

**DEPARTMENT OF ABORIGINAL AFFAIRS AND  
NORTHERN DEVELOPMENT**

**NOTICE OF SECOND REFERENDUM**

**TAKE NOTICE THAT**, on Thursday, September 24, 2015, a **second** ratification vote will be held by secret ballot to determine if the electors of the Lower Kootenay Indian Band are in favour of:

- the Absolute Surrender, pursuant to sections 38 and 39 of the *Indian Act*, of all rights and interests of any kind to and in Lot 68 of Creston Indian Reserve # 1.

A summary of the main features of the Absolute Surrender and related transactions may be found at [lowerkootenay.com](http://lowerkootenay.com) under "Referendum Information". The form of Absolute Surrender (which may need to be amended depending on negotiations with the Regional District of Central Kootenay or the Province) is attached to this Notice of Second Referendum as Appendix "A".

Electors are members of the Lower Kootenay Indian Band who are at least 18 years of age on the date of the second referendum vote.

**AND FURTHER TAKE NOTICE THAT** the question to be submitted to the electors is as follows:

**"As a Voter of the Lower Kootenay Indian Band, do you**

- (a) **assent to** absolutely surrender, pursuant to sections 38 and 39 of the *Indian Act*, all rights and interests of any kind to and in all of Lot 68 of Creston Indian Reserve # 1 as shown on Canada Lands Surveys Records Plan 103795 containing about 8.28 hectares; and
- (c) **authorize and direct** present and future Chiefs and Councils of the Lower Kootenay Indian Band to act on behalf of the Lower Kootenay Indian Band and its members, to sign all documents and take all necessary measures as required to give effect to the absolute surrender?"

**AND FURTHER TAKE NOTICE THAT** the second referendum will be held on Thursday, September 24, 2015 and the electors may vote between the hours of 9:00 a.m. and 8:00 p.m., local time, at a polling station located at:

Lower Kootenay Band Administration Complex  
830 Simon Road  
Creston, British Columbia

**AND FURTHER TAKE NOTICE THAT:**

1. Electors may vote either by a mail-in ballot or in person at a polling station, **but not both**.
2. A mail-in ballot package (including a Notice of Referendum, mail-in ballot, and information package, including the Settlement Agreement) will be mailed or delivered to electors who reside off reserve and for whom an address has been provided by the Band to the electoral officer.

At the request of an elector who resides on the reserve, the electoral officer will provide the elector with these documents.

3. If a mail-in ballot was mailed, delivered or provided to an elector, the elector may only vote in person at a polling station if:
  - a) the elector returns the mail-in ballot to the electoral officer or deputy electoral officer; or
  - b) where the elector has lost the mail-in ballot, the elector provides the electoral officer or deputy electoral officer with a written affirmation that the elector has lost the mail-in ballot, signed by the elector in the presence of the electoral officer, deputy electoral officer, a justice of the peace, a notary public or a commissioner for oaths.

**TAKE NOTICE THAT** a list of electors is being posted at the same time and at the same location as this Notice of Second Referendum. Upon request, the electoral officer or deputy electoral officer will confirm whether or not the name of a person is on the list of electors. Any application for a change to the list of electors may be made to the electoral officer at the address listed below.

DATED at Vancouver, British Columbia, this 20<sup>th</sup> day of August, 2015.

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Richard Horne, Electoral Officer  
Aboriginal Affairs and Northern Development Canada  
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