

## Chapter 22: Ratification of the Agreement

### Part 22.1 Definitions

22.1.1 In this chapter:

"Voter" means an individual enumerated on the Official Voters List; and

"Voting Centres" means the Inuit Communities, Mud Lake, Northwest River, Happy Valley-Goose Bay, St. John's, Cartwright, Labrador City-Wabush and other locations that are designated by the Ratification Committee.

### Part 22.2 General

22.2.1 Once the Agreement has been initialled by the chief negotiators for the Parties, it must be submitted by them to the Parties for ratification in accordance with this chapter.

22.2.2 The Official Voters List must be prepared in accordance with part 22.4.

### Part 22.3 Ratification Committee

22.3.1 The Parties shall establish the ratification committee within 20 clear days from the date of initialling of the Agreement.

22.3.2 The Ratification Committee shall consist of four individuals appointed by Labrador Inuit Association, two individuals appointed by the Minister of Indian Affairs and Northern Development, two individuals appointed by the Minister of Labrador and Aboriginal Affairs and an independent chairperson appointed by consensus of Labrador Inuit Association, the Minister of Indian Affairs and Northern Development and the Minister of Labrador and Aboriginal Affairs.

22.3.3 If the Parties fail to agree on the appointment of the chairperson they shall, within five clear days from the expiration of the period referred to in section 22.3.1, jointly ask the Chief Justice to make the appointment from a list of three nominees submitted jointly by Labrador Inuit Association and the Ministers referred to in section 22.3.2 within ten clear days from the date of the joint request.

22.3.4 The quorum of the Ratification Committee shall be the chairperson, two members appointed by Labrador Inuit Association and one member appointed by each of the Minister of Indian Affairs and Northern Development and the Minister of Labrador and Aboriginal Affairs.

22.3.5 Decisions of the Ratification Committee shall be made by majority vote.

22.3.6 The chairperson shall vote only in order to break a tie.

- 22.3.7 The Ratification Committee shall perform the functions assigned to it under this chapter, including:
- (a) the publication of information regarding the preliminary voters list;
  - (b) the preparation of the preliminary voters list;
  - (c) the publication of the qualifications for enrolment on the Official Voters List;
  - (d) subject to this chapter, the establishment of procedures and rules for the Inuit ratification vote, including rules governing the validity of ballots;
  - (e) the designation of Voting Centres;
  - (f) the establishment of the date of the Inuit ratification vote and of any advance polls;
  - (g) the establishment of the Official Voters List; and
  - (h) any other functions necessary for the conduct of the Inuit ratification vote, in accordance with this chapter.

22.3.8 The Ratification Committee shall retain a record of all notices given and all decisions made by it under this chapter.

22.3.9 The Ratification Committee may make rules to govern its internal procedures.

**Part 22.4 Enumeration**

22.4.1 The Ratification Committee shall publish the Official Voters List no later than 120 clear days from the date of initialling of the Agreement, unless the Parties agree to extend the time.

22.4.2 The Ratification Committee shall, no later than 60 clear days from the date of publication of the preliminary voters list, make a recommendation to the Parties on whether to extend the time set out in section 22.4.1, if the Parties have not already extended it. Nothing in this section prevents the Ratification Committee from making such a recommendation at any time.

22.4.3 An individual is eligible for enumeration on the Official Voters List if the individual:

- (a) will be at least 16 years old on the date of the Inuit ratification vote; and
- (b) is eligible under part 3.3 to be enrolled as a Beneficiary.

22.4.4 The Ratification Committee shall prepare and publish a preliminary voters list.

- 22.4.5 No later than 60 clear days from the date of publication of the preliminary voters list:
- (a) an individual whose name is not on the preliminary voters list may apply to be enumerated on the Official Voters List; and
  - (b) an individual whose name is on the preliminary voters list may apply to have another individual excluded from the Official Voters List.
- 22.4.6 An individual whose name is on the preliminary voters list may, by written request, ask to be excluded from the Official Voters List, and the Ratification Committee shall exclude that individual's name from the Official Voters List.
- 22.4.7 An applicant under subsection 22.4.5(a) shall satisfy the Ratification Committee that the applicant is eligible for enumeration on the Official Voters List.
- 22.4.8 An applicant under subsection 22.4.5(b) shall satisfy the Ratification Committee that another individual should be excluded from the Official Voters List.
- 22.4.9 The Ratification Committee shall give an individual whose eligibility is challenged under subsection 22.4.5(b):
- (a) written notice of the application;
  - (b) the reason or reasons for the challenge; and
  - (c) an opportunity to respond.
- 22.4.10 Applications under section 22.4.5 and any responses made pursuant to subsection 22.4.9(c) must be in writing and shall be considered by the Ratification Committee.
- 22.4.11 The decision of the Ratification Committee with respect to an application under section 22.4.5 is final and it shall give written notice of and the reasons for its decision to the applicant and the individual whose eligibility has been challenged.
- 22.4.12 After the Ratification Committee has decided all applications under section 22.4.5 it shall establish and publish the official voters list.
- 22.4.13 The Ratification Committee shall deliver the Official Voters List to the Parties.
- 22.4.14 The Official Voters List is final and binding on the Parties.

**Part 22.5 Information**

- 22.5.1 The Ratification Committee shall take all reasonable steps to provide Voters with a reasonable opportunity to:
- (a) learn about the ratification process; and

(b) review the Agreement.

