



# Rules of Procedure and Code of Conduct

## Assembly Chiefs Assembly – June 13-15, 2023

Note: The following are the proposed Rules of Procedure for use at the Chiefs of Ontario Annual Chiefs Assembly, to be held in a hybrid format in-person and online using video conferencing technology. The Rules of Procedure from the last Chiefs Assembly are the foundation of these proposed Rules of Procedure.

Should you have additional questions, please email [meetingsupport@coo.org](mailto:meetingsupport@coo.org) or visit <https://www.chiefsmeeting.com/aca-2023>.

### REGISTRATION

1. The COO Chief Operating Officer shall be the official Registrar and shall be responsible for all final registration rulings, in consultation with the Assembly Speaker.
2. First Nation Chiefs are entitled to be registered.
3. A Proxy shall only be registered if they present the Registration Team with a letter or resolution from the First Nation government authorizing the Proxy. To the extent possible, Proxy letters and resolutions should be submitted in advance of the Assembly. Proxy letters can be emailed to [Courtney.Cada@coo.org](mailto:Courtney.Cada@coo.org).
4. An individual cannot hold more than one Proxy.
5. A Proxy cannot transfer their proxy to another individual. A new potential Proxy requires a First Nation letter or resolution.
6. In emergency circumstances, when a Chief is required to leave the Assembly, the Chief can designate a Proxy by email to [Courtney.Cada@coo.org](mailto:Courtney.Cada@coo.org). In non-emergency circumstances, the potential Proxy must be authorized by letter or resolution sent from the First Nation government.
7. A proxy letter template will be made available at [www.chiefsmeeting.com](http://www.chiefsmeeting.com).
8. Fifteen minutes after the “Call-to-Order” by the Speaker each day of the Assembly, the Registration Team will determine the number of registered Chiefs and Proxies signed-in to the Assembly Room (in-person and online) and submit the number to the Speaker. The Speaker will then announce the number needed for a quorum as per the formula identified in the Decision Making section of these Rules of Procedure.

## **ATTENDANCE**

1. The Annual Chiefs Assembly is a gathering of First Nations leadership of the 133 recognized First Nation communities in Ontario.
2. Chiefs and Proxies attending the Assembly have agreed to respect the Code of Conduct which was approved by the Chiefs-in-Assembly at the February 2020 Special Chiefs Assembly. The Code of Conduct is appendix A of these Rules and Procedures.
3. Attendance for the online meeting room is limited to Chiefs, Proxies, Leadership Council, Chiefs of Ontario staff and Political Territorial Organizations staff. The office of the Regional Chief and the Chiefs of Ontario Secretariat is authorized to invite necessary guests to the meeting.
4. First Nation, Councillors, Tribal Council and regional organization representatives, and First Nations citizens are entitled to attend the Chiefs Assembly and will be charged a nominal fee of twenty dollars (\$20.00) per day. No charge for Elders and students.
5. First Nation Chiefs and Proxies are committed to staying for the duration of the Assembly during the official deliberations, except in the case of urgent business.
6. All people in the Assembly Room shall deactivate the ring or other sound of all cell phones and other electronic devices.
7. All attendees at in the online Assembly Room shall remain audio muted unless recognized by the Speaker.
8. All Chiefs and Proxies attending online are strongly encouraged, where possible, to participate by video as well as audio. This will allow attendees to see each other, which will increase the feeling of participation in the Assembly.
9. At the beginning of each day, the Speaker will remind all in-person and online attendees that the Assembly will be recorded and livestreamed.

## **THE SPEAKER**

1. As the official Chairperson of every Chiefs Assembly, the Ontario Regional Chief shall open the Assembly. The Regional Chief may then delegate their authority to a Speaker for the purposes of Chairing the Assembly.
2. The primary responsibility of the Speaker shall be to complete the Assembly Agenda on schedule and to ensure that all priority Resolutions are dealt with.

3. The Speaker shall recognize one intervenor at a time and will keep all intervenors on topic. Each intervenor shall be limited to a maximum of three minutes. To keep the Agenda on time, the Speaker has the authority to limit the number of intervenors and to reduce the three (3) minute allocation.
4. The Speaker will ensure that all intervenors who wish to speak to an issue have the opportunity to do so before anyone speaks for a second time, except for clarification purposes and at the discretion of the Speaker. This is subject to the general authority of the Speaker to limit debate in order to conform to the Agenda and to deal with all priority Resolutions.
5. The Speaker has the final say on all procedural issues, including interpretation of these Rules. If a point-of-order is raised by a Chief or Proxy to challenge a procedural ruling, the Speaker shall have the opportunity to consult legal counsel and shall announce a final ruling, which is not subject to any further appeal, whether by point-of-order, Resolution or otherwise.
6. Where discussion of a Resolution is inconclusive and contentious, the Speaker may require interested Chiefs and Proxies to participate in a side meeting to develop a consensus Resolution, with the assistance of COO technical staff. The Resolution shall be brought back to the Assembly for a vote or other disposition. Side meetings may be held via in-person and electronic breakout rooms or through other communications methods.
7. The Speaker shall be assisted at all times by a Secretary and Technical Team.
8. These Rules apply equally to a Co-Speaker if one is delegated by the Ontario Regional Chief.

