



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 112

(1997, chapter 34)

**An Act to amend the Act respecting elections
and referendums in municipalities**

Introduced 1 May 1997
Passage in principle 13 May 1997
Passage 10 June 1997
Assented to 12 June 1997

Québec Official Publisher
1997

EXPLANATORY NOTES

This bill amends the Act respecting elections and referendums in municipalities to streamline certain procedures and to grant new powers intended to facilitate the process of dividing the territory into electoral districts and the procedure for revising the list of electors.

As regards the process for dividing the territory into electoral districts, the bill eliminates certain transmissions of copies of notices, draft by-laws or by-laws to the Minister of Municipal Affairs or to the Commission de la représentation. It also changes the mandatory content of certain notices required in connection with the dividing of the territory into electoral districts and under the election and referendum procedure.

As regards revision of the list of electors, the bill abolishes filing offices and provides that an application to have a name entered, struck off or corrected must be made directly to a board of revisors. Lastly, the bill makes various amendments to ensure concordance with the Election Act concerning revision of the list of electors.

Bill 112

AN ACT TO AMEND THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 5 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is amended by striking out the words “to the Minister of Municipal Affairs and” in the second and third lines of the second paragraph.

2. Section 7 of the said Act is replaced by the following section :

“7. Where a municipality having a population of under 20,000 is required to divide its territory into electoral districts, it may exempt itself from that requirement by a by-law of its council passed by a two-thirds majority of its members.

Subject to a requirement by operation of law or to the municipality voluntarily submitting itself again to the requirement of dividing its territory into electoral districts, the municipality is no longer required to so divide its territory for the purposes of any general election held from the second calendar year following the calendar year in which the by-law referred to in the first paragraph comes into force.

As soon as practicable after the coming into force of the by-law, the clerk or the secretary-treasurer shall transmit a certified copy thereof to the Commission de la représentation.”

3. Section 10 of the said Act is amended by replacing the second paragraph by the following paragraph :

“The Minister shall transmit a copy of the authorization to the Commission de la représentation.”

4. Section 14 of the said Act is amended by striking out the second paragraph.

5. Section 16 of the said Act is amended by replacing the second paragraph by the following paragraph :

“In addition to or in lieu of the description required under subparagraph 2 of the first paragraph, the notice may include a map or a sketch of the proposed electoral districts.”

6. Section 19 of the said Act is amended

(1) by replacing the words “Aux moins dix jours avant” in the first line of the French text by the words “Au plus tard le dixième jour qui précède”;

(2) by inserting the words “, along with a certified copy of the draft by-law,” after the word “thereof” in the fourth line.

7. Section 22 of the said Act is amended by replacing the second paragraph by the following paragraph:

“In addition to or in lieu of the description required under subparagraph 2 of the first paragraph, the notice may include a map or a sketch of the proposed electoral districts.”

8. Section 26 of the said Act is amended by replacing the words “moins dix jours avant” in the first line of the French text by the words “plus tard le dixième jour qui précède”.

9. Sections 28 and 29 of the said Act are repealed.

10. Section 30 of the said Act is amended

(1) by adding, at the end of the first paragraph, the following sentence: “However, a coming into force that is not conditional on the approval provided for in the second paragraph of section 12 shall not occur before the forty-fifth day after the transmission provided for in the second paragraph of section 21, unless the municipality is informed in the meantime that the Commission does not propose any amendment to the by-law.”;

(2) by adding, at the end of the second paragraph, the following sentence: “The council may transmit to the Commission, in lieu of the certified copy of the by-law, a notice indicating that the text in force is identical to the text adopted, and specifying the dates on which it comes into force and is passed.”;

(3) by adding, after the second paragraph, the following paragraph:

“The first and second paragraphs do not apply if the Commission decides, after holding a public meeting, that the division required by the by-law is not to be effected.”

11. Section 31 of the said Act is amended

(1) by striking out the words “or by the Commission, as the case may be” in the third line of the first paragraph;

(2) by inserting, after the third paragraph, the following paragraph:

“The Commission shall also make the division where, after holding a public meeting in respect of the by-law passed by the council, it considers that the division required by the by-law is not to be effected.”

