



**NUNAVUT TUNNGAVIK INCORPORATED
CONSOLIDATED BY-LAWS**
(incorporating all amendments to August 26, 2010)

Contents of By-Laws

Article 1	-----Interpretation
Article 2	-----Objects
Article 3	-----Members
Article 4	-----Meetings of Members
Article 5	-----Board of Directors
Article 6	-----Executive Authority and Activity
Article 7	-----Lands
Article 8	-----Income
Article 9	-----Language of Work
Article 10	-----Public Accountability
Article 11	-----Principal Office
Article 12	-----Seal
Article 13	-----Auditors
Article 14	-----Repeal, Amendment and Enactment of By-Laws
Article 15	-----Supplementary Letters Patent

Article 1. Interpretation

1.1 In this by-law and all other by-laws of Nunavut Tunngavik Incorporated, unless the context otherwise requires:

"Act" means the Canada Corporations Act or any successor Act, as from time to time amended;

"Baffin Region" means the North Baffin, South Baffin and Sanikiluaq Land Use Regions, as defined in the Nunavut Land Claims Agreement;

"Board" and "Board of Directors" mean the board of directors of Nunavut Tunngavik Incorporated;

"director" means a member of the board of directors of Nunavut Tunngavik Incorporated;

"Inuit" means the Inuit of Nunavut as defined under paragraph (b) of the definition of Inuit set out in section 1.1.1 of the Nunavut Land Claims Agreement, and "Inuk" is the singular of Inuit;

"Inuit Owned Lands" has the meaning set out in the Nunavut Land Claims Agreement, and includes any rights, benefits, and responsibilities in relation to such lands;

"Keewatin Region" means the Keewatin Land Use Region as defined in the Nunavut Land Claims Agreement;

"Kitikmeot Region" means the Kitikmeot East and Kitikmeot West Land Use Regions, as defined in the Nunavut Land Claims Agreement;

"letters patent" means the letters patent incorporating Nunavut Tunngavik Incorporated as from time to time amended or supplemented by supplementary letters patent;

"Nunavut Land Claims Agreement" means the land claims agreement entered into between Her Majesty in Right of Canada and the Inuit of the Nunavut Settlement Area by their representatives on May 25, 1993, and ratified by vote of the Inuit on November 4 to 6, 1992, and by Act of Parliament on July 9, 1993;

"Nunavut Settlement Area" has the meaning set out in the Nunavut Land Claims Agreement;

"Region" means one of the Baffin Region, Keewatin Region, or Kitikmeot Region, and "Regions" means all three;

"Regional Caucus" means all the members from the Baffin, Keewatin or Kitikmeot Regions, but does not include the President and Vice-Presidents of Nunavut Tunngavik Incorporated, and "Regional Caucuses" means all three; and

"Regional Inuit Association" means one of the Qikiqtani Inuit Association, the Kivalliq Inuit Association, and the Kitikmeot Inuit Association, corporations incorporated under the Northwest Territories Societies Ordinance, and their successors, and "Regional Inuit Associations" means all three.

1.2 For greater certainty, in the construction and interpretation of this and all other by-laws, Nunavut Tunngavik Incorporated shall have all the powers incidental to and necessary for carrying out its objects.

1.3 This and all other by-laws shall be given such fair, large and liberal construction and interpretation as best ensures attainment of the objects of Nunavut Tunngavik Incorporated.

Article 2. Objects

2.1 The object of Nunavut Tunngavik Incorporated is to constitute an open and accountable forum, organized to represent Inuit of all the regions and communities of Nunavut in a fair and democratic way, that will safeguard, administer and advance the rights and benefits that belong to the Inuit of Nunavut as an aboriginal people, so as to promote their economic, social, and cultural well being through succeeding generations. Without limiting that object, Nunavut Tunngavik Incorporated shall:

- (a) serve as the Inuit party to implement the terms of any "land claims agreements" (as defined by the Constitution of Canada), including any collateral agreements, entered into on behalf of the Inuit of Nunavut and, specifically, to carry out those functions described for it in the Nunavut Land Claims Agreement;
- (b) ensure that the rights and benefits flowing to Inuit through any land claims agreements are secured and defended in law;
- (c) represent the Inuit of Nunavut in the negotiation and conclusion of any amendments to any land claims agreements;
- (d) hold and manage rights and benefits flowing to the Inuit of Nunavut through aboriginal title, statutory recognition, land claims agreements, and any other means; and
- (e) seek, on its own initiative, or in concert with other like-minded organizations

- (i) to promote the enhancement of the rights, benefits and opportunities of the Inuit of Nunavut as an aboriginal people through whatever avenues and mechanisms are available at the international, national and regional levels,
 - (ii) to encourage and support the development of policies for Nunavut that will contribute to Inuit economic self-sufficiency while nurturing environmental values,
 - (iii) to facilitate the preservation and strengthening of Inuit language, traditions and beliefs, and
 - (iv) to build on the rich regional and community diversities among the Inuit of Nunavut, while fostering the unity of all Inuit.
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Article 3. Members

- 3.1 Every member shall be an Inuk.
- 3.2 The membership of Nunavut Tunngavik Incorporated shall be composed of:
- (a) five members appointed from time to time by each Regional Inuit Association;
 - (b) three members appointed from time to time by Nunavut Tunngavik Incorporated:
 - (i) one of whom shall be a female appointed to represent the special viewpoints of Inuit females;
 - (ii) one of whom shall be a person 55 years of age or older appointed to represent the special viewpoints of Inuit elders; and
 - (iii) one of whom shall be a person 16 years of age or older at the date of his or her appointment who is appointed to represent the special viewpoints of Inuit youth.
 - (c) the President and two Vice-Presidents of Nunavut Tunngavik Incorporated; and
 - (d) a representative appointed from time to time by Qikiqtani Inuit Association as a non-voting member.
- 3.3 Repealed.
- 3.4 Except where specifically provided for in the Act or by-laws, all members shall be equal in status and privileges.
- 3.5 Any member may resign from Nunavut Tunngavik Incorporated upon written notice delivered to the President or the Chief Executive Officer.

3.6 Any member may be expelled for any reason the members deem appropriate from Nunavut Tunngavik Incorporated, and deprived of his or her status and privileges, by three-quarters vote of the members present of each Regional Caucus at a meeting of members.

3.7 Members may be reimbursed for reasonable expenses and such reimbursement may be in the form of a reasonable allowance for expenses incurred.

Article 4. Meetings of Members

4.1 An annual meeting of the members of Nunavut Tunngavik Incorporated shall be held at least once in every calendar year at such place in Nunavut and on such date as the previous annual meeting has determined or, in the absence of such a determination, as the Board of Directors may designate.

4.2 The Board of Directors shall have the power to call, at any time, a special meeting of the members. The Board shall call a special meeting when requested to do so in writing by one-third or more of the members of each Regional Caucus.

