

Bylaws of the

BC Métis Federation Society

(The Society)

April 2011

Part 1 – Guiding Principles

RIGHTS OF THE ABORIGINAL PEOPLES OF CANADA

Canadian Constitution Act 1982: Section 35

- 35.** (1) The existing Aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed.
- (2) In this Act, "Aboriginal peoples of Canada" includes the Indian, Inuit and Métis peoples of Canada.

The Métis residing in British Columbia, in accordance with the map in Appendix A, have formed a provincial not-for profit society and representative governing body for the mutual benefit of the Métis people residing in British Columbia to be known as the British Columbia Métis Federation (hereinafter the "BCMF").

The BCMF recognize their relationship with all Métis people throughout Canada and the evolving framework in the ongoing development of Métis Nation self governance.

Bylaws, pursuant to which the BCMF shall conduct its affairs, have been established and will be updated in accordance with the spirit and intent of the constitution of the BCMF, as developed.

The BCMF will work with and through cooperative strategic alliances with Métis communities and other partners to ensure the economic, social, educational, language, culture and political well being of the grassroots BCMF members.

The BCMF has identified values that will be honoured and respected in recognition of our grassroots Métis culture as the foundation;

- i.** Trust
- ii.** Honesty
- iii.** Integrity
- iv.** Accountable Leadership
- v.** Support for Métis Elders and Our Youth
- vi.** Commitment
- vii.** Vision

viii. Empowerment of each Métis citizen

Partnerships and other activities will seek to reflect these values and enhance the historical role and legacy of grassroots Métis people.

Nothing in these bylaws abrogates or derogates from the rights all Métis people have or may exercise under the Canadian Charter of Rights and Freedoms.

Every BCMF member shall have the right to an opinion and to express that opinion freely without fear of persecution or punishment, considering the language of the opinion and context of the communication is respectful. Libellous or hateful language will not be entertained. The BCMF members have the right to call a community and Elders Council meeting to resolve any issues and communication problems with the BCMF board of directors as situations or disagreements arise.

Part 2 – Interpretation

2. (1) In these bylaws, unless the context otherwise states;
 - i. “Directors” means the board of directors of the BCMF for the time being.
 - ii. “*Society Act*” means the *Society Act* of the Province of British Columbia from time to time in force and all amendments to it.
 - iii. “Registered address” of a member means his or her address as recorded in the register of members.
 - iv. “Métis”, “Métis Member”, “Associate Member”, or “Honorary Member” as the case may be, means a person who self-identifies as Métis, is of proven historic Métis Nation ancestry and is accepted by the BCMF as a member.
 - i. “Métis Nation” means the Aboriginal person which is now comprised of Métis members and is one of the “Aboriginal peoples of Canada” within s.35 of the Constitution Act of 1982. "
 - ii. “Accepted by the Métis Nation” means a person of Aboriginal ancestry who is accepted by the Métis Nation and/or Métis community who is a member of a recognized community of the BCMF.
 - v. “Métis Community” means a Métis representative organization in British Columbia that has defined their community governing representative process. The organization may be incorporated or not incorporated and must demonstrate to the BCMF that their organization meets regularly and has at least 20 members. A Métis community is required to sign a Statement of Cooperation.
 - vi. “Simple Majority” means 50% plus 1 of the eligible votes.
 - vii. “Constitution” means the governing document that the BCMF members will design, develop, and produce within 1 year from the date of BCMF incorporation to establish grassroots representative Métis decision making and governance.
- (2) The definitions in the B.C. *Society Act* on the date these bylaws become effective apply to these bylaws.
3. Words importing the singular include the plural and vice versa, and works importing a male person include a female person and a corporation.

Part 3 – Membership

4. The membership of the BCMF is the applicants for incorporation of the BCMF and those persons who subsequently become members in accordance with these bylaws.
5. A person may apply for membership in the BCMF and on acceptance shall become a BCMF recognized member. All individuals must complete a BCMF membership application form.