### **IN-CAMERA SESSIONS**

1. At any time, a Chief or Proxy can request that an agenda item goes in-camera. The Speaker will then ask for a seconder and consensus on a motion to go in-camera.
2. In-camera is defined as including the following groups and individuals:
  - a. Ontario First Nations Chiefs and Proxies
  - b. Chiefs of Ontario Leadership Council, including Deputy Grand Chiefs
  - c. Ontario Regional Chief
  - d. The Office of the Ontario Regional Chief
  - e. Chiefs of Ontario Chief Operating Officer
  - f. Elders Council Representatives
  - g. Youth Council Representatives
  - h. Women's Council Representatives
  - i. Relevant Chiefs of Ontario Sector Directors as determined by the Ontario Regional Chief

Legal counsel appointed by Chiefs and Proxies and subject matter experts may be admitted to in-camera sessions via motion by the Chiefs-in-Assembly on a case by case basis.

Documents disseminated during an in-camera session shall be considered confidential unless already publicly available. Confidential documents are not to be distributed to persons other than those present during the session. Should the Chiefs-in-Assembly wish to remove the confidential status of a particular document, a motion will be required. Confidential documents will be held by the Office of the Regional Chief but may be shared with Ontario First Nations Leadership upon request.

## **LIVE STREAM**

1. The livestream provides an opportunity for councillors and citizens to observe the meeting. At the beginning of the meeting, the Speaker will remind all attendees that the livestream is viewable by the public, including members of the press and governments.
2. At any time, a Chief or Proxy can request that an agenda item goes in-camera or that the livestream is turned off during specific deliberations. The Speaker will then ask for a seconder and consensus on the motion. If approved, the Speaker will direct the Technical Team to shut off the livestream for the time period specified in the motion.

## **SECURITY – IN PERSON**

1. Security through the designation of appropriate persons, shall be designated by COO to act as Security Officers during the Chiefs Assembly.
2. A Head Security Officer shall be designated by COO and he/she shall be responsible for the Security Team. The Head Security Officer shall report directly to the Speaker and the Registrar on a daily basis.
3. Security Officers shall ensure that only First Nation Chiefs and Proxies, First Nations Councillors, Tribal Council and Association representatives, First Nation citizens, staff, invited guests, and other authorized persons are admitted to the meeting room.
4. Security Officers will deal swiftly and firmly with all instances of disorderly conduct during all of the days at the Chiefs Assembly.
5. Any participants found to be responsible for serious disorder or damage will be asked to leave at his/her own expense.

## SECURITY – ONLINE

1. The Registration Team shall be designated by COO to, among other things, ensure that only individuals authorized by COO or registered for the Assembly are permitted to access the online meeting for the Assembly.
2. The Technical Team will have the authority to video mute any attendee that displays an image or video that could be considered offensive to the Assembly. Video may also be muted if the attendee is engaged in activity other than the Assembly (e.g. other meetings or conference calls.) This will not prevent the attendee from continuing to listen, vote on Resolutions, or to request to be heard, where permitted.

## PRESS

1. No members of the press shall be permitted in the meeting room unless approved by the Chiefs and Proxies. Press may view the live stream and any media inquiries will be managed by the Policy and Communications staff.

## DECISION MAKING

1. Per Special Chiefs Assembly Resolution 10/22, the quorum for decision making at a Chiefs Assembly is 50% plus one of all registered delegates of the Ontario Chiefs-in-Assembly. The required number to constitute a quorum will be determined at the initial tally count on each day of the Assembly. Decision-making may be conducted through in-person and electronic polling or other that allow every Chief and Proxy in attendance to vote in favour, against, or abstain.
2. Chiefs and Proxies constitute the decision-makers of the Assembly. Others, as recognized by Chiefs and Proxies, including Elders, members of the Ontario First Nations Young Peoples Council and members of the Leadership Council shall also have the right to speak, at the discretion of the Speaker, at the Chiefs Assembly.