4.2A Any meeting of members may be held at which some or all of the members participate by teleconference or videoconference from one or more locations provided that two-thirds of the members participating in the meeting approve. All members participating in a teleconference or videoconference meeting must have the opportunity to understand and to contribute effectively in the deliberations of the meeting. A member participating in such way shall be deemed to be present at the meeting.

4.3 The members may consider and transact any business, either special or general, at any meeting.

4.4 Each member present at a meeting shall have the right to cast one vote. A member may, by means of a written proxy, appoint a proxyholder to attend and act at a specific meeting of members, in the manner and to the extent authorized by proxy. A proxyholder must be an Inuk as defined by the Nunavut Land Claims Agreement. Upon appointing a proxyholder the member shall cause to be delivered to the President or the Chief Executive Officer a copy of the proxy.

4.5 Three members from each Regional Caucus and the President and a Vice-President or three members from each Regional Caucus and two Vice-Presidents of Nunavut Tunngavik Incorporated shall be required to be present to constitute a quorum for the transaction of any business at any meeting of members.

4.6 At all meetings, every question shall be decided by a majority of votes cast unless otherwise specifically provided for in the Act, by-laws, or rules and procedures adopted at an annual meeting.

4.7 Fourteen days' written notice shall be given to each member of any meeting, except where the location and date of the meeting has been determined by a previous meeting. Notice of any special meeting where special business will be transacted should contain sufficient information to permit the members to form a reasoned judgment on the decision to be taken. Notice of each meeting of members shall remind a member that he or she has the right to vote by proxy.

4.8 No error or omission in giving notice of any meeting shall invalidate the meeting or make void any proceedings undertaken there.

4.9 At each annual meeting, in addition to any other business, the annual report of Nunavut Tunngavik Incorporated, including the financial statement and the auditors' report, shall be presented and the auditors shall be appointed for the following financial year.

4.10 At each annual meeting, members shall adopt a budget for the following financial year.

4.11 Members at an annual meeting shall adopt, and may amend from time to time, rules and procedures to govern the calling and conduct of meetings.

4.12 Members at an annual meeting shall adopt, and may amend from time to time, rules governing

- (a) the disclosure of conflicts of interest on the part of members and directors; and
- (b) the conduct required of members and directors in representing or otherwise performing duties on behalf of Nunavut Tunngavik Incorporated.

Article 5. Board of Directors

5.1 The following shall be directors of Nunavut Tunngavik Incorporated:

- (a) the President;
- (b) two Vice-Presidents;
- (c) the President of each Regional Inuit Association; and
- (d) a representative of each Regional Inuit Association, as appointed as deemed appropriate from time to time by that Regional Inuit Association.

5.1A Repealed.

5.2 The President and Vice-Presidents shall be elected by a secret ballot of all Inuit 16 years of age or older and in accordance with election rules and procedures adopted at meetings of members.

5.3 Repealed.

5.4 Subject to (a) and (b) below, any person who is eligible to vote at a Nunavut Tunngavik Incorporated election and who is nominated by at least ten eligible voters is eligible to be a candidate for election as the President or a Vice-President of Nunavut Tunngavik Incorporated:

- (a) No person who has been convicted of an indictable offence or whose imprisonment as a result of such a conviction ends within the three years immediately before the voting day, is eligible to be a candidate for election as an officer of Nunavut Tunngavik Incorporated;
- (b) No person who is indebted to Nunavut Tunngavik Incorporated or a Regional Inuit Association in the amount of \$500 or more for more than three months on the day nominations open is eligible to be a candidate for election as an officer of Nunavut Tunngavik Incorporated.

5.5 Any director or employee of Nunavut Tunngavik Incorporated who wishes to stand for election shall take a leave of absence from his or her duties with pay from the date of filing nomination papers until the day following voting day.

5.6 Repealed.

5.7 Subject to 5.7A, the term of the office of the President and Vice-Presidents shall be four years.

5.7A The term of office of the First Vice-President who was elected in 2006 and the term of the President who was elected in 2008 shall be four years, nine months. The term of the Vice-President of Finance who was elected in 2008 shall be two years, nine months.

5.8 Subject to section 5.12, the President and Vice-Presidents shall assume their respective offices immediately upon taking an oath of office to be administered in the form prescribed by the Board of Directors. The oath of office taken by a Vice-President shall be administered by the sitting President and oath of office taken by the President shall be administered by a Vice-President. Each oath of office shall be administered within three calendar days following the day on which the Chief Returning Officer announces the election results, or as soon thereafter as is practicable.

5.9 No elected member of any federal, provincial or territorial legislature shall be a director.

5.10 Membership on the Board of Directors shall be automatically vacated:

- (a) if he or she becomes mentally incompetent, becomes bankrupt, or is convicted of an indictable offence during his or her term of office;
- (b) if, at a meeting of members, a resolution is adopted by a majority vote of the members present that he or she be removed for any reason the members deem appropriate;
- (c) if he or she resigns by giving written notice to the other members of the Board;
- (d) on death; or
- (e) if a person who is a director pursuant to paragraph 5.1(c) ceases to be a President of a Regional Inuit Association.

5.11 The Board of Directors may, at any time and for any reason it deems appropriate, suspend a director from his or her powers, duties and benefits for up to 90 days, and, during the period of suspension, the director shall not participate in meetings of the Board or carry out any executive or administrative responsibilities on behalf of the Board, except as may be permitted by the Board.

5.12 Where the office of President or any Vice-President becomes vacant due to any event described in section 5.10 the office may be filled, until the next secret ballot pursuant to section 5.2, by a person who is appointed at a meeting of members or who is elected through a process approved by the members. Where the President of a Regional Inuit Association is removed from the Board of Directors due to any event described in section 5.10, the board of directors of that Regional Inuit Association may appoint one of their members to be a member of the Board of Directors of Nunavut Tunngavik Incorporated.

5.13 Directors shall have the same status and privileges at meetings as other members of Nunavut Tunngavik Incorporated, but when presiding at meetings of members, the President, or any other director presiding, shall vote on questions only to break a tie.

5.14 Meetings of the Board of Directors may be held:

- (a) at a time and place determined by the directors at an earlier meeting; or
- (b) at a time and place chosen by the President on fourteen days written notice to each other director, provided that such notice may be waived by the consent of all other directors.

5.15 Where all other directors participating consent, a director may participate in a meeting of the Board of Directors by telephone or any other communication facilities that provide all persons participating in such a meeting by any of these means the opportunity to

understand and to contribute effectively towards the deliberations of the meeting. A director participating in such a way shall be deemed to be present.

5.16 A quorum of the Board of Directors shall be six directors. Of the six directors there shall be present one director who resides in the Baffin Region, one director who resides in the Keewatin Region, and one director who resides in the Kitikmeot Region.