Please note that BCMF will recognize membership in the BCMF through one or more of the following as other options to provide prior genealogical information;

- i. BCMF will automatically recognize individuals who apply for membership from Métis communities when their organizations have signed a Statement of Cooperation with BCMF;
- ii. BCMF will automatically recognize individuals who apply for BCMF membership upon proof of possession (via photocopy) of a genealogical verified citizenship card from one of the following Métis provincial organizations:
 - i. Métis Nation British Columbia
 - ii. Métis Nation of Alberta
 - iii. Métis Nation of Saskatchewan
 - iv. Manitoba Métis Federation
 - v. Métis Nation of Ontario
 - vi. Labrador Métis Nation
 - vii. Northwest Territory Métis Nation
 - viii. Métis Settlement Grand Council

Individuals must complete a BCMF membership application form. BCMF will make available a BCMF membership application upon request and posted on the BCMF website.

6. BCMF will recognize associate and honorary non-voting membership:

- i. **Associate Member:**

Self identified Métis citizens, who complete a BCMF membership application form but have not provided genealogical evidence to substantiate their Métis identification at the time of their membership application, shall be recognized as a BCMF Associate Member.

- ii. **Dues:**

Associate Members dues will be one half (1/2) the dues rate of a full voting member.

Associate Members shall have no BCMF vote and are not eligible to hold BCMF office, but shall be entitled to such benefits as may from time to time be determined by the motions of the Board, and upon confirmation from a board of director meeting.

iii. Honorary Members:

Such persons may be admitted by resolution of the membership at an annual general meeting:

- Recognized friends of the BCMF by Order of the Sash presentation or extraordinary circumstance; or
 - Honorary members will not be eligible to vote at any BCMF general meetings and are not eligible to sit on the BCMF board of directors.
7. BCMF will endeavour to ensure the Métis communities and all their members gain fair benefit from, and have equal access to, all Aboriginal programs in Canada and the Province of British Columbia.
 8. Upon receipt of an application for membership, the BCMF board of directors shall, without delay, take such steps as are necessary to review the application and notify the applicant of the results of the review. Applicants shall be entitled to have their applications dealt with in accordance with the privacy policy and procedure as developed by the BCMF. In the event an applicant is denied membership the applicant may appeal this decision to the BCMF Elders Council.
 9. Every BCMF member shall uphold the bylaws and support the development of the constitution.
 10. Applicants for membership in BCMF must submit an initial membership fee, as determined by the board of directors and yearly dues thereafter by the board of directors in conjunction with their application for membership.

Members are politely encouraged to contribute an annual donation to support the BCMF's office costs.

11. A person shall cease to be a member of the BCMF;
 - i. By delivering his resignation in writing to the secretary of the BCMF or by mailing or delivering it to the address of the society;
 - ii. On his or her death or in the case of a corporation on dissolution;
12. BCMF will develop a membership approval procedure consistent with the bylaws and the legislation of British Columbia and Canada.
13. The BCMF board of directors cannot take legal action against any member. All disputes must be handled fairly and resolved, if necessary, by support of the Elders Council.

Part 4 – Meeting of Members

14. General meetings of the BCMF and shall be held at the time and place, in accordance with the *BCMF bylaws*. The BCMF board of directors will consider all options for the best location including consultation with membership, community leaders, and the Elders Council.

- i. BCMF members present at an annual general meeting may mandate the BCMF board of directors to hold the annual general meeting at a specific location by simple majority vote for the following year.
15. Every general meeting, other than an annual general meeting, is an extraordinary general meeting.
16. The board of directors may convene an extraordinary general meeting upon no less than 30 days notice to the members and communities.
17. (1) Notice of a general meeting shall provide at least thirty days' (30) notice; specifying the agenda, place, day and hour of meeting and, in case of special business and voting issues, the general nature of that business. Such notice can be provided by website, email, or mail.

(2) The accidental omission to give advance notice of meetings when to the BCMF members or to any of the board of directors entitled to receive proper notice invalidates all voting at that meeting and the meeting will be then considered for information purposes only.
18. The first annual general meeting of the BCMF shall be held not more than 15 months after the date of incorporation and after that an annual general meeting shall be held at least once in every calendar year and not more than 15 months after the holding of the last preceding annual general meeting, subject to available funding.