12. Section 33 of the said Act is amended by replacing the third paragraph by the following paragraph :

“In addition to or in lieu of the description required under subparagraph 2 of the first paragraph, the notice may include a map or a sketch of the proposed electoral districts.”

13. Section 41 of the said Act is amended by replacing the words “Minister of Municipal Affairs” in the second line of the third paragraph by the words “chief electoral officer”.

14. Section 52 of the said Act is amended by adding, at the end, the following paragraph :

“An elector who has obtained an authorization to vote under the first paragraph of section 219 is, after being admitted to vote under the second paragraph of that section, deemed to have his name entered on the list at the place where it should have been entered.”

15. Section 55 of the said Act is amended by replacing the words “filing office closes on the last day fixed pursuant to section 114” in the second and third lines of the third paragraph by the words “end of the work of the board of revisors on the last day fixed for making applications under section 132”.

16. Section 56 of the said Act is amended by replacing the words “stating the rules governing the registration of co-owners and co-occupants” in the second and third lines by the words “stating that the designated co-owners and co-occupants are entitled to have their names entered on the list of electors, mentioning how they may obtain information on the rules governing their registration,”.

17. Section 66 of the said Act is amended by striking out the words “section 6.3.8 of the Act respecting the Communauté urbaine de Québec (chapter C-37.3),” in the fifth and sixth lines of the second paragraph.

18. Section 68 of the said Act, amended by section 58 of chapter 23 of the statutes of 1995, is again amended

(1) by striking out the words “person acting in a filing office” in the third and fourth lines ;

(2) by replacing the words “investigating assistant” in the fourth line by the words “revising officer”.

19. Section 78 of the said Act is amended by inserting, after the first paragraph, the following paragraph:

“The returning officer may, on reasonable grounds, refuse a recommendation made to him. In such a case, he shall fix a time limit for the sending of a new recommendation by the person who sent the recommendation refused.”

20. Section 100.1 of the said Act, enacted by section 23 of chapter 8 of the statutes of 1997, is amended

(1) by striking out the words “, so that the information may be verified by a board of revisors” in the third and fourth lines;

(2) by adding, at the end, the following paragraph:

“The chief electoral officer shall also transmit a list of the addresses in the territory concerned by the request provided for in section 100 for which no electors’ names are entered on the list.”

21. Subdivision 2 of Division II of Chapter VI of Title I of the said Act is replaced by the following subdivision:

“§ 2. — *Revision*

“A — *Cases where revision is carried out*

“**110.** Where a poll must be held, the list of electors of the municipality or, as the case may be, of the electoral district or ward shall be revised.

Where no poll is to be held, the list may be revised by decision of the returning officer.

Where the holding of a poll ceases to be necessary following the end of the period for filing nomination papers, the returning officer shall decide whether the revision is to be continued or interrupted. If he decides to interrupt the revision, he shall give public notice thereof as soon as practicable.

“B — *Establishment and functioning of the board of revisors*

“**111.** The returning officer shall establish a board of revisors.

The returning officer may establish several boards of revisors and apportion and coordinate their work.

“**112.** Not later than 22 days before polling day, the returning officer shall determine the place where each board of revisors will sit.

The place must, insofar as is practicable, be accessible to handicapped persons.

“**113.** The returning officer shall, not later than 22 days before polling day, inform each party authorized under Chapter XIII or each ticket recognized under Division III of this chapter and each independent candidate concerned of his decision.

“**114.** Each board of revisors shall be composed of three revisors appointed by the returning officer.

The returning officer may be a member of a board.

“**115.** In the case of a municipality having a population of 100,000 or over, if the council is composed of candidates elected at the last general election from more than one party authorized under Chapter XIII, the returning officer shall appoint as revisors a person recommended by the party which elected the greatest number of candidates and another person recommended by the party which elected the second greatest number of candidates.

In the case of an equal number of candidates being elected from each party, the rank of the parties for the purposes of the first paragraph is established according to the aggregate of the votes obtained by the candidates of each party.