5.17 Each director present at a meeting shall have one vote, and every question shall be decided by a majority of votes cast unless otherwise specifically provided for in the Act, by-laws, or rules and procedures adopted by the Board.

5.18 The Board of Directors shall be responsible for managing the affairs and activities of Nunavut Tunngavik Incorporated so as to carry out the will of its members. In meeting its responsibilities, the Board may exercise all the powers of Nunavut Tunngavik Incorporated that are not specifically required by the Act or these by-laws to be exercised by the members. Without limiting the generality of these powers, the Board may:

- (a) authorize, or delegate power to authorize, expenditures, indebtedness, trust arrangements, and contracts, including contracts for service and of employment;
- (b) take such steps as they may deem requisite to acquire funds for the purpose of furthering the objects of Nunavut Tunngavik Incorporated;
- (c) direct and oversee the activities of any subsidiary organizations; and
- (d) determine, consistent with the Act and by-laws, the rules and procedures of the Board.

5.18A The Board of Directors may delegate responsibility for the day to day management of affairs and activities of Nunavut Tunngavik Incorporated to a Chief Executive Officer appointed by the Board for that purpose.

5.19 Directors may be reimbursed for reasonable expenses, and may be paid reasonable remuneration for performing their various duties. Directors and members shall not directly or indirectly profit from their positions in any way.

5.20 Every director and his or her heirs, executors, administrators and other legal personal representative shall be indemnified and saved harmless by Nunavut Tunngavik Incorporated from and against:

- (a) any liability and all costs, charges and expenses that such officer sustains or incurs in respect of any action, suit or proceeding that is proposed or commenced against him or her for or in respect of anything done or permitted by him or her in respect of the execution of the duties of his or her office; and

- (b) all other costs, charges and expenses that he or she sustains or incurs in respect of the affairs of Nunavut Tunngavik Incorporated, except such costs, charges or expenses as are occasioned by his or her own wilful neglect or default.
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Article 6. Executive Authority and Activity

6.1 The President shall be responsible for overseeing the affairs and activities of Nunavut Tunngavik Incorporated so as to carry out the will of its members. He or she shall preside at all meetings of members and of the Board of Directors.

6.2 A Vice-President, as designated by the Executive Committee, shall:

- (a) in the absence or disability of the President, perform the duties and exercise the powers of the President; and
- (b) carry out such other responsibilities as may be assigned from time to time by the Board of Directors.

6.3 The President shall:

- (a) in his or her capacity as secretary, be responsible for the recording of votes and minutes of annual meetings and of the Board of Directors, and be custodian of the seal of Nunavut Tunngavik Incorporated; and
- (b) in his or her capacity as treasurer, have custody of the corporate funds and securities, keep full and accurate accounts and financial records in books and files belonging to Nunavut Tunngavik Incorporated, and deposit all monies and other valuables in the name and to the credit of Nunavut Tunngavik Incorporated in such depositories as may be designated by the Board of Directors from time to time. He or she shall disburse funds as may be ordered by the Board of Directors, taking proper vouchers for such disbursements, and shall render to the Board of Directors at its regular meetings, or whenever it requires, an account of all his or her transactions as treasurer and of the financial position of Nunavut Tunngavik Incorporated.

6.4 Repealed.

6.5 Repealed.

6.6 Subject to section 6.6A, no decision that creates or is likely to create liabilities or indebtedness in excess of \$3,000,000 shall be effective unless approved by the members.

6.6A Consistent with any terms and conditions of resolutions of the members, including resolutions adopting the annual budget, the Board of Directors may authorize such borrowing of moneys from Nunavut Trust as the Board of Directors deems necessary.

6.7 No decision involving expenditures in excess of \$100,000 or that would create or be likely to create liabilities or indebtedness in excess of \$100,000 shall be effective unless approved by the Board of Directors.

6.8 Subject to section 7.1, the Board of Directors may by resolution authorize any officer(s), director(s), or employee(s) to sign any contracts, documents or instruments in writing requiring the signature of Nunavut Tunngavik Incorporated, and all contracts, documents and instruments in writing signed in accordance with such a resolution of the Board of Directors as may be in effect from time to time shall be binding on Nunavut Tunngavik Incorporated without any further authorization or formality. The Board of Directors shall also have the power, by way of resolution adopted from time to time and subject to such terms and conditions as the directors deem fit:

- (a) to authorize one or more directors or employees to sign bank drafts, deposits, withdrawals, receipts, and similar papers associated with financial transactions on behalf of Nunavut Tunngavik Incorporated;
- (b) to give a power of attorney to any registered dealer in securities for the purpose of dealing with any stocks, bonds, or other securities of Nunavut Tunngavik Incorporated;
- (c) to authorize one or more directors to affix the seal of Nunavut Tunngavik Incorporated to any contract, document or instrument in writing signed on behalf of Nunavut Tunngavik Incorporated in accordance with this Article.

6.9 The President and Vice-Presidents shall be reimbursed for reasonable expenses and may be paid reasonable remuneration for performing their executive duties.

Article 7. Lands

7.1 Any Inuit Owned Lands vested or otherwise in control of Nunavut Tunngavik Incorporated or the Regional Inuit Associations shall be managed in accordance with such rules and procedures as are adopted from time to time by the Board of Directors, including any policies, rules and procedures allowing delegation of responsibilities to other Inuit organizations.

7.2 Repealed.

7.3 Nunavut Tunngavik Incorporated shall not

- (a) permanently alienate the title to any Inuit Owned Lands to the Crown, or

- (b) create an interest in Inuit Owned Lands that endures, with any period of renewal included, for more than one year,

without the prior written consent of the Regional Inuit Association having a mandate for the area in which the Inuit Owned Lands are situated.

7.4 Nunavut Tunngavik Incorporated shall not exercise any discretion under Article 39 of the Nunavut Land Claims Agreement so as to affect the vesting in or control of title to Inuit Owned Lands by a Regional Inuit Association without the prior written consent of that Regional Inuit Association.

7.5 Nunavut Tunngavik Incorporated shall attempt at all times to administer any interests it may have in Inuit Owned Lands so as, at a minimum, to recover the costs associated with the administration of such lands.

Article 8. Income

8.1 The income accruing to or otherwise in the control of Nunavut Tunngavik Incorporated shall be managed and expended in accordance with resolutions adopted by the members, including resolutions adopting annual budgets. Without limiting such powers of the members, the Board of Directors shall propose a budget to the members at each annual meeting for the following financial year that:

- (a) provides for expenditures to meet the appropriate operating expenses of Nunavut Tunngavik Incorporated and the Regional Inuit Associations;
- (b) may provide for expenditures on any matters of general benefit to the Inuit of Nunavut, including a wildlife harvest support program and an elders' pension plan;
- (c) may provide for expenditures on any matters of particular benefit to the Inuit of one or more Regions, it being understood that all Regions shall be treated equitably in the allocation of any such expenditures;
- (d) account for any moneys likely not to be expended in the current financial year; and
- (e) offers projections of probable income and expenditures for the next five financial years.