22.5.2 The Ratification Committee shall convene at least one meeting in each Voting Centre and may convene additional meetings in the Inuit Communities and elsewhere, as it deems necessary, to provide Voters with an opportunity to discuss and understand the Agreement.

22.5.3 The Ratification Committee shall give notice to Voters of the meetings referred to in section 22.5.2.

22.5.4 A representative of each Party shall attend each meeting convened under section 22.5.2 to provide information on the Agreement.

**Part 22.6 Inuit Ratification Vote**

22.6.1 The Ratification Committee shall recommend the form and content of the ballot for the Inuit ratification vote to the Parties.

22.6.2 The form and content of the ballot for the Inuit ratification vote must be approved by the Parties.

22.6.3 The Inuit ratification vote shall be held no earlier than 60 clear days and no later than 365 clear days from the publication of the Official Voters List.

22.6.4 The Inuit ratification vote must be held on the same day for all Voters, except for advance polls and ballots submitted by mail, unless the Ratification Committee decides otherwise. Voting at advance polls and by mail shall be governed by rules established by the Ratification Committee.

22.6.5 A polling station shall be located in each Voting Centre.

22.6.6 The Ratification Committee shall give at least 21 days notice of the date of the Inuit ratification vote and the location of polling stations.

22.6.7 A Voter is entitled to participate in the Inuit ratification vote by casting a ballot in accordance with this part.

22.6.8 A Voter who is resident in a Voting Centre but who is not able to vote on the date of advance polls or on the date of the Inuit ratification vote may, on request, receive and submit a ballot by mail.

22.6.9 A Voter who is not resident in a Voting Centre is entitled to receive and submit a ballot by mail.

22.6.10 Ballots submitted under sections 22.6.8 and 22.6.9 must be received no later than the date of the Inuit ratification vote.

22.6.11 The Inuit ratification vote shall be by secret ballot.

- 22.6.12 The Ratification Committee shall:
- (a) receive all documents related to the ballot; and
  - (b) be responsible for the official count of all ballots.
- 22.6.13 The Ratification Committee shall immediately communicate the results of the Inuit ratification vote to the Parties and shall, as soon as practicable, publish the results in each Voting Centre. The results must include:
- (a) the total number of individuals enumerated on the Official Voters List;
  - (b) the total number of ballots cast;
  - (c) the total number of ballots approving the Agreement;
  - (d) the total number of ballots not approving the Agreement; and
  - (e) the total number of ballots spoiled or rejected.
- 22.6.14 The Ratification Committee shall:
- (a) retain all documents related to the ballot;
  - (b) keep a record of all events and decisions related to the Inuit ratification vote;
  - (c) make the documentation referred to in subsections (a) and (b) available to the Parties upon request; and
  - (d) within six months after the completion of the Inuit ratification vote, transfer all the documentation, including the documentation referred to in section 22.3.8, to the National Archives of Canada.
- 22.6.15 The Parties are entitled to have access to, and to make copies of, the documentation referred to in subsection 22.6.14(d).
- 22.6.16 The National Archives of Canada shall not destroy or dispose of the documentation referred to in subsection 22.6.14(d), in whole or in part, without prior written notice to the Parties.

**Part 22.7 Inuit Ratification**

- 22.7.1 Inuit shall have ratified the Agreement when:
- (a) 50 percent plus one of the individuals enumerated on the Official Voters List have approved the Agreement by way of the Inuit ratification vote; and
  - (b) the authorized representatives of the Voters have signed the Agreement.

**Part 22.8 Federal and Provincial Ratification**

- 22.8.1 Canada shall have ratified the Agreement when:
- (a) a Minister authorized by the Governor in Council has signed the Agreement; and
  - (b) federal ratification Legislation is in effect.
- 22.8.2 The Province shall have ratified the Agreement when:
- (a) the Lieutenant-Governor in Council has approved the Agreement;
  - (b) its authorized representatives have signed the Agreement; and
  - (c) Provincial ratification Legislation is in effect.
- 22.8.3 Prior to signing the Agreement, the representatives of the Parties authorized to sign the Agreement may agree to minor amendments to the Agreement.
- 22.8.4 The Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) shall be prepared in Consultation with Labrador Inuit Association.
- 22.8.5 The Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) shall include:
- (a) a statement that the Agreement is ratified;
  - (b) a statement that the Agreement is given legal effect and made binding on third parties;
  - (c) a statement that if there is any inconsistency or conflict between federal or Provincial Law and the Agreement, the Agreement prevails to the extent of the inconsistency or conflict;
  - (d) a statement that if there is any inconsistency or conflict between the Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) and any other Law, the Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) prevails to the extent of the inconsistency or conflict;
  - (e) as appropriate, authorization of the payments required to be made by the Crown under chapter 19 and parts 23.5 and 23.6 and, subject to appropriations, under the Agreement;
  - (f) a statement that the Legislation is binding on the Crown; and
  - (g) the date on which the Legislation comes into effect.
- 22.8.6 Nothing in subsection 22.8.5(f) has the effect of Canada or the Province being bound by Inuit Laws or Bylaws.

**Part 22.9      Implementation**

22.9.1      Agreed-upon costs of the Ratification Committee and of the Inuit ratification vote, including costs incurred by the Ratification Committee in preparation of the preliminary voters list, shall be paid by Canada and the Province.

22.9.2      The Legislation referred to in subsections 22.8.1(b) and 22.8.2(c) shall validate this chapter retroactive to the date on which the Agreement is initialled.