

MÉTIS NATION OF SASKATCHEWAN

SENATE ACT

RATIFIED NOVEMBER 6, 1999

ARTICLE ONE - TITLE

1. This Act may be cited as "The Métis Nation of Saskatchewan Senate Act, 1999."

ARTICLE TWO - INTERPRETATION

2. In this Act:

- 2.1. "Act" shall mean the Métis Nation of Saskatchewan Senate Act.
- 2.2. "Métis Nation Legislative Assembly" shall mean the governing authority of the Métis Nation of Saskatchewan, as set out in the Constitution.
- 2.3. "Ordinarily Resident" shall mean the Region to which the person is registered as a member and the Region of the member's fixed home address to which whenever he/she is absent he/she has the intention of returning.
- 2.4. "Region" shall mean Regions as determined by the Métis Nation of Saskatchewan Constitution.
- 2.5. "Senate" shall mean the Métis Nation of Saskatchewan Senate.
- 2.6. "Senator" shall mean a member of the Métis Nation of Saskatchewan Senate.

ARTICLE THREE - MANDATE AND POWERS OF THE SENATE

3. The Senate shall:

- 3.1. Act as the judicial arm of the Métis Nation of Saskatchewan and where provided in the Constitution, shall be available for consultation by the Métis Nation Legislative Assembly in fulfilling its mission under the Métis Nation of Saskatchewan Constitution;
- 3.2. Be subject to the authority of this Act and the Métis Nation Legislative Assembly.
- 3.3. Be represented by one Senator per Region and one Senator to be appointed by the Métis Women of Saskatchewan.
- 3.4. Designate one Senator as the Chairperson of the Senate.

ARTICLE FOUR - QUALIFICATIONS FOR A SENATOR

4. A person is eligible for appointment to the Senate if he/she:

- 4.1.1. Is a citizen of the Métis Nation of Saskatchewan.
- 4.1.2. Is appointed by the membership at an area meeting or

- 4.1.3. Is an appointee of the Métis Women of Saskatchewan, appointed by their general assembly.
- 4.1.4. Is ordinarily resident in the Region of appointment.
- 4.1.5. Is non-partisan.
- 4.1.6. Is non-political, including Federal, Provincial and Métis governments.
- 4.1.7. Is at least fifty-five (55) years of age.
- 4.1.8. Has not been convicted of an indictable offence within five (5) years of appointment to the Senate, and has exhausted all appeals.

ARTICLE FIVE - APPOINTMENT AND RATIFICATION OF SENATORS

5. Senate appointments:

- 5.1. Shall be made by the membership by a show of hands or by ballot at a duly called area meeting, or in the case of the Métis Women of Saskatchewan by their general assembly.
- 5.2. Shall be forwarded in writing to the President of the Provincial Métis Council and the Senate Chairperson by the official charged with recording the minutes of the meeting at which the appointment was made. The submission will include a copy of the minutes of the meeting, indicating the motion.
- 5.3. Forwarded to the President of the Provincial Métis Council and the Senate Chairperson shall be accompanied by a resume and biography of the Senator.
- 5.4. Shall be sworn in by the Senate at their next meeting, if the conditions under Section 4 of this Act are met.

ARTICLE SIX - TERM AND REMOVAL OF OFFICE

6. In this Act:

- 6.1. The term of office for a Senator shall be for life:
- 6.2. Notwithstanding Article 6.1, the term of office of a Senator shall terminate if a Senator is:
 - 6.2.1. Disqualified for violating any part of this Act or
 - 6.2.2. Is unable to fulfil his/her duties on a permanent basis.
- 6.3. The term of office for the Chairperson of the Senate shall be:
 - 6.3.1. For three years or until a written resignation is tabled at a Senate meeting.

6.3.2. Subject to reappointment by the Senate.

6.4. A Senator shall be removed from office by the Senate:

6.4.1. For being convicted of an indictable offence and all appeals are exhausted.

6.4.2. If he/she takes up residency outside of the province of Saskatchewan.

6.4.3. For actions unbecoming the stature of a Senator while holding office.

6.4.4. By voluntarily resigning in writing to the Chairperson of the Senate.

6.5. A Senator shall take a leave of absence from the office of the Senate for being charged with an indictable offence.

ARTICLE SEVEN - CODE OF ETHICS / STANDARDS OF CONDUCT

7. Each Senator shall comply with the following Code of Ethics / Standards of Conduct:

7.1. Function as a collective unit representing, serving and protecting the best interest of the Métis people and the Constitution of the Métis Nation of Saskatchewan and shall not sit on any elected local position nor serve on any regional or provincial Affiliate board including urban councils and advisory committees.