8.2 The President and the Chief Executive Officer of Nunavut Tunngavik Incorporated, within 60 days of the conclusion of each quarter, during any financial year, shall provide to the Board of Directors interim financial statements disclosing actual expenditures relative to an annual budget adopted by the members.

8.3 In the event that income accrues or otherwise comes under the control of Nunavut Tunngavik Incorporated in excess of income anticipated in a budget adopted by the members, the income shall be expended only upon the direction of the members at a meeting of members.

8.4 Nothing in the by-laws of Nunavut Tunngavik Incorporated abrogates or derogates from the funding responsibilities owed to the Inuit and their organizations by the Crown through the Nunavut Land Claims Agreement, any other contractual commitment, or through its general fiduciary obligation to Inuit as an aboriginal people of Canada.

Article 9. Language of Work

9.1 The primary languages of Nunavut Tunngavik Incorporated shall be Inuktitut and Inuinnaqtun, and without limiting the generality of this principle:

- (a) every member shall have the right to speak at meetings of members, and every director to speak at meetings of the Board of Directors, in Inuktitut or Inuinnaqtun;
- (b) every Inuk shall have the right to communicate in Inuktitut or Inuinnaqtun orally and in writing, in both Roman orthography and syllabic form, with the principal office of Nunavut Tunngavik Incorporated; and
- (c) the annual report, and all other reports, of Nunavut Tunngavik Incorporated shall be available in Inuktitut or Inuinnaqtun, in both Roman orthography and syllabic form.

Article 10. Public Accountability

10.1 All meetings of members shall be open for attendance by all Inuit except to the extent that any rules and procedures adopted at meetings of members permit, for specific and limited purposes, *in camera* sessions.

10.2 The annual report of Nunavut Tunngavik Incorporated prepared for each annual meeting shall be made available on request to any Inuk.

10.3 Each annual report shall contain the financial statements of Nunavut Tunngavik Incorporated and shall disclose all relevant information concerning the expenses, remuneration, salaries, fees, and benefits paid to members, directors, senior employees and consultants.

Article 11. Principal Office

11.1 Nunavut Tunngavik Incorporated shall establish and maintain its principal office at Iqaluit, in the Territory of Nunavut. It may maintain such other offices as it deems fit.

Article 12. Seal

12.1 The seal, an impression of which is stamped on the margin hereof, shall be the seal of Nunavut Tunngavik Incorporated.

Article 13. Auditors

13.1 Each annual meeting shall appoint auditors to audit the accounts and financial records of Nunavut Tunngavik Incorporated until the next annual meeting. The remuneration of the auditors shall be negotiated by the Board of Directors.

Article 14. Repeal, Amendment and Enactment of By-Laws

14.1 The by-laws of Nunavut Tunngavik Incorporated may be repealed or amended, or new by-laws may be enacted, only by a majority vote of the directors present at a meeting of the Board of Directors called for that purpose, that is approved by three-quarters vote of the members present at a special meeting called for the purpose of considering the by-law changes.

14.2 When required by applicable law, the enactment, repeal or amendment of by-laws shall not be enforced or acted upon until the approval of the Minister of Industry has been obtained.

Article 15. Changes to Letters Patent or Articles of Incorporation

15.1 No application for amended or supplementary letters patent or articles of incorporation shall be submitted unless supported by a resolution authorizing such application that is adopted and approved in the manner described in section 14 for the repeal, amendment and enactment of by-laws.



NTI ELECTIONS CODE OF CONDUCT FOR EMPLOYEES

*Approved by the Members in November 2003
Last amended in November 2009*

I. Application of the Code

This Election Code of Conduct for Employees (“the Code”) applies to all employees of Nunavut Tunngavik Incorporated (“NTI”) and, subject to the approval of the Regional Inuit Associations, to Community Liaison Officers.

II. Principles of the Code

- (a) Employees of NTI owe a duty of loyalty to NTI which must be observed before, during, and after an election campaign;
- (b) The political activities of an employee must not conflict with the employee’s employment obligations.

III. Compliance with the Code

Each employee has a duty to ensure that his or her behaviour does not violate the provisions of the Code.

IV. Compliance with the Law

An employee must comply with all applicable laws and all NTI by-laws, election rules, human resource policies, and all other policies governing NTI elections and the use of NTI resources.

V. Political Activity by Employees

- 1. An employee not standing for election may support a candidate, subject to the following:
 - (a) Any political activity must be conducted in the employee’s private capacity outside of regular working hours;
 - (b) The employee must not use NTI property or other resources at any time to support any candidate;
 - (c) The employee must not solicit campaign contributions during working hours;
 - (d) The employee must not serve as campaign manager or official agent for a candidate;
 - (e) The employee must not publicly criticize any NTI policy or position that he or she has responsibility for or learns about in the course of his or her employment; and
 - (f) The employee’s political activity must not otherwise conflict with the interests of NTI and the duties of the employee to NTI.

2. It is the responsibility of the employee to advise his or her supervisor about situations that may involve a possible conflict of interest. In considering whether a particular political activity involves a possible conflict of interest, the facts of each case must be considered, and a reasonable assessment must be made as to the extent of any conflict. Relevant factors include the following:
- (a) The position, powers, and duties of the employee;
 - (b) The relationship of the employee to the candidate; and
 - (c) The degree of support provided by the employee to the candidate.

VI. Abuse of Position

An employee must not:

- (a) Direct or encourage any other employee to vote for a particular candidate;
- (b) Coerce or offer monetary or other inducements to other employees to vote for or against a candidate or to abstain from voting;
- (c) Abuse a position of power, privilege, or influence for a political purpose, by offering a reward, threatening a penalty, or by other means; or
- (d) Disclose confidential information of NTI to any candidate or to any other person.

VII. Political Staff

An executive assistant or other political staff person employed in the office of an incumbent executive officer who is seeking election must either:

- (a) Take a leave of absence during the campaign period; or
- (b) Accept reassignment to other duties.

VIII. Leave of Absence or Resignation in order to Stand for Election

An employee who wishes to stand for election must avoid any conflict of interest with the interests of NTI. Accordingly, an employee who wishes to stand for election must either:

- (a) Resign his or her employment; or
- (b) Take a leave of absence.

IX. Timing of Leave of Absence or Resignation

An employee must take a leave of absence or resign:

- (a) On the day on which nomination papers are filed; or
- (b) On a day preceding the filing of nomination papers if the employee cannot meet the obligation to perform his or her employment duties, including obligations under the Employee Election Code of Conduct, due to active campaigning.