Part 5 – Proceedings at the General Meeting

19. Annual general meetings of the BCMF shall be held annually, and in accordance with the Roberts Rules of Order. The precise dates and location of an annual general meeting shall be held at a time and location, chosen by the board of directors after consultation with the Elders Council and members that is conducive to enabling as many as possible of the BCMF members to attend. The agenda for each annual general meeting shall include:
 - i. Presidents Report;
 - ii. Vice President Report;
 - iii. Consideration of financial statements from the Treasurer;
 - iv. Report from the Auditor (if any);
 - v. Secretaries Report on Membership;
 - vi. Report from all Directors
 - vii. Election of Directors;
 - viii. Resolutions; and Such other matters as shall be included on the agenda for that annual general meeting.

20. Extraordinary general meetings shall be held when circumstances require, on 30 days notice that includes an agenda to the BCMF members. The board of directors must consult with the Elders Council for their input before the 30 day notice is made public.
 - i. An extraordinary general meeting will be required by a unanimous motion of the board of directors.
21. An extraordinary general meeting will be required within 30 days upon submission of a petition of no less than 50 BCMF members received by the BCMF board secretary.
 - i. A petition must clarify the issue(s) and include original signatures.
22. Quorum at a general meeting;
 - i. If at any time during a general meeting there ceases to be a quorum present, business then in progress shall be suspended until there is a quorum present or until the meeting is adjourned or terminated.
 - ii. A quorum is 50 plus 1 percent of the eligible members in attendance and registered for a general meeting.
23. If within 30 minutes from the time appointed for a general meeting a quorum is not present, the meeting shall be terminated.
24. The simple majority of the BCMF board of directors present shall be required to establish quorum for a general meeting. The president, or in his/her absence the vice president, shall act as chairperson of the general meeting. The members in attendance at a BCMF general meeting may request the appointment of an independent chairperson for that meeting. Such a request must be approved by the simple majority of BCMF members in attendance.
25. Resolutions at a general meeting;
 - i. Resolutions proposed at meeting, needs to be seconded, and the chairperson of a meeting may move or propose a resolution.
 - ii. In case of a tie in the vote, the chairperson shall not have a second vote in addition to the vote to which he or she may be entitled as a member and the proposed resolution shall not pass.
 - iii. All resolutions require a simple majority to pass.
26. A member present at a meeting of members will be entitled to one vote and the vote may be by one of the following methods as agreed by the members in attendance;
 - i. Voting is by show of hands; or
 - ii. Secret ballot box; or
 - iii. Electronic voting if available.

Proxy voting is not allowed. Members must be present to vote.

Part 6 - Directors

27. The BCMF board of directors shall be comprised of a minimum 5 (five) and up to 14 (fourteen) board members as follows:

- a) President
- i. The president shall (whenever possible) preside as chairperson at all meetings of the BCMF and of the directors.
 - ii. The president may be appointed as the chief executive officer of the BCMF this will be decided by the BCMF board of directors.
 - iii. The president is responsible to provide guidance and support for the other officers in the execution of their duties.
 - iv. The president will appoint portfolio's to the BCMF board of directors as required. Such appointments must have final approval by the BCMF board of directors by simple majority.

- b) Vice President;
- i. The vice president shall carry out the duties of the president during his or her absence.

- c) Secretary;
- i. Conduct the correspondence of the BCMF;
 - ii. Issue notices of meetings of the BCMF and directors;
 - iii. Keep minutes of all meetings of the BCMF and directors;
 - iv. Have custody of all records and documents of the BCMF except those required to be kept by the treasurer;
 - v. Have custody of the common seal of the BCMF, and
 - vi. Maintain the register of members.

- d) Treasurer;
- i. Keep the financial records, including books of account, necessary to comply with the *Society Act*; and
 - ii. Render financial statements to the directors, members and others as requested.
 - iii. The Secretary and Treasurer position can be held by one person as Secretary/Treasurer

- e) Up to Ten Directors.

28. A simple majority of the BCMF board of directors, one of whom must be the president or in his/her absence, the vice president, shall constitute a quorum.

29. The president or vice president of BCMF shall be the chairperson of the meetings of the BCMF board of director meetings.

30. The BCMF board of directors will endeavour to hold board meetings on a monthly basis but shall meet at least four (4) times per year at the call of the chairperson. The chairperson shall give at least two (2) weeks' notice of the meeting date and agenda for all regular BCMF board meetings.

- i. The approved BCMF board of director minutes will be posted on the BCMF website and sent by email to all BCMF members and Statement of Cooperation signatories.
- ii. The BCMF board of directors can be attended by conference call or in person.

