



To: Makivik Beneficiaries
From: Phebe Bentley, Chief Returning Officer
Date: December 3, 2021

Makivik Universal Elections 2022 for Vice President, Economic Development and Secretary

Who can run for the universal elections?

Pursuant to the Makivik Bylaws, all candidates must comply with the requirements of Bylaw 4(f) to be eligible to run in the Universal Elections.

You must:

- (i) be a Nunavik Inuit beneficiary under the JBNQA;**
- (ii) be at least 18 years old or older;**
- (iii) be fluent in Inuttitut.**

You must NOT:

- (i) be an undischarged bankrupt;**
- (iii) have been convicted of an indictable criminal offence punishable by imprisonment for 2 years or more.** If such is the case in your situation, you do not qualify as a candidate if it has been less than 5 years since your term of imprisonment has ended; or for 5 years from the date of your conviction if a fine is imposed or if you served a suspended sentence (unless you have obtained a pardon for such indictable criminal offense);
- (iii) have any outstanding debts of any nature or any kind with Makivik and/or one of its subsidiaries** which have remained **unpaid for more than 90 days**. You must neither have failed in the past to honour a debt which remains unpaid.
- (vi) be an employee of Makivik or one of its subsidiaries** (except if you are an incumbent Executive Director running for the same office).
- (vii) have actions, activities or relationships that may potentially disqualify Makivik or its subsidiaries from being eligible to bid on contracts with public bodies** (see section below on the Declaration of Interest Form).

Nomination Form:

The nomination form requires the potential candidate to provide specific personal information and the position they are seeking.

The form also requires obtaining at least 10 signatures of nominators, at least 5 of which reside in different Inuit communities. The nominators must provide their name, beneficiary number and confirm that the candidate is fluent in Inuktitut.

Furthermore, the candidate must obtain at least 3 signatures from current Makivik community directors or executive directors- however, an incumbent Executive Director seeking reelection is exempt from obtaining such 3 signatures

Declaration of Interest Form:

As a result of the Charbonneau Commission in Quebec, corporations like Makivik must make sure that the reputation, actions, activities and business of the elected directors would not cause Makivik or its subsidiaries to be banned from bidding on public contracts.

As a result, to verify this information, the candidate must answer 3 questions in this regard and sign the declaration of interest form:

(1) if the candidate owned a business in the past 5 years, regardless of the business structure (corporation, partnership, sole proprietor, whether for profit or not for profit) and to provide the names of such businesses.

(2) if the candidate acted as an officer or director of a corporation in the past 5 years, including a landholding corporation, cooperative, not-for-profit corporation or other private corporation.

(3) if the businesses that the candidate owned or for which he acted as a director were found guilty within the previous 5 years of a criminal or penal offence that would have prevented it from bidding on contracts with a public body.

It does not matter if the entities mentioned above are active or inactive, you must declare them in the form.

If you are currently an Executive Director of Makivik:

Must I resign from my current position as an executive to run in the election?

This depends on if you are seeking a new office or running for reelection to the same office. If you are running to be reelected to the same office, you do not need to resign in order to run. If you seek to run for a new office, in such case you are deemed to have resigned on the day that you file your nomination papers.

If you are currently a community director of Makivik

Must I resign from my current position as a community director to run in the executive election?

No. In the event you are elected as an executive director, you will be deemed to have resigned as a community director on the day of your election.

If you are currently an employee of Makivik (or a subsidiary)

Must I resign from my employment to run in the election?

Yes (except if you are an incumbent executive director running for the same office). You must resign at the latest on the day that you submit your nomination papers to the chief returning officer. In the case that you are an employee of a Makivik subsidiary, this requirement would also apply if you hold an executive or managerial position within such subsidiary.

Please take note of the following rules that are applicable to Campaigning:

Nominees running for a position as an Executive Director of the Corporation shall not campaign on the day held for the election of a nominee to the position for which he/she is running.

During the Campaigning Period, a nominee shall not be entitled to use any of the resources, assets or benefits whether human, material or financial (including but not limited to free or specially discounted airline flights, vehicles, services of an employee, etc.) of the Corporation or one of its subsidiaries for the purpose of campaigning, regardless of whether he is normally entitled to them or not unless such resources, assets or benefits are ordinarily available to the public in general. This shall include any and all benefits previously available to such individual in relation to his position within the Corporation or one of its subsidiaries, as the case may be. A candidate who is found to have contravened this subsection may be disqualified by the returning officer.

During the Campaigning Period, an incumbent Executive Director seeking re-election to its current position shall have all his rights and powers, save for his title and remuneration, transferred to another Executive Director in accordance with By-Law No. 5 (h) (Absence, inability or campaigning of an Executive Director).

If you wish to have a copy of Makivik Bylaw 4(f) or other applicable by-laws for the elections, please do not hesitate to communicate with Phebe Bentley, the Chief Returning Officer at elections@makivik.org