X. Result of Successful Election

If an employee is successful in winning election to an executive position:

- (a) The leave of absence of the employee will end on the day that the employee assumes office; and
- (b) The employee shall be deemed to resign his or her employment, if the employee has not previously resigned his or her employment, on the day the employee assumes office.

XI. Result of Unsuccessful Election

If an employee is not successful in winning election to an executive position:

- (a) The leave of absence of the employee will end, unless the employee and NTI agree otherwise, on the day following Voting Day; and
- (b) An employee who has resigned to stand for election may be rehired at the discretion of the Chief Executive Officer. Application for rehiring must be made within one (1) month following Voting Day.

(Last amended in November 2009)



NTI ELECTIONS RULES AND PROCEDURES

*Approved by the Members in November 2003
Last amended in November 2009*

Section 1 Designated Voting Day

- 1.1 The day fixed for holding the election shall be the second Monday in December of any election year. The Nunavut Tunngavik Inc. (NTI) Board of Directors shall fix the day on which a by-election will be held.
- 1.2 On Voting Day, the polls shall be open at 10 a.m. local time, and kept open until 7 p.m., local time, the same day.
- 1.3 At the discretion of the Chief Returning Officer, Voting Day may be extended or changed in any polling division on account of weather conditions.

Section 2 Nomination and Withdrawal of Candidates

- 2.1 In order to qualify as a candidate for election as an Executive Officer of NTI, a person must submit completed nomination papers to the Chief Returning Officer.
- 2.2 The Chief Returning Officer shall make nomination papers available beginning at 9 a.m. local time on the Monday six weeks prior to Voting Day.
- 2.3 The nomination papers must:
 - (a) Disclose the name and address of the candidate;
 - (b) Be signed by the person who wishes to become a candidate and by at least 10 eligible voters;
 - (c) Be accompanied by a small recent passport type photo of the potential candidate alone;
 - (d) Be accompanied by a certified cheque or money order, Northern, Co-op or other local business draft, made payable to NTI, in the amount of \$200.00.
- 2.4 The deposit shall be returned to elected candidates and to candidates who obtain at least ten per cent of the valid votes cast for that position.
- 2.5 Completed nomination papers, pictures and deposits must be received by the Chief Returning Officer by 5 p.m. local time, on the Friday five weeks prior to Voting Day. Late nomination papers shall not be accepted.

2.6 A candidate may withdraw within 72 hours of the close of nominations by filing a written declaration with the Chief Returning Officer. The deposit of a candidate who withdraws is forfeited.

2.7 No person may be nominated to more than one position at any given election.

Section 3 Return by Acclamation

3.1 When only one candidate remains after a candidate has withdrawn or only one candidate has been nominated within the time allowed for nominations, the Chief Returning Officer shall declare that person to have been duly elected.

Section 4 Districts and Polling Divisions

4.1 The Chief Returning Officer may establish districts in order to facilitate the electoral process.

4.2 The Chief Returning Officer shall establish at least one polling division for every community in the Nunavut.

4.3 Each polling division shall have one polling station.

4.4 Every city outside of Nunavut that is deemed by the Chief Returning Officer to contain significant numbers of eligible voters shall comprise a polling division.

Section 5 Election Officers

5.1 Chief Returning Officer

- (a) There shall be one Chief Returning Officer who shall be appointed by the President of NTI, in consultation with the Board of Directors.
- (b) The Chief Returning Officer shall be appointed not less than sixteen weeks prior to Voting Day.
- (c) The Chief Returning Officer shall exercise general direction and supervision over the administrative conduct of an election, enforce fairness, impartiality and compliance with NTI's by-laws and these Rules and Procedures and perform all other duties assigned to the Chief Returning Officer by these Rules and Procedures.
- (d) Where he/she considers it necessary the Chief Returning Officer may:
 - (i) Extend the time for doing any act,
 - (ii) Increase the number of election officers, polling divisions or polling stations, or
 - (iii) Otherwise adapt any of the provisions of these Rules and Procedures to carry out their intent and the intent of NTI's by-laws.

5.2 Returning Officers

- (a) The Chief Returning Officer may appoint an Assistant Chief Returning Officer and district Returning Officers as he/she deems necessary for the proper conduct of the election.
- (b) The Chief Returning Officer may revoke the appointment of an Assistant Chief Returning Officer or Returning Officer who:

- (i) Is incapable of performing or fails to perform competently the duties of a Returning Officer or fails to follow the instructions of the Chief Returning Officer; or
 - (ii) After being appointed, engages in politically partisan conduct.
- (c) Each Returning Officer shall be responsible for the proper conduct of the election in his/her district in accordance with NTI's by-laws and these Rules and Procedures.
- (d) All duties and functions required by these Rules and Procedures to be exercised by the Returning Officer shall, with respect to polling stations outside of Nunavut, be exercised by the Chief Returning Officer.

5.3 Election Clerks

On the approval of the Chief Returning Officer, a Returning Officer may appoint an Election Clerk to assist him/her with duties at the Advance Polls and on Voting Day.

5.4 Deputy Returning Officers

- (a) At least four weeks before Voting Day, the Chief Returning Officer shall appoint one Deputy Returning Officer for each polling division.
- (b) Each Deputy Returning Officer shall be responsible for the conduct of the election in his/her polling division in accordance with NTI's by-laws and these Rules and Procedures and the instructions of the Chief Returning Officer.
- (c) The Chief Returning Officer may revoke the appointment of a Deputy Returning Officer who:
 - (i) Is incapable of performing or fails to perform competently the duties of a Deputy Returning Officer or fails to follow the instructions of the Chief Returning Officer or Returning Officer.
 - (ii) After being appointed, engages in politically partisan conduct.

5.5 Poll Clerks

Each Deputy Returning Officer shall, as soon as possible after being appointed, appoint a Poll Clerk to assist him/her with duties at the Advance Polls and on Voting Day.

5.5 Election Officers' Oath

All election officers shall take an oath to perform their duties faithfully.

Section 6 Official Votes Lists

- 6.1 The enrollment office of NTI shall be responsible for producing Preliminary Voters Lists, for revising these lists and for producing Official Voters Lists.
- 6.2 These lists shall be produced as follows:
- (a) Each Community Enrolment Committee shall meet during the time allowed by the Chief Returning Officer for the revision of the preliminary voters list, to review any applications and decide on the eligibility of the applicants for enrolment.
 - (b) Each Community Enrolment Secretary shall forward the revised Preliminary Voters List to the NTI Enrollment Office.

- (c) The NTI Enrolment Office will correct clerical errors, produce the Official Voters List and forward at least 5 copies to the Chief Returning Officer.
- (d) The Chief Returning Officer shall provide the Returning Officers and Deputy Returning Officers with Official Voters Lists appropriate to their location and shall provide candidates with a copy of all Official Voters Lists.