**Requests to speak online must be made using the “Raise Hand” function. For those on the Zoom software, the “Raise Hand” feature can be found by clicking on participants at the bottom. For those joining by phone only the “Raise Hand” feature can be accessed by pressing \*9 on your keypad.**

3. Where the Speaker has determined that all reasonable consensus-reaching processes have been exhausted, including a side meeting, which may be held by electronic breakout rooms, the Speaker shall ask the mover and seconder of a Resolution if they wish to hold a Standing Vote.
4. Standing Vote shall be decided on a 50% plus one (1) basis. The vote shall be determined based on those voting for or against the Resolution, with abstentions not counting.

## RESOLUTION PROCESS

1. A Committee on Resolutions shall be appointed by the COO Chief Operating Officer to guide the overall Resolutions process. The Committee shall include one (1) representative from the four (4) regional organizations, Independent First Nations, Six Nations of the Grand River, and unaffiliated First Nations. Attendees may communicate directly with members of the Resolutions Committee via the electronic chat function, email or some other electronic means.
2. Resolutions must be moved and seconded by a Chief or Proxy prior to submission to the Resolutions Committee.
3. Except in emergency circumstances, to be ruled on by the Speaker, all draft Resolutions must be submitted to COO at least fourteen (14) days in advance of the first day of the Assembly. Draft resolutions that do not meet this requirement shall not be considered, except by the Emergency Resolution or Late Resolution processes, as outlined in the Resolutions Policy.
4. First Nation governments are encouraged to deal with support issues through correspondence and other means apart from Assembly Resolutions. COO and the Ontario Regional Chief will assist in this regard.
5. Resolutions should only be advanced if they are necessary because of new developments and authorities. The Resolutions Committee shall notify the Speaker when a draft Resolution repeats an existing Resolution and does not appear to be necessary.
6. The mover and seconder of a Resolution must be present in the Assembly Room or in the online meeting room when the Resolution is introduced. If they are not in attendance, the Speaker may ask those in attendance for alternative movers and/or seconders.
7. The mover and seconder of the Resolution shall be allowed three (3) minutes each to speak to the Resolution.
8. The Speaker shall make three (3) calls for intervenors on each Resolution. If no one indicates their desire to speak, the Speaker will call "question" on the Resolution and proceed to a vote. Requests to speak through the online meeting room must be made using the "Raise Hand" function of the online meeting.



## Appendix A: ANNUAL CHIEFS ASSEMBLY AND SPECIAL CHIEFS ASSEMBLY CODE OF CONDUCT

This Code of Conduct sets out the standard of conduct expected of all attendees at Annual Chiefs Assembly and Special Chiefs Assemblies, and any and all other meetings, such as the Fall Chiefs Assembly, convened by the Chiefs of Ontario, regardless of their location. It regulates the conduct of attendees during official Annual Chiefs Assembly and Special Chiefs Assemblies daytime events and during evening events.

For the purpose of this Code of Conduct, “evening events” means all events organized around Annual Chiefs Assembly and Special Chiefs Assemblies, whether organized by the host First Nation, by individuals or groups of attendees, or otherwise. “Events” refers to both official Annual Chiefs Assembly and Special Chiefs Assemblies daytime events and to evening events. The standard of conduct expected of all attendees at Annual Chiefs Assembly and Special Chiefs Assemblies, and other meetings convened by the Chiefs of Ontario, is:

1. **Dignity and Respect:** Attendees are expected to treat one another with dignity and respect at all events. Attendees’ conduct must be guided by respect for the Host First Nation and territory. Harassment and discrimination, defined below, are not consistent with dignified and respectful relationships.
2. **Alcohol and Cannabis Use:** Attendees are prohibited from attending daytime events while under the influence of alcohol or cannabis, except for prescribed medical cannabis use. Attendees who choose to consume alcohol or cannabis at evening events are expected to do so safely and responsibly.
3. **Harassment and Discrimination:** Attendees must not discriminate against one another on the basis of grounds protected by human rights law (including race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status or disability). Harassment, whether it be personal against another or on the basis of grounds protected by human rights law, is also strictly prohibited at all events. Sexual harassment is a type of harassment, which is also strictly prohibited at all events. The definitions of “harassment” and “sexual harassment” are as follows:
  - Harassment: a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome or unwanted by a reasonable person.
  - Sexual harassment: any sexually oriented practice that endangers an individual’s continued employment, negatively affects their work performance, or undermines their sense of personal dignity.
4. **Reporting violations of this Code of Conduct:** Attendees may report violations of this Code of Conduct to the Chiefs of Ontario Chief Operating Officer. The Chief Operating Officer, in consultation with the Host First Nation, will determine the appropriate response, which may range from a verbal instruction to stop the offending behaviour, to expulsion from the Annual Chiefs Assembly, Special Chiefs Assembly or Fall Chiefs Assembly.