



AUG - 7 2015

Your file - Votre référence

E4218-2/174

Our file - Notre référence

REGISTERED MAIL

Mr. William Diabo
RR1, Site 10, Comp 8
BRITT, ON P0G1A0

Dear Mr. Diabo:

This is with further reference to our letter forwarding copies of a notice of appeal lodged against the Magnetawan First Nation general election held on April 25, 2015.

The Department of Aboriginal Affairs and Northern Development Canada (AANDC) has concluded that, based on the examination of all particulars and documents filed in connection with the notice of appeal, and on the balance of probabilities, there were no contraventions or violations of the *Indian Act* or the *Indian Band Election Regulations* (Regulations) that might have affected the results of the election.

The rationale for dismissing the appeal is as follows:

- The evidence does not demonstrate that the Chief and Council moved filing cabinets containing address information of electors to their office for their exclusive use during the election period.
- To have been further considered, some evidence would have had to have been submitted surrounding the allegation that Councillor Lloyd Myke invited eligible voters to his house and provided free alcohol to solicit votes. While the appellant based the allegation on information received from second or third party sources, it was countered by sworn statements from Councillor Lloyd Myke and Chief Diabo.

- There was no evidence to support the allegation that Chief and Council used the First Nation's website for political purposes. In fact, the Elections Unit nevertheless reviewed *the Magnetawan First Nation Monthly Newsletters* from January 2015 to April 2015 and found that they did not contain campaign platforms.

Accordingly, the appeal is dismissed and the results of the Magnetawan First Nation general election, held on April 25, 2015, stand.

Sincerely,

A handwritten signature in cursive script that reads "Perry Billingsley".

Perry Billingsley
Director General
Policy Development and Coordination Branch

c.c.: Ron Mavin, Manager, First Nations Governance, Ontario Region
Monique Doiron, Director
Mauricette Howlett, Regional Director General, Ontario Region