“**116.** A party shall make its recommendation by means of a writing signed by the leader of the party or by the person designated by him for that purpose and sent to the returning officer within the time prescribed by the returning officer.

The returning officer may, on reasonable grounds, refuse a recommendation made to him. In such a case, he shall fix a time limit for the sending of a new recommendation by the person who sent the recommendation refused.

For the purposes of this section, the word “leader” has the meaning assigned by section 364.

“**117.** The returning officer shall appoint a person of his choice if the recommendation has not been received within the prescribed time, if the person recommended is not qualified to hold the office or is unable or refuses to do so, or if the party is no longer authorized.

“**118.** The returning officer shall appoint the chairman and the vice-chairman of the board of revisors from among its members.

The returning officer shall be the chairman of the board of which he is a member.

A member recommended by an authorized party may not be appointed chairman of a board of revisors. The member recommended by the authorized party which elected the greatest number of candidates at the last general election shall be appointed vice-chairman of the board.

“**119.** The returning officer may appoint a secretary to the board of revisors, whose chief duties shall be to draw up notices of hearings and summonses, to assist the board in the performance of its work and to record all decisions of the board.

“**120.** The returning officer may appoint any revising officer he considers necessary, whose chief duties shall be to serve notices of hearings and summonses and to gather, at the request of the board of revisors, any information relevant to the making of a decision.

“**121.** Before the beginning of the work of the board of revisors, the returning officer shall provide the revisors with

(1) two copies of the list of electors to be revised, one of which shall be for the use of the revisors and one of which shall be made available for public examination at the place where the board is sitting;

(2) the information transmitted by the chief electoral officer under section 100.1 which is within the competence of the board.

No mention of the date of birth of electors shall be made on the copy deposited for examination.

“**122.** The board of revisors shall sit on the days and at the times fixed by the returning officer, subject to the second paragraph of section 132, during the period beginning on the day on which the public notice of revision is published and ending on the tenth day before polling day.

The returning officer shall, not later than 22 days before polling day, notify each party authorized under Chapter XIII or each ticket recognized under Division III of this chapter and each independent candidate concerned of his decision.

“**123.** Two revisors shall constitute a quorum of the board of revisors.

“**124.** Every question submitted to the board of revisors shall be decided by a majority vote.

In the event of a tie-vote, the chairman or, in his absence, the vice-chairman shall have a casting vote.

“*C — Revision process*

“**125.** Not later than 22 days before polling day, the returning officer shall give a public notice setting forth

(1) the fact that the list of electors will be revised;

(2) the requirements to be met by a person to be an elector and to be entitled to have his name entered on the list;

(3) the place, days and times fixed for examination of the list and the making of applications for entry, striking off or correction ;

(4) the fact that the information and documents provided for in the second paragraph of section 133 must be provided to the board of revisors upon the making of an application for entry by a person domiciled in the territory of the municipality.

Where the notice is given before the end of the period for filing nomination papers, it may indicate that the list will be revised only if the holding of a poll makes revision mandatory.

“**126.** Not later than five days before the last day fixed for the making of applications for entry, striking off or correction, the returning officer shall

(1) cause an extract of the list of electors to be revised for a polling subdivision to be distributed to each address in that subdivision, along with the particulars contained in the public notice of revision ;

(2) forward to each person whose name is entered on the list of electors to be revised a notice that reproduces the particulars concerning that person which appear on the list and that includes the particulars contained in the public notice, and cause to be distributed, where he considers it appropriate, to each residential address for which no elector's name is entered on the list of electors to be revised and which is within the territory of the municipality or, as the case may be, the district or ward concerned by the list to be revised, a notice indicating that no electors' names are entered on the list and that includes the particulars contained in the public notice ; or

(3) post in the polling subdivision, at a place of convenient access to the public and protected from bad weather, the extract of the list of electors to be revised for that subdivision, along with the particulars contained in the public notice.

The individual notices to be forwarded pursuant to subparagraph 2 of the first paragraph to persons having the same address may be combined in one notice.

In the case of a municipality governed by the Municipal Code of Québec (chapter C-27.1), the posting required under subparagraph 3 of the first paragraph may be supplemented or replaced by a posting of the whole list of electors to be revised at places where the public notices of the municipality are posted.