31. The BCMF board of directors may exercise all the powers necessary to exercise their duties and on behalf of and in the name of the BCMF.

- i. The BCMF board of directors must have approval by the majority of members in attendance at a general meeting if the board requires any loans. The board will be responsible to provide the rationale including a repayment plan with clear timelines.
- 32. The BCMF board of directors shall be respectable, honest, transparent and accountable to the members of the BCMF and will provide written reports, including a financial report at each annual general meeting.
- 33. The BCMF board of directors shall designate any two directors and the treasurer, any two of which shall have signing authority for the purposes of conducting the financial affairs of the BCMF. Financial affairs of BCMF requiring signed authority shall be comprised of two signatories. All expenditures must, first have majority approval from the board of directors.
- 34. The BCMF board of directors can establish the committees to support the BCMF
 - i. Governance Committee – To design a BCMF Constitution
 - ii. Membership – To address the BCMF membership application process
 - iii. Other committees as required by the board of directors
 - i. The BCMF board of directors will provide a draft terms of reference for committees and the BCMF board will encourage BCMF members to participate.
- 35. The majority of the BCMF board of directors may call a special meeting (either in person or conference call) with one week notice to all members of the board.
- 36. Decisions of the BCMF board of directors shall require a simple majority.
- 37. A person is disqualified from being a member of the BCMF board of directors when he or she holds a paid or contracted position with the BCMF pursuant to which that person receives remuneration or income.

 A member of the BCMF board of directors may receive an honorarium, salary or per diem for performing the duties of director of the BCMF.
- 38. A member of the BCMF board of directors may be removed from office only in the following circumstances:
 - i. When he or she is disqualified by the grassroots members and the majority of the board of directors for clearly breaching their fiduciary duty to the members of BCMF; or
 - ii. When he or she is convicted of an indictable offence; or
 - iii. When he or she has been removed by a simple majority vote at a BCMF AGM or an extraordinary general meeting with proper pre meeting notice; or
 - iv. When he or she misses three consecutive meetings without just cause.
- 39. The BCMF board of directors must consult with the Elders Council before a decision is made in regards to 37 i). The BCMF board of directors must seek guidance and advice

on how the Elders Council would assess the situation before the board of directors makes any decision.

40. A process for removal of a board member shall be in plain and unambiguous language. Therefore, regardless of any allegation or reason presented for removal, the President is responsible for providing the board of director's proper documentation to substantiate the allegation or reason. If the issue is in regards to the President, and / or the Vice President, or both, the Elders Council will immediately be required to address the situation with the remainder of the board of directors. The board of directors are responsible for the appropriate documentation on behalf of the board of directors. There must be clear evidence to substantiate any removal, suspension, or impeachment before a decision by the board can proceed.
41. The BCMF members, by majority vote, shall appoint a BCMF member to fill a vacancy on the board of directors and that person shall hold the office for which there was a vacancy until an extraordinary general meeting called for that purpose or an annual general meeting is held at which time nominations for the vacant position shall be accepted and the position filled by an election in accordance with the provisions of these bylaws. The BCMF may utilize an online process for BCMF members to vote on the appointment.
42. On appointment to the board of directors, the president and vice president will inform the new director of his/her portfolios, responsibilities and duties as a director. Training courses/education for directors, secretary, and treasurer will be given the highest priority.
43. The board of directors will recognize the role of an Elders Council.

Part 7 – Elders Council

44. The BCMF board of directors will establish an Elders Council to support and guide the BCMF in development.
 - i. The BCMF recognizes that elders possess the wisdom of the ages, knowledge and experiences that the younger generations need to guide them through life. BCMF believes the Elders Council is important and that the Elders' legacy is passed on to each generation that follows.
45. The Elders Council will consist of no less than 5 members and can reside from any part of British Columbia. The Elders Council will support the BCMF as follows:
 - i. Dismissal of a BCMF board of director;
 - ii. Dispute with a BCMF member, Statement of Cooperation signatory, or board of director;
 - iii. Cultural guidance and support for grassroots meaningful participation in all aspects of the BCMF;
 - iv. Restore balance and provide good values, wisdom, and honour each other's opinions, in a non-political, non-judgemental way to build trust between BCMF board of directors, members, and all Statement of Cooperation signatories.
46. The Elders Council will implement or help resolve issues in a traditional manner and provide solutions in every way requested. The Elders Council will be invited to attend

BCMF board meetings and general meetings to ensure BCMF balances politics with cultural recognition.