Section 7 Pre-Election Procedures

7.1 Call for Nominations

- a) The Chief Returning Officer shall issue a Call for Nominations in all official languages and dialects indicating:
 - (I) The dates, times, places and procedures for the nomination of candidates;
 - (ii) The day on which the election is proposed to be held; and
 - (iii) The location, telephone and telefax numbers of the Chief Returning Officer's office.
- (b) The Chief Returning Officer shall ensure that the Call for Nominations is posted in each community and is advertised in local newspapers and on public radio and, to the extent practicable, on local television and radio.

7.2 Notice of Election

- (a) When, following the close of nominations, more than one candidate is nominated, the Chief Returning Officer shall, without delay, issue a Notice of Election in all appropriate languages and dialects.
- (b) The Notice of Election shall state:
 - (i) The name, address, and occupation (optional) of each candidate for each position in alphabetical order;
 - (ii) The date and time at which the election will be held; and
 - (iii) The date and time at which the advance poll will be held.
- (c) The Chief Returning Officer shall ensure that the Notice of Election is posted in each community and is advertised in local newspapers and on public radio and, to the extent practicable, on local television and radio.

7.3 Ballots

- (a) The Chief Returning Officer shall supply each Deputy Returning Officer with a sufficient number of ballots for at least the number of voters on the Official Voters List in his/her polling division.
- (b) A ballot shall:
 - (I) State the name of the candidates, in syllabics and Roman orthography, alphabetically arranged in the order of their surnames; and
 - (ii) Have a small picture of each candidate beside his/her name.

7.4 Distribution of Election Materials

- (a) The Chief Returning Officer shall supply every Deputy Returning Officer with:
 - (i) Voting compartments for his/her polling station as required;
 - (ii) Ballot boxes for each polling station;
 - (iii) Copies of NTI's by-laws, Election Rules and Procedures and other election policies as required;
 - (iv) Sufficient election supplies and forms for the conduct of the poll;
 - (v) A sufficient number of ballots for at least the number of voters on the Official Voters List in the polling division; and
 - (vi) The Official Voters List for use at the polling station.
- (b) Until the opening of the poll, each Deputy Returning Officer shall keep the supplied materials safe from tampering and prevent any person from having unlawful access to them.

7.5 Polling Stations

- (a) The location of polling stations shall be designated by the Chief Returning Officer.
- (b) The Chief Returning Officer shall, where possible, locate the polling station in a building that will provide ease of access to disabled voters.

7.6 Mobile Polls

The Chief Returning Officer may establish a mobile poll to facilitate voting in an isolated area. The Chief Returning Officer may adapt these Rules and Procedures as he/she considers necessary for the mobile poll.

7.7 Advance Polls

- (a) An Advance Poll shall be established at every polling station. An advance poll shall be open between the hours of 10 a.m. and 7 p.m. local time on Monday, the seventh day before Voting Day.
- (b) Any voter who is elderly or infirm or who has reason to believe that he/she will be unable to vote on Voting Day may vote at the Advance Poll.
- (c) The Poll Clerk shall determine if the voter's name appears on the Official Voters List used at the polling station or if the voter is otherwise qualified to vote. When it has been ascertained that the voter is qualified to vote at a polling station the voter shall immediately vote in the manner described below in Section 8.5 unless an election officer of candidate's agent asks that the voter first take an oath as to the voter's qualification to vote, in which case the voter shall take an oath.
- (d) The Deputy Returning Officer shall bring approximately ten per cent of the total ballots received to the Advance Poll.
- (e) At the opening of an Advance Poll, the Deputy Returning Officer shall, in full view of those present:
 - (i) Open the ballot box and ascertain that there are no ballot papers or other papers or materials in the ballot box;
 - (ii) Seal the ballot box; and
 - (iii) Place the ballot box on a table in full view of those present and keep it so placed until the close of the Advance Poll.

- (f) At the close of the Advance Poll, the Deputy Returning Officer shall, in full view of those present:
 - (i) Draw a line under the name of the last voter on the Record of Votes Cast at an Advance Poll, write the total number of voters in the appropriate place, sign and date it;
 - (ii) Unseal the ballot box;
 - (iii) Ascertain the number of ballots cast during the voting, removing them to the Advance Poll envelope in such a manner as not to disclose for whom any voter has voted, seal the envelope and indicate on the envelope the number of ballots;
 - (iv) Ascertain the number of spoiled ballots, if any, and place them in the Advance Poll Spoiled Ballots envelope, seal the envelope and indicate on the envelope the number of spoiled ballots; and
 - (v) Place the unused ballots in the envelope marked for that purpose and seal the envelope.
- (g) The Deputy Returning Officer and Poll Clerk shall sign their names on the seals of the special envelopes and place them in the ballot box. Between the Advance Poll and Voting Day, the Deputy Returning Officer shall keep the ballot box in a secure place.
- (h) As soon as possible after the close of the Advance Poll, the Deputy Returning Officer shall send to the Chief Returning Officer by fax, a copy of the Record of Votes Cast. The Deputy Returning Officer shall keep the original in a secure place.
- (i) At the close of voting on Voting Day, the Deputy Returning Officer shall:
 - (i) Open the sealed envelopes containing the ballots from the Advance Poll;
 - (ii) Count the votes in accordance with the procedures set forth in Section 9 herein; and
 - (iii) Take all the other proceedings that are required by Deputy Returning Officers and Poll Clerks in connection with the conduct of an election after the close of the poll.

Section 8 Voting Day

8.1 Polling Station

- (a) At each polling station, no person other than:
 - (i) The Deputy Returning Officers and Poll Clerks;
 - (ii) The candidates; and
 - (iii) Two agents for each candidate per polling station shall remain in the room where the votes are given longer than the time necessary to enable the person to vote.
- (b) On being admitted to a polling station, each agent for a candidate shall deliver his or her written appointment as agent to the Deputy Returning Officer.
- (c) During the hours of voting, a candidate or his/her agent may, without delaying any voter in casting his/her vote, examine the poll book and take any information from it.

- (d) The Returning Officer shall remain continuously on duty during the hours that the polls are open.
- (e) No Returning Officer shall act as a Deputy Returning Officer or Poll Clerk at a polling station.

8.2 Duties of Deputy Returning Officer on Voting Day

- (a) The Deputy Returning Officer shall post the directions to voters in prominent places in the polling station.
- (b) Before the opening of the poll on Voting Day, the Deputy Returning Officer shall initial the back of every ballot at the polling station in full view of those present.
- (c) At the hour fixed for the opening of the poll, the Deputy Returning Officer shall, in full view of those present:
 - (i) Open the ballot box and ascertain that there are no ballots or other papers or material enclosed in the ballot box;
 - (ii) After examining the ballot box, seal the ballot box;
 - (iii) Place the ballot box in full view of those present; and
 - (iv) Keep the ballot box placed on the table in full view until the close of the poll.

