mandate runs out using the election code that Council had previously agreed on.

These choices were weighed against the fact that there was an existing court order to hold an election before the current mandate ends. This was a result of the previous legal action that enabled your first election three years ago. The consensus was that the code did not need to be ratified to enable this recent election. I reviewed the election code and could find no clause to indicate the election would be disallowed.

As stated in the final election results document that I signed and posted last week, I mailed out nearly 300 packages containing the Notice of Nomination Meeting, the nomination form, and the voter/nominator identification form, along with a stamped, addressed return envelope so all electors for whom I had an address could send in their nominations. Of all the packages I mailed out, only 5 were returned by the post office as undeliverable. That meant that the vast majority of the packages were delivered to electors at the addresses they had provided to the band office.

After the acclamation results of the election were posted online, a number of electors contacted me to tell me that they did not know about the nomination meeting. However, when I asked them what their mailing address was, it was the same address that I mailed their package to, so I don't know why they wouldn't know about the nomination meeting. I realise that some people may have been away at the time the mail was delivered, and that sometimes mail gets lost or misplaced, but surely this would be for only a few and not nearly all of close to 300 that I sent out. The information about the election was also posted on the Facebook page, on the band's website, and in the newsletter, all in early February. So I'm not sure why people say they didn't know about the nomination meeting. I don't know what else an electoral officer can do to contact the electors.