No mention of the date of birth of electors shall be made on the list of electors or extract thereof distributed or posted in accordance with this section.

Where several boards of revisors are established, the only particulars provided for in subparagraph 3 of the first paragraph of section 125 that are to

accompany the extract distributed or posted under the first paragraph of this section or that are to be included in the notice sent or distributed under that paragraph are the particulars concerning the board responsible for the revision of the part of the list corresponding to the extract or including the name of the person to whom the notice is sent or that would include the name of the elector if a name were entered for the address to which the notice is distributed.

“127. Where the returning officer has reasonable grounds to believe that a person whose name is not entered on the list of electors would be entitled to have it entered thereon, that a person whose name is entered on the list is not entitled to have it entered thereon or that a particular entered in respect of the person is inaccurate, he may notify the person and indicate the procedure to be followed to have his name entered, struck off or corrected, as the case may be.

“128. Any person who finds that his name is not entered on the list of electors when it could be must, if he wishes to exercise his right to vote, apply in person to the competent board of revisors to have his name entered on the list.

Any person who finds that his name is entered on the list of electors when it should not be must appear in person before the competent board of revisors to apply to have his name struck off the list.

Any person who finds that his name is entered on the list of electors when he does not wish to have it entered thereon must appear before the competent board of revisors to apply to have his name struck off the list. He may, if he is domiciled in the territory of the municipality, request that the striking off apply only for the purposes of a municipal poll.

Any person who finds that his name is entered on the list of electors for the wrong domicile, immovable or place of business must appear in person before the competent board of revisors to apply to have the erroneous entry struck off the list and, if he wishes to exercise his right to vote, to have his name entered correctly on the list.

Where two boards are competent to each decide one of the applications referred to in the fourth paragraph, the board before which the first application is made becomes competent to decide the other application. That board shall notify the returning officer of its decision concerning the part of the list that is not within its competence, and the returning officer shall send the notice to the other board.

“129. If an elector whose name is entered on the part of the list of electors for a polling subdivision finds that the name of a person who is not entitled to be entered on that part has been entered thereon, he may apply in person to the competent board of revisors to have the name of that person struck off the list.

“**130.** An elector shall apply in person to the competent board of revisors to have an error in the entry of his name, address or date of birth corrected.

“**131.** An application for entry, striking off or correction, other than an application under section 129, may be made by the spouse, including a *de facto* spouse, or a relative of the person entitled to make the application, or by a person who is cohabiting with the person.

For the purposes of the first paragraph, the word “relative” means a father, mother, grandfather, grandmother, father-in-law or step-father, mother-in-law or step-mother, brother, sister, brother-in-law, sister-in-law, son, daughter, grandson, granddaughter, son-in-law or daughter-in-law.

“**132.** Every application must be made to the board of revisors on the days and at the times fixed by the returning officer.

The returning officer shall ensure that the board holds sittings for the purpose of receiving applications on at least two days, at the latest on the second day before the last day of sittings of the board, including at least once in the evening.

According to whether the returning officer decides that the board shall hold sittings for that purpose in the morning, in the afternoon or in the evening, the board shall sit from at least 10:00 a.m. to 1:00 p.m., from 2:30 p.m. to 5:30 p.m. or from 7:00 p.m. to 10:00 p.m., respectively.

“**133.** Every application before a board of revisors shall be made under oath.

The board of revisors may require the person making an application to submit to it any proof necessary for the making of a decision. However, in the case of an application to have the name of a person domiciled in the territory of the municipality entered, the board shall require from the person making the application the former address of the domicile of the person in respect of whom the application is being made as well as two documents, one showing the name and birthdate of the person in respect of whom the application is being made, the other showing the name of that person and the address of the person’s domicile.

“**134.** The board of revisors shall examine the applications made to it as soon as they are received, and shall decide them immediately in all cases where it is possible to do so.

It shall also verify the information provided to its members by the returning officer under section 121.

“**135.** The board of revisors or any member it authorizes for the purpose may make an inquiry to ascertain whether a person whose name is entered on the list of electors or who is applying to have his name entered thereon is so

entitled. The person and any witnesses summoned may be assisted by an advocate.