8.3 Voting

- (a) On Voting Day, the ballot box shall be sealed by 10 a.m. and the Deputy Returning Officer shall open the polling station at 10 a.m., local time.
- (b) The Poll Clerk shall determine if the voter's name appears on the Official Voters List used at the polling station or if the voter is otherwise qualified to vote.
- (c) When it has been ascertained that the voter is qualified to vote at a polling station the voter shall immediately vote in the manner described below in Section 8.5 unless an election officer of candidate's agent asks that the voter first take an oath as to the voter's qualification to vote, in which case the voter shall take an oath.
- (d) No voter who has refused to take an oath shall receive a ballot.
- (e) Each Poll Clerk shall:
 - (i) Make the entries in the Official Votes List that the Deputy Returning Officer directs;
 - (ii) Put check marks in the appropriate columns when the voter has been given a ballot and when he/she has voted;
 - (iii) Where applicable, enter in the Official Voters List the word "Sworn" or "Affirmed", as the case may be, opposite the name of each voter to whom and oath has been administered, and the nature of the oath; and
 - (iv) Where applicable, enter in the Official Voters List the words "Refused to be sworn or to affirm" opposite the name of any voter who has refused to take an oath.

8.4 Secrecy of the Vote

- (a) Every person in attendance at a polling station or at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting.

- (b) No Deputy Returning Office shall inquire or see for whom the voter intends to vote, except when the voter is unable to vote in the manner provided herein, on account of physical difficulty.

8.5

Manner of Voting

- (a) Each voter shall receive from the Deputy Returning Officer, a properly initialed ballot on which initials can be seen when the ballot is folded.
- (b) The Deputy Returning Officer shall instruct each voter to mark the ballot as provided in subsection (c) below.
- (c) On receiving a ballot, a voter shall:
 - (i) Proceed to a voting compartment and there mark his or her ballot with an 'x' or other clear mark, within the space which appears at the right of the name of the candidate for whom the voter intends to vote;
 - (ii) Fold the paper as directed so that the initials on the back of it can be seen; and
 - (iii) Hand the ballot to the Deputy Returning Officer.
- (d) On receiving a marked ballot, the Deputy Returning Officer shall:
 - (i) Without unfolding it, examine the initials to ensure that it is the same ballot that was given to the voter; and
 - (ii) If it is the same ballot, in full view of the voter and all those present, personally deposit the ballot in the ballot box.
- (e) The Deputy Returning Officer, on the request of a voter who is physically disabled, shall require the voter to take an oath that the voter is unable to vote without assistance and shall:
 - (i) Assist the voter in the presence of the Poll Clerk, the agents of the candidates and the interpreter, if any, by marking the voter's ballot as directed by the voter and place the ballot in the ballot box; or
 - (ii) If the voter is accompanied by a friend or relative and the voter so requests, permit the friend or relative to accompany the voter into the voting compartment to mark the voter's ballot.
- (f) Where a friend or relative has marked the voter's ballot, the Poll Clerk shall enter the name of the friend or relative in the remarks column of the poll book opposite the voter's name.
- (g) If, at the hour of closing of the poll, there are voters in the polling station or in line at the door who have not been able to vote since their arrival at the polling station, the poll shall be kept open for a sufficient time to enable them to vote. No person who is not actually present at the polling station at the hour of closing shall be allowed to vote, even if the poll is still open when that person arrives.

8.6

Proxy Voting

- (a) Where a voter whose name appears on the Official Voters List has reason to believe that he or she will be unable to vote in the polling division on the day fixed for the Advance Poll and on Voting Day, the voter may obtain an application to authorize another voter whose name appears on the Official Voter List for the same polling division to vote on his/her behalf as a Proxy Voter.

- (b) An application under subsection (a) must be signed by the voter and the Proxy Voter.
- (c) On Voting Day, a voter who has been authorized as a Proxy Voter shall present the completed and signed proxy application to the Deputy Returning Officer at the polling station in which the Proxy Voter is qualified to vote. Faxed proxy forms will be accepted.
- (d) After presenting the proxy application, the Proxy Voter may vote at the election on behalf of the voter who completed the application.
- (e) The Poll Clerk shall enter in the Official Voters List opposite the name of the voter, the notation that the voter voted by proxy, the name of the Proxy Voter and attach the proxy application to the Official Votes List.
- (f) A voter who votes as a Proxy Voter at an election is entitled to vote in his or her own right at the election.
- (g) A voter may vote as a proxy no more than three times at an election.
- (h) Upon request, the Deputy Returning Officer shall take reasonable steps to facilitate Proxy Voters who are infirm on Voting Day.

8.7 Campaigning on Voting Day

No candidate shall, nor shall he or she authorize his or her campaign workers, to engage in any campaigning activities on Voting Day. No campaigning materials are allowed in the polling stations on Voting Day.

Section 9 Counting and Reporting the Votes

- 9.1 Immediately after the close of the poll, in the presence and in full view of the Poll Clerk and the candidates or their agents, if present, or of at least two voters if none of the candidates is represented, the Deputy Returning Officer shall take the following steps, in order, with respect to votes cast on Voting Day and where applicable, on the Advance Poll day:
- (a) Count the number of voters whose names appear in the Official Voters List as having voted and make the following entry of the count on the line immediately below the last name on the list: “The number of voters who voted at this election in this polling station is _____”, and sign his/her name to the entry;
 - (b) Count the spoiled ballots, if any; place them into a special envelope supplied for that purpose, indicate on the envelope the number of spoiled ballots and seal the envelope;
 - (c) Count the unused ballots, place them into a special envelope supplied for that purpose and indicate on the envelope the number of unused ballots;
 - (d) Check the number of ballots supplied by the Returning Officer against the number of spoiled ballots, if any, the number of unused ballots and the number of voters whose names appear in the Official Voters List as having voted, in order to ascertain that all the ballots are accounted for;
 - (e) Open the ballot box and empty its contents on the table; and
 - (f) Count the number of votes given to each candidate on one of the tally sheets supplied, giving full opportunity to those present to examine each ballot.
- 9.2 The Poll Clerk and as many as three witnesses shall be supplied with tally sheets on which they shall keep their own scores as each vote is called out by the Deputy Returning Officer.

