

- iv. that all evidence and information gathered shows on a balance of probabilities that:
- v. a violation of this Splatsin Custom Election Code has taken place that might have affected the result of the Election;
- vi. the person declared elected was not qualified to be a candidate;
- vii. there was a corrupt or fraudulent practice in relation to the Election that might have affected its results;
- viii. and uphold the Appeal by setting aside the Election of one or more Council Members and may call a further Election for those positions;
- ix. within two (2) clear days of the decision the Complaints and Appeal Board shall report the decision to the Electoral Officer, candidates, the Council and Splatsin Administrator

b. The decision of the Complaints and Appeal Board shall be:

- i. published in the Community's Newsletter, which is mailed to Band Members, or in a separate written notice delivered or mailed to all Band Members; and posted on the Splatsin Website;
- ii. posted in at least one (1) conspicuous place on the reserve.

225. The decision of the Complaints and Appeal Board with regard to Election Appeals is final and not subject to Appeal.

226. Should the Complaints and Appeal Board find that the appeal was filed without just cause, or rule that the Appeal was denied; the \$100.00 deposit shall be forfeited and shall be used to offset the costs of the investigation.

SECTION 16 - PETITION FOR REMOVAL FROM OFFICE PROCEDURE

227. This section addresses petitions for removal of Council from office, beyond the Election Results and that are related to violations.

67. Submission

228. A petition may be submitted to the Complaints and Appeal Board by an elector or by a majority of Council. A petition submitted by an Elector to the Complaints and Appeal Board:

- a. must be in writing and set out in an affidavit sworn before a Notary Public or duly appointed Commissioner for taking Affidavits the facts substantiating the grounds for the petition accompanied by any supporting documentation;