

# ELECTION APPEAL

As per Sections 9.8 and 9.9 of the McLeod Lake Indian Band Election Code, please review the following vital information for your knowledge.

**S. 9.8** Any Candidate or any Elector may, within seven days of the Voting Day, appeal the results of the Election if they have reasonable grounds for believing that there was an error or violation of this Code that might have affected the outcome of the Election.

**S. 9.9** An appeal under section 9.8 shall be commenced in the following manner:

**A.** An appellant shall provide a notice of appeal in writing containing details of the alleged error or violation of this Code, together with a nonrefundable fee by money order or certified cheque in the amount of five hundred dollars payable to the Band.

**B.** The contents of the notice of appeal shall be supported by an affidavit.

**C.** The notice of appeal shall be sent by a method of mail that can be tracked, and that requires signature proof of sending and receiving, or by hand delivery to the Appeal Board.

**All appeals and deposits must be received no later than 4 PM on June 12, 2026.**

Only violations of the McLeod Lake Indian Band Custom Election Code (2013) may be appealed, and these violations might have affected the outcome of the election.

Any candidate requesting to appeal an election decision, please mail, courier, or hand deliver your appeal letter along with a \$500 (five hundred dollars) non-refundable money order or certified cheque payable to MLIB to the following:

Attention: MLIB Appeal Board

Attention: Diane Bertrand

McLeod Lake Indian Band General Deliver,

61 Sekani Drive, McLeod Lake, B.C.

V0J 2G0

If paying by cash, do so only in person and request a receipt.

The substantive contents of an affidavit with the meaning of section 9.9 of the Election Code will differ depending on the events and circumstances underlying the basis for the appeal (i.e., the particular alleged breach of the Election Code). However, at a high level, an affidavit is typically a sworn, written statement detailing the affiant's first-hand knowledge of facts and events that are being relied on as proof that there was a breach of the Election Code. The following are key sections that should be included in an affidavit:

1. Style of Proceeding/Heading: The names of the parties involved and the adjudicating body (i.e. the Appeal Board).
2. Affiant's Introduction Statement: Identifies the person making the statement, including their name, address, and occupation, and states whether they are swearing (on a religious text) or affirming (a solemn promise)
3. Affiant's knowledge statement: Paragraph explaining how the affiant has direct personal knowledge of the facts. We note that an affiant can only comment on documentary evidence and facts that they have firsthand knowledge about (i.e. that they personally witnessed, heard, or experienced).
4. Facts: A clear, concise, chronological account of events and facts. The affidavit must avoid legal opinions or legal arguments, and should simply lay out in numbered paragraphs the relevant events or facts to support the basis for the appeal (i.e. the breach of the election code).
5. Exhibits: Where there is documentary evidence (i.e., letters, photographs, emails, texts, etc) showing there has been a breach of the Election Code, those documents would be referenced in the affidavit and attached as exhibits.
6. Jurat: This is the section where the authorized official (either a notary public or commissioner) signs, dates and stamps the document, confirming the affiant signed the affidavit in front of them.
7. Signature of the affiant

As noted above, a notary can witness and sign the jurat part of the affidavit.