- 9.3 In counting the votes, the Deputy Returning Officer shall reject all ballots:
- (a) That have not been supplied by the Deputy Returning Officer;
 - (b) That have not been marked for any candidate;
 - (c) On which votes have been given for more than one candidate;
 - (d) That have not been marked with an 'x' or other clear mark in the space at the right of the name of a candidate; or
 - (e) On which there is any writing or mark by which the voter could be identified.
- 9.4 Each Deputy Returning Officer shall:
- (a) Keep a record, on the special form provided, of every objection made by any witness to any ballot found in the ballot box; and
 - (b) Decide every question arising out of the objection.
- 9.5 All ballots that are not rejected by a Deputy Returning Officer shall be counted, and:
- (a) All the ballots cast in favour of each candidate shall be sorted and put into a separate envelope for each candidate;
 - (b) All rejected ballots shall be put into a special envelope;
 - (c) All the envelopes shall be endorsed to indicate their contents and shall be sealed by the Deputy Returning Officer; and
 - (d) The Deputy Returning Officer and the Poll Clerk shall sign the seal.
- 9.6 A Deputy Returning Officer shall complete the Statement of the Poll, transmit it by telefax to the Chief Returning Officer and make copies for all candidates and candidates' agents in attendance. The original shall be placed in the envelope marked for that purpose and the envelope affixed well to the ballot box, before the ballot box is sent back to the Chief Returning Officer.
- 9.7 A Deputy Returning Officer shall place:
- (a) The Official Voters List;
 - (b) The separate envelopes containing the ballots, unused, spoiled, rejected or counted for each candidate;
 - (c) The envelope containing the Official Voters List; and
 - (d) Other documents used at the poll, into the ballot box.
- 9.8 A Deputy Returning Officer shall seal the ballot box and transmit the ballot box by air cargo to the Chief Returning Officer.

Section 10 Situations Requiring Recount

Where the total number of votes separating the candidate receiving the highest number of votes and any other candidate is nil or less than 2% of the total number of votes cast, the Chief Returning Officer shall order a recount and give written notice to each candidate of the recount.

Section 11 Official Addition and Announcement of Results

- 11.1 After all the ballot boxes have been received, the Chief Returning Officer shall:
- (a) At the place, day and hour fixed in a notice issued by the Chief Returning Officer, for the Official Addition of the votes, and

- (b) In the presence of election staff and the candidates or their agents who attend the proceedings, open the envelopes attached to the boxes and add up the number of votes cast for each candidate.
- 11.2 The Chief Returning Officer shall make the official results public.
- 11.3 Immediately after the Official Addition, the Chief Returning Officer shall print a report giving by polling division, the number of votes for each candidate, the number of rejected ballots and the number of names on the Official Voters List.
- 11.4 The Chief Returning Officer shall, as soon as is reasonably practicable, transmit all materials used at the election to the Governance Coordinator and the Governance Coordinator shall ensure that the said materials are kept in a secure place for six months following the election.
- 11.5 At the end of six months, the Governance Coordinator shall destroy the ballots in the presence of two witnesses and the Governance Coordinator and witnesses shall certify the destruction of the ballots in writing.

Section 12 Assumption of Office

Newly elected officials shall assume office after the Chief Returning Officer's announcement of the official results of the election in accordance with Nunavut Tunngavik Incorporated's by-laws.

Section 13 Resolution of Disputes

- 13.1 The Board of Directors of NTI shall, immediately after the end of the nomination period for an election, appoint an Election Commissioner. The following persons are eligible to serve as Election Commissioner:
- (a) The Integrity Commissioner of Nunavut;
 - (b) A member of the Arbitration Board established under Article 38 of the Nunavut Land Claims Agreement; or
 - (c) Any other person that the Board of Directors deems appropriate.
- 13.2 The Election Commissioner shall serve during the campaign period and for 90 days thereafter.
- 13.3
- (a) Any person who believes that a candidate or other person acting on a candidate's behalf has contravened these Rules may make a written complaint to the Chief Returning Officer.
 - (b) Any complaint to the Chief Returning Officer must be made no later than 90 days after the complainant acquired knowledge of the event upon which the complaint is based.
 - (c) The Chief Returning Officer shall refer the complaint to the Election Commissioner for review.
- 13.4 The Chief Returning Officer on his or her own motion may request the Election Commissioner to review any situation which appears to constitute a contravention of these Rules.
- 13.5.
- (a) The Election Commissioner shall conduct a review upon referral or request by the Chief Returning Officer.

- (b) The Chief Returning Officer shall, on request, supply whatever information is in his or her possession relevant to the review to the Election Commissioner.
 - (c) The Election Commissioner may engage legal counsel and other persons to assist in carrying out a review.
- 13.6. If the Election Commissioner believes on reasonable grounds that a candidate, or other person acting on behalf of the candidate, has contravened the Rules, the Election Commissioner may:
- (a) Take no action;
 - (b) Enter into a voluntary agreement with the candidate; or
 - (c) Where a candidate is elected, make a recommendation to the Board of Directors that the election of the candidate be declared void.
- 13.7 The Election Commissioner may enter into a voluntary agreement with a candidate where the Election Commissioner is satisfied that a voluntary agreement:
- (a) Is in keeping with the nature and gravity of the contravention of these Rules;
 - (d) Is in the public interest; and
 - (c) Serves to promote the goals of accountability to and democratic control by Inuit of Nunavut Tunngavik Incorporated.
- 13.8 A voluntary agreement is an agreement whereby a candidate who has contravened these Rules agrees to:
- (a) Pay a sum of money, including restitution and damages, to one or more specified persons;
 - (b) Make apologies, including both public and private apologies in writing and orally.
 - (e) Seek atonement in accordance with traditional Inuit practice;
 - (d) Perform community service; and/or
 - (e) Do or refrain from doing any other action that the candidate and the Election Commissioner agree upon.
- 13.9 The Election Commissioner may recommend to the Board of Directors that the a candidate be disqualified, where the Election Commissioner determines that:
- (a) The candidate has knowingly contravened these Rules;
 - (b) The contravention is not trivial or technical in nature; and
 - (c) The continuing presence of the candidate would bring the election into disrepute.
- 13.10 The Election Commissioner may recommend to the Board of Directors that the election of a candidate be declared void, where the Election Commissioner determines that:
- (a) The candidate has knowingly contravened these Rules;
 - (b) The contravention is not trivial or technical in nature; and
 - (d) The contravention may have affected the result of an election.
- 13.11 Where the Election Commissioner makes a recommendation to the Board of Directors under s. 50 the Election Commissioner shall at the same time recommend that either:
- (a) Another candidate be declared elected; or
 - (b) The office of the executive member be declared vacant.

- 13.12 The Board of Directors shall not inquire further into the recommendation of the Election Commissioner and shall do one of the following:
- (a) Accept all of the recommendations of the Election Commissioner; or
 - (b) Reject all of the recommendations of the Election Commissioner.
- 13.13 The Board of Directors shall make its decision known to the Election Commissioner within 25 calendar days of the receipt of the recommendation from the Election Commissioner.

(Last amended in November 2009)