“**136.** Where the decision of the board of revisors concerning an application for entry or striking off entails entering or striking off a name for which no application has been made, the board of its own initiative may enter the name or strike it off.

The board may also, of its own initiative, enter or strike off a name or make a correction if, after verifying the information provided to its members by the returning officer under section 121, it decides that a change must be made to the list. Where the board decides that such a change is not warranted, it shall specify that its verification confirmed the accuracy of the information or that it was unable to confirm or refute the accuracy of the information.

Where a correction is made, a name is entered on or struck off a part of the list that is not within the competence of the board, the board shall give notice of its decision to the returning officer who shall transmit the notice to the competent board.

“**137.** Before striking off or refusing to enter the name of a person, the board of revisors shall give one clear day’s advance notice to the person.

The notice shall be served at the address entered on the list of electors or at any place where the board or the revising officer has reason to believe that the person may be reached.

However, the board is not required to give the notice where

(1) the person is present before the board ;

(2) the board is satisfied with the proof made to it that the person in respect of whom the application for striking off is made is under curatorship or is deceased.

“**138.** The board of revisors shall transmit its decisions to the returning officer in accordance with the returning officer’s directives.

The returning officer shall incorporate the changes into the list or prepare an abstract of changes.

“**139.** As soon as practicable after receiving the decisions of the board of revisors, the returning officer shall transmit, free of charge, to each party authorized under Chapter XIII or to each ticket recognized under Division III of this chapter, a copy of the revised list or of an abstract of the changes made to the list submitted to be revised.

The provisions relating to the free distribution of the list of electors to candidates apply, adapted as required, to the revised list and the abstract of changes. However, the returning officer shall transmit free of charge to

candidates who have already obtained free copies of the list submitted to be revised an equal number of copies of the revised list or the abstract of changes made to the list, without those candidates having to request the copies.

“**140.** The returning officer shall communicate to the chief electoral officer the changes made to the list that concern the persons domiciled in the territory of the municipality, in the manner determined by the chief electoral officer.

The returning officer shall also communicate to the chief electoral officer, if the change entails entering the name of a domiciled person, the former address of the domicile of that person and, if the change entails striking off the name of a domiciled person who requests that the striking off apply only for the purposes of a municipal poll, the request made by that person.

Furthermore, the returning officer shall communicate the decisions of the board of revisors made after the verification under the second paragraph of section 134 that do not entail changes to the list.

“**141.** The abstract of changes forms part of the list of electors until the changes are incorporated into the list.”

22. Section 146 of the said Act is amended by striking out the words “to the Minister of Municipal Affairs and” in the fourth and fifth lines of the second paragraph.

23. Section 160 of the said Act is amended by replacing the portion before subparagraph 1 of the first paragraph by the following :

“**160.** The nomination paper for the office of mayor shall include the supporting signatures of not fewer than the following number of electors of the municipality :

- (1) 5 in the case of a municipality having a population of under 5,000 ;
- (2) 10 in the case of a municipality having a population of 5,000 or over but under 20,000 ;
- (3) 50 in the case of a municipality having a population of 20,000 or over but under 50,000 ;
- (4) 100 in the case of a municipality having a population of 50,000 or over but under 100,000 ;
- (5) 200 in other cases.

The nomination paper for the office of councillor shall include the supporting signatures of not fewer than the following number of electors of the municipality :”.

24. Section 181 of the said Act is amended by replacing the words “affix his signature opposite his name in the poll book and indicate the reason which qualifies him to vote” in the second and third lines by the words “declare under oath that he meets the conditions prescribed for voting”.

25. Section 219 of the said Act is amended

(1) by replacing the first paragraph by the following paragraph:

“**219.** The returning officer may authorize an elector to vote where

(1) the name of the elector does not appear on the copy of the list of electors used at the polling station but appears on the revised list of electors in the returning officer’s possession;

(2) the name of the elector does not appear on any document referred to in subparagraph 1 but was entered or corrected by a board of revisors.”;

(2) by replacing, in the French text, the word “cette” in the first line of the second paragraph by the word “une”;

(3) by adding, after the second paragraph, the following paragraph:

“The returning officer shall send to the chief electoral officer a copy of the authorization given to an elector domiciled in the territory of the municipality unless he is satisfied that the change to the list warranting the authorization was communicated in accordance with section 140.”