Part 8 - Elections

47. Members elected to the board of directors at the Annual General Meeting, extraordinary meeting shall hold office for a term of two years.
48. The number of terms that a member may hold office as member of the BCMF board of directors is unlimited.
49. Members shall be entitled to vote in an AGM election for a member of the board of director if that member
 - i. Is 18 years of age or older as of the date of the election.
50. Subject to the provisions of these bylaws, any member who is eighteen (18) years of age or older may be nominated and, if elected, hold office as a BCMF board member.
51. Elections to the BCMF board of directors shall be accompanied with the following documents; the absence of information shall disqualify that candidate:
 - i. A current criminal record check (to be paid for by the candidate) provided by the RCMP and/or Municipal Police;
 - ii. Proof of BCMF membership
52. Members seeking elected office within the BCMF must have been a resident of British Columbia for at least twelve (12) months prior to the date of the election.
53. All BCMF members shall be given advance notice of BCMF meetings. Members are encouraged to attend the BCMF board of director meeting.

Part 9 – Amendments

54. The enforcement of the bylaws for the BCMF is the responsibility of the board of directors and Elders Council. Proposed amendments presented to, or identified by a director or member will be reviewed by the board of directors where 14 days notice to the board of directors of the proposed amendment has been given. Such amendments approved by the board of directors must be presented at the next BCMF annual general meeting or extraordinary general meeting for final approval by the simple majority of BCMF members.
55. All proposed amendments from BCMF members to the bylaws must be filed and registered with the BCMF secretary no less than fourteen (14) days prior to the date of the BCMF board of directors meeting or annual general meeting or extraordinary general meeting.
56. All amendments to the BCMF bylaws must be approved at a BCMF general meeting by a simple majority vote of those members eligible and in attendance that day. Those amendments to the text of the bylaws which are adopted by proper motion from the

members at a general meeting shall be made immediately upon registration under the Society Act.

- i. The BCMF board of directors must post all amendments on the BCMF website prior to presentation at a general meeting.
- ii. BCMF board of directors must make best efforts to consult with all members prior to the amendments being presented at a general meeting. This must include email, website polling, and community meetings; subject to available resources.

Part 10 – Seal and Office

57. The directors may provide a common seal for the society and may destroy a seal and substitute a new seal in its place.
58. The common seal shall be affixed only when authorized by a resolution of the directors and then only in the presence of the person prescribed in the resolution, or if no persons are prescribed, in the presence of the president and secretary or president and secretary treasurer.
59. The registered head office of the BCMF shall be in the City of Surrey, in the Province of British Columbia and shall be located therein at such address as the board of directors may from time to time determine or in such other city, province and address as the Board of Directors may hereafter determine.

Part 11 – Borrowing

60. In order to carry out the purposes of the BCMF the directors may, on behalf of and in the name of the BCMF, raise or secure the payment or repayment of money. However, the BCMF board of directors must have approval by the majority of members in attendance at a general meeting if the board wants to borrow any money. The board will be responsible to provide the rationale including a repayment plan with clear timelines.
61. No debenture shall be issued without the sanction of a special resolution at a general meeting.

Part 12 – Auditor

62. This part applies only where the BCMF is required or has resolved to have an auditor.
63. The first auditor shall be appointed by the directors who shall also fill all vacancies occurring in the office of auditor.
64. At each annual general meeting the simple majority of BCMF members shall appoint an auditor to hold office until he is re-elected or his successor is elected at the next annual general meeting.
65. An auditor may be removed by resolution of the simple majority of BCMF members in attendance at a general meeting.
66. An auditor shall be promptly informed in writing of appointment or removal.