7.2. Understand that the Senate shall be driven by consensus, and any decisions or actions by a Senator without the authorization and approval of the Senate body shall be deemed null and void and therefore have no force and effect upon the Senate as a whole.

7.3. Devote time, thought and study to the responsibilities of a Senator necessary to render effective credible service in the Senate.

7.4. Encourage full and open dialogue in all matters with other members of the Senate.

7.5. Remove themselves from any committee of the Senate if they are in conflict of interest in carrying out the duties of that committee, pursuant to the applicable legislation.

ARTICLE EIGHT - COMMITTEES OF THE SENATE

8. Pursuant to this Act:

8.1. The Senate shall establish any such committees as are required by the Métis Nation of Saskatchewan Constitution or Legislation and as required to carry out the following duties:

8.1.1. Mediation and Arbitration

8.1.2. Veteran's Affairs

8.1.3. Central Registry and Citizenship Appeals

8.1.4. Regional and Local Disputes

8.1.5. Management of the Métis Nation of Saskatchewan during Election Period

8.1.6. Ceremonial Activities and Exchanges

8.1.6.1. Conducting Opening / Closing Prayers

8.1.6.2. Directing Swearing-In Ceremonies and Oaths

8.1.6.3. Presenting Awards and Gifts of Recognition

8.1.6.4. Displaying Métis Flags and Sashes.

8.2. The Senate shall appoint one Chairperson for each committee to serve as the spokesperson for that committee.

8.3. The Senate may delegate by resolution, the decision-making authority of any committee of the Senate to be the voice of the Senate and subject to ratification by Senate majority, unless otherwise provided in the Constitution or legislation.

ARTICLE NINE - QUORUM AND VOTING

9. To conduct official Senate business:

9.1. A simple majority of the Senators will constitute a quorum.

9.2. A quorum must be present at a meeting of the Senate, or at any meeting of a committee of the Senate.

9.3. Decisions made by a quorum of the Senate binds all members of the Senate to the motions and resolutions passed.

ARTICLE TEN - FINANCES

10. In order for the Senate to function:

10.1. Where fiscal resources are available, the Métis Nation of Saskatchewan, in accordance with the laws and regulations of the Métis Nation of Saskatchewan Treasury Board, shall provide financial resources to the Senate as required for the purposes of carrying out this Act.

10.2. Such resources shall be within the means available to the Métis Nation of Saskatchewan for such purposes.

- 10.3. The Chairperson of the Senate shall make formal written request to the Métis Nation of Saskatchewan Treasury Board for all expenditures of the Senate.
- 10.4. The Métis Nation of Saskatchewan shall actively pursue fiscal resources for the functions of the Senate.
- 10.5. Regions or Locals that require the involvement of the Senate to resolve disputes, will be responsible for Senate travel expenses and honorariums, until such time that the Métis Nation of Saskatchewan is able to provide resources to the Senate, as per Section 10.1 of this Act.
- 10.6. The Métis Nation of Saskatchewan will be responsible for travel expenses and honorariums for the Senate while conducting official Senate business, pursuant to this Act.

ARTICLE ELEVEN - RECORD KEEPING AND REPORTING PROCEDURES

11. In this Act:

- 11.1. The Senate shall keep written minutes of all meetings.
- 11.2. The minutes of Senate meetings shall be held by the Chairperson of the Senate.
- 11.3. The Senate shall submit an annual written report to be tabled with the Métis Nation Legislative Assembly thirty days prior to the Assembly to be included in the Order of the Day.
- 11.4. Before any Senate hearing, all Métis involved shall be sent a registered letter informing them of the proposed hearing.
- 11.5. An application to the Senate must be made in writing by registered letter outlining in detail the grievance(s).
- 11.6. All decisions of the Senate shall be recorded and one copy shall be sent by registered letter to each of the provincial head office, regional office and the parties involved.

ARTICLE TWELVE – GRANDFATHER CLAUSE

12. In this Act:

- 12.1. All existing Senators are grandfathered to this Act and will continue to act as Senators until their terms have expired, pursuant to this Act.

ARTICLE THIRTEEN - ENACTMENT

13. This Act:

- 13.1. Comes into force upon ratification by the Métis Nation Legislative Assembly.**
- 13.2. Is binding on all citizens of the Métis Nation of Saskatchewan and its Affiliates and organizations.**
- 13.3. Repeals all former Senate legislation.**
- 13.4. Has received ratification from the Métis Nation Legislative Assembly this 6th day of November, 1999.**