26. Section 247 of the said Act is replaced by the following section:

“**247.** The returning officer shall proceed to the addition of the votes by using the statements of the poll delivered with the ballot boxes and compiling the votes cast in favour of each candidate.

The returning officer shall, however, use the statements contained in the ballot boxes if only one copy of the statement of the poll has been drawn up or if a candidate or an elector concerned produces to him a sworn declaration in writing attesting that there is reason to believe that a statement delivered with a ballot box is erroneous or fraudulent and does not correspond to the statement placed in the ballot box, and that the results may be different if the statement placed in the ballot box is used in conducting the addition of the votes.”

27. Section 318 of the said Act is amended by replacing the word “sentence” in the fifth line of the third paragraph by the word “penalty”.

28. Section 340 of the said Act is amended by replacing the words “preparation of a list of electors is not required” in the second line of the first paragraph by the words “returning officer does not prepare a list of electors”.

29. Section 343 of the said Act is amended by replacing the words “12 months” in the third line of the first paragraph by the words “90 days”.

30. Section 344 of the said Act is amended

(1) by replacing the words “it is necessary to prepare” in the first line by the words “the returning officer prepares”;

(2) by replacing the words “the returning officer shall draw up the list” in the third line by the words “he shall do so”.

31. Section 523 of the said Act is amended by adding, after the second paragraph, the following paragraph:

“A qualified voter who obtained an authorization to vote under the first paragraph of section 219 and section 567 is, after being admitted to vote under the second paragraph of section 219 and section 567, deemed to have his name entered on the list at the place where it should have been entered.”

32. Section 526 of the said Act is amended by replacing the words “filing office closes on the last day fixed pursuant to sections 114” in the second and third lines of the third paragraph by the words “end of the work of the board of revisors on the last day fixed for applications to be made under sections 132”.

33. Section 527 of the said Act is amended by replacing the words “stating the rules governing the registration of co-owners and co-occupants” in the second and third lines by the words “stating that the designated co-owners and co-occupants are entitled to have their names entered on the referendum list, mentioning how they may obtain information on the rules governing their registration,”.

34. Section 528 of the said Act is amended by replacing the words “filing office closes on the last day fixed pursuant to sections 114” in the second line of the fifth paragraph by the words “end of the work of the board of revisors on the last day fixed for applications to be made under sections 132”.

35. Section 529 of the said Act is amended by replacing the words “stating the rules governing the designation of the representatives of legal persons” in the second and third lines by the words “stating that legal persons are entitled to designate a representative, mentioning how they may obtain information on the rules governing the designation of a representative,”.

36. Section 539 of the said Act is amended

(1) in the French text, by replacing the words “moins cinq jours avant le jour ou, selon le cas, le premier jour d” in the first and second lines of the first paragraph by the words “plus tard le cinquième jour qui précède celui où commence l”;

(2) by replacing the words “and describe it” in the third line of the fifth paragraph by the words “. In addition to or in lieu of the sketch, the notice may describe the perimeter of the sector”.

37. The said Act is amended by inserting, after section 546, the following section :

“546.1. The chief electoral officer shall transmit to the clerk or the secretary-treasurer the information relating to the electors in respect of whom he is unable to update the entries on the permanent list of electors.

The chief electoral officer shall also transmit a list of the addresses in the territory concerned by the request provided for in section 546 for which no electors’ names are entered on the list.”

38. Section 563 of the said Act, amended by section 69 of chapter 23 of the statutes of 1995, is again amended

(1) by striking out the words “every person appointed to act in a filing office and” in the first and second lines ;

(2) by replacing the words “investigating assistant” in the second line by the words “revising officer”.

39. Section 565 of the said Act, amended by section 70 of chapter 23 of the statutes of 1995, is again amended

(1) by striking out the words “, every person appointed to act in a filing office” in the first and second lines of the first paragraph ;

(2) by replacing the words “investigating assistant” in the second and third lines of the first paragraph by the words “revising officer”.