67. No director or no employee of the BCMF shall be the auditor.
68. The auditor may attend general meetings.

Part 13 – Fiscal Year

69. The fiscal year is defined as April 1 – March 31

Part 14 - Notice to Members

70. A notice or general meetings or BCMF information may be provided to a member either personally, phone call, email, or by registered mail to him/her at their registered address. BCMF will also use the website and community office postings where a Statement of Cooperation has been signed.
71. A notice sent by mail or email shall be deemed to have been given on the second day following that on which the notice is posted, and in proving that notice has been given it is sufficient to prove notice was properly addressed and put in a Canadian Post office receptacle.
72. Notice of a general meeting shall be given to;
- i. Every member shown on the register of members on the day notice is given;
 - ii. Elders Council;
 - iii. Community organizations and agencies that have signed a Statement of Cooperation with the BCMF;
 - iv. The auditor, if required; and
 - v. Associate/honorary members are entitled to receive a notice of a general meeting.

Part 15 – Relationship with Métis Communities and Agencies in British Columbia

73. The BCMF acknowledges that there are Métis community associations and service delivery providers located throughout British Columbia.
- i. The BCMF will endeavour to assist with funding Métis communities with administration, support mutual political policies, address the Section 35 rights for members, as well as identify programs and services for service delivery gaps of members.
74. BCMF will enter into a Statements of Cooperation (SOC) with the Métis communities and service delivery providers that support mutual interests, trust, and effective advocacy for the respective members.

Part 16 – Dissolution

75. On the winding up or dissolution of the BCMF any and all assets remaining after all the just debts of BCMF have been paid shall be transferred to a society having a charitable or not for profit purpose similar to that of the BCMF. Any transfer of assets to such society shall be sufficient to discharge any and all obligations and responsibilities of BCMF in relation to those assets.

Part 17 – Bylaws

76. On being admitted to membership, each member is entitled to and the BCMF shall give him or her, without charge, a copy of the bylaws of the society.
77. These bylaws shall not be altered or added to except in accordance with the process outlined in the bylaws.

Part 18 - Ratification

78. The BCMF bylaws shall be in effect and deemed ratified immediately upon being passed at a meeting established by the founding members called for that purpose and after being legally registered with the Registrar of Societies.

Dated at Vancouver, B.C. this 16th day of May 2011.

Applicants for incorporation

Witness -

Applicants for incorporation



Print Name:

Mr. Keith Henry - PRESIDENT
Address: #510 - 580 RAVENWOODS
DRIVE NORTH VANCOUVER B.C.
V7G 2T3

Print Name:

Mr. Daryl Piper – VICE PRESIDENT
Address: # 158 - 4111 HASTINGS
STREET BURNABY B.C. V5C 6T7



Print Name:

Mr. Russ Roy- SECRETARY/TREASURER
Address: 1402 JUDD ROAD P.O.Box
1658 SQUAMISH B.C. V8B 0B2



Print Name:

Mr. Gerard H. Joseph Desjarlais
Address: 1565 HUNTER STREET
NORTH VANCOUVER B.C. V7J 1H4



Print Name:

Ms. Beverly Lambert
Address: # 215 - 13364 102ND
AVENUE SURREY B.C. V3M 5L8



Print Name:

Mr. Gerry Legare
Address: #22 - 1800 2ND AVENUE
CRANBROOK B.C. V1C 5A2



Print Name:

Mr. Rene Therrien
Address: 2604 SKEENA STREET
TERRACE B.C. V8G 3K1

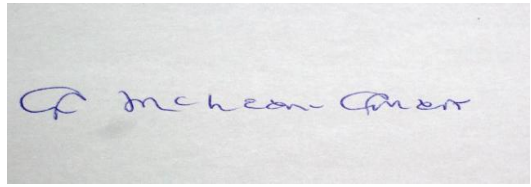
Print Name:

Mr. Ken Fisher
Address: 13935 113 Avenue
Surrey, BC V3R 2J6



Print Name:

Mrs. Rose Bortolon
Address: 8185 POOLEY ROAD
PRINCE GEORGE B.C. V2N 5W3

A handwritten signature in blue ink that reads "April Mclean Collart".

Print Name:

Mrs. April Mclean Collart
Address: 400 5TH AVENUE WEST
PRINCE RUPERT B.C. V8J 1T7

A handwritten signature in black ink that reads "Richard Lucier-larsen".

Print Name:

Mr. Richard Lucier-larsen
Address: SUITE 217 - 2433
MALAVIEW AVENUE SIDNEY B.C.
V8L 4G4

Appendix A – BCMF Map

