



CUSTOM ELECTION RULES AMENDMENTS

Changes made to *Custom Election Law* in response to input from
LNIB Members at the Special Information Meeting held on June 19, 2025.

The final form of the LNIB *Custom Election Law* that will be voted on by Membership on July 19, 2025 has now been prepared. This final version of the Law was modified in response to comments made by Members at the June 19 meeting. The changes made are as follows:

1. Eligibility of employees of LNIB and LNIB Development Corporation to run for Council.

The draft of the *Custom Election Law* presented to Membership on June 19 stated:

No Elector shall be eligible to be nominated if he or she... is a current employee of the Band, unless they are willing to resign from their employment position immediately following a successful declaration to the position of Chief or Councillor (section 9(c)).

Employees of LNIB are not eligible to sit on Council because they would frequently be in a conflict of interest when making decisions as a Council member. Due to the close interaction between Council and Band Administration, many Council decisions could potentially personally benefit Council members in their role as an employee of LNIB.

A conflict of interest occurs when an individual's personal interests (financial, relational, or otherwise) interfere, or appear to interfere, with their duty to act in the best interest of the LNIB community. Not all interactions between a person's private life and public duties give rise to a conflict of interest. A conflict only arises when the person's personal interests interfere with their public duties, or appear to do so. LNIB has ownership or other interests in a number of businesses and organizations. The degree of control or influence that LNIB has over these organizations varies, and in many cases the relationship between LNIB and these organizations does not give rise to conflicts or interest, or does so only infrequently.

However, as pointed out by some Members at the Special Information Meeting, Council members who are employees of the LNIB Development Corporation would be in a significant conflict of interest, due to the close interconnections between LNIB and the Development Corporation. As a result, we have changed section 9(c) to say that:

No Elector shall be eligible to be nominated if he or she... is a current employee of the Band or the Lower Nicola Indian Band Development Corporation, unless they are willing to resign from their employment position immediately following a successful declaration to the position of Chief or Councillor.

2. Residency of Council members

Section 9(e) of the *Custom Election Law* presented at the June 19 meeting stated that an Elector is not eligible to be nominated if they:

do not Reside in Nl̓eʔkepmxc Territory, and they fail to provide a written commitment to relocate to Nl̓eʔkepmxc Territory within 30 days of being declared elected.

The version of the Law presented on June 19 did not have a map attached to the Law. We have now **attached a detailed map** which shows the boundaries of the Nl̓eʔkepmxc Territory. This map shows that the part of Kamloops that is south of the Thompson River is part of Nl̓eʔkepmxc Territory, as are large portions of Penticton and several other cities and towns.

As discussed during the Special Information Meeting, this residency requirement has been included in the Chief and Council Policy for many years. It serves an important purpose as it ensures that Council members are deeply familiar with what is happening in the community and can respond to Member concerns. It is also consistent with LNIB's history and traditional practices, as historically LNIB's leaders lived in the community and were available to address the needs of community members.

3. Voter ID

The current version of the *Custom Election Rules* does not have any voter ID requirement. The original version of the *Custom Election Law* introduced a flexible voter ID requirement. Section 52 of the *Custom Election Law* presented at the June 19 meeting stated:

Each Elector, on arriving at the Polling Station, shall give their name to the Electoral Officer or their agent. The Electoral Officer or their agent may require that an Elector provide identification for the purpose of confirming their identity.

Some Members raised a concern that this leaves too much discretion in the hands of the Electoral Officer, and that this provision could be applied unfairly.

Voter ID requirements are important, as they protect the integrity of the election process (by ensuring that only qualified Electors are allowed to vote). However, if applied strictly, they could inadvertently prevent some Members from being able to vote.

In order to provide flexibility in a way that does not provide the Electoral Office with too much discretion, this section has been changed to read as follows:

Each Elector, on arriving at the Polling Station, shall give their name to the Electoral Officer or their agent. In order to vote in an Election, an Elector must either provide identification to the Electoral Officer or their agent for the purpose of confirming their identity, or the identity of the person must be confirmed by the LNIB Community Liaison.

This section builds on the current LNIB practice, in which the identity of Members showing up to vote can be confirmed by other Members present at the Polling Station. We have formalized this process, by creating an LNIB Community Liaison position, whose sole responsibility is to assist the Electoral Officer by confirming whether or not someone who presents themselves at a Polling Station without identification is a Member.