40. Section 572 of the said Act is amended by replacing the words “and describe it” in the third line of the sixth paragraph by the words “. In addition to or in lieu of the sketch, the notice may describe the perimeter of the sector”.

41. Section 580 of the said Act, amended by section 71 of chapter 23 of the statutes of 1995, is again amended

(1) by striking out the words “, the person appointed to act in a filing office” in the first and second lines of subparagraph 4 of the first paragraph ;

(2) by replacing the words “investigating assistant” in the second line of subparagraph 4 of the first paragraph by the words “revising officer”.

42. Section 586 of the said Act is amended

(1) by inserting the words “and wishes to” after the word “should” in the fourth line of paragraph 1 ;

(2) by replacing paragraph 3 by the following paragraph :

“(3) every person who applies to have the name of a person struck off the list of electors or the referendum list even though he knows that the person is entitled and wishes to be entered on the list;”;

(3) by inserting the words “and who has not obtained an authorization to vote under section 219 and, as the case may be, section 567” after the words “referendum list” in the second line of paragraph 6;

(4) by replacing the words “authorizes a person to vote whose name is not entered on the list of electors or referendum list” in the first, second and third lines of paragraph 7 by the words “grants an authorization to vote to a person he knows is not entitled thereto”.

43. Section 631 of the said Act, amended by section 72 of chapter 23 of the statutes of 1995, is again amended

(1) by striking out paragraph 2;

(2) by replacing the words “person appointed to act in a filing office who does not allow the filing” in the first and second lines of paragraph 4 by the words “member of a board of revisors who does not allow the making”;

(3) by striking out paragraph 5;

(4) by inserting the words “or to refuse to enter a name on the list” after the words “from the list” in the second line of paragraph 7;

(5) by replacing the words “sections 137 and 138” in the third and fourth lines of paragraph 7 by the words “section 137”.

44. Section 659 of the said Act, amended by section 75 of chapter 23 of the statutes of 1995, is again amended by inserting the words “on an application made before a board of revisors,” after the words “a referendum list,” in the second paragraph.

45. Section 888 of the said Act is amended by replacing the figure “142” in the first line of the first paragraph by the figure “139”.

46. The French text of the said Act is amended by replacing the word “ait” by the word “a”, the word “aient” by the word “ont” and the word “soit” by the word “est” wherever they appear in the following provisions :

(1) the second paragraph of section 72;

(2) the second paragraph of section 87;

(3) the second paragraph of section 212;

- (4) the third paragraph of section 359;
- (5) the first paragraph of section 408;
- (6) the first paragraph of section 413;
- (7) section 440;
- (8) the second paragraph of section 538;
- (9) section 608;
- (10) section 614.

47. Sections 28 to 31 of the Act respecting elections and referendums in municipalities, as they read before being repealed or amended by sections 9 to 11 of this Act, continue to apply in respect of any division of territory into electoral districts in progress on 11 June 1997.

48. Any revision of the list of electors or the referendum list which began before 1 September 1997 under the provisions of subdivision 2 of Division II of Chapter VI of Title I and, where applicable, Chapter V of Title II of the Act respecting elections and referendums in municipalities, as they read before being replaced or amended by section 21, 38 or 39 of this Act, is continued under those provisions and any provision of the same Act referring or relating thereto, notwithstanding their being replaced or amended under this Act.

49. This Act comes into force on 12 June 1997.

However,

(1) sections 14, 15, 18 and 19, paragraph 1 of section 20, sections 21, 25, 31, 32 and 34, section 37, where it enacts the first paragraph of section 546.1 of the Act respecting elections and referendums in municipalities, and sections 38, 39 and 41 to 45 come into force on 1 September 1997;

(2) paragraph 2 of section 20 and section 37, where it enacts the second paragraph of section 546.1 of the Act respecting elections and referendums in municipalities, come into force on 1 September 1997 or on the date fixed for the coming force of paragraph 4 of section 10 of chapter 8 of the statutes of 1997, whichever is later.