

Decisions

Decision, 15 September 2001

Election Act
(R.S.Q., c. E-3.3)

Chief electoral officer — Application of sections 312.1 and 335.2

Decision of the Chief Electoral Officer pursuant to the powers conferred by section 489.1 of the Election Act with regard to the application of sections 312.1 and 335.2

WHEREAS Order in Council 985-2001, dated 29 August 2001, orders the Chief Electoral Officer to institute by-elections on Monday, October 1, 2001, in the electoral divisions of Blainville, Jonquière, Labelle and Laviolette;

WHEREAS the remoteness, isolation and small number of voters in certain polling subdivisions of the electoral division of Laviolette require the implementation of special procedures relating to the setting up of the identity verification panel;

WHEREAS section 489.1 of the Election Act allows the Chief Electoral Officer to adapt the provisions relating to the setting up of an identity verification panel where circumstances so require, in particular due to the area or distance involved;

WHEREAS the Chief Electoral Officer has obtained agreement from the authorized parties represented in the National Assembly concerning his intention to use the provisions of the said section;

The Chief Electoral Officer, by virtue of the powers conferred by section 489.1 of the Election Act, has decided to adapt the provisions of sections 312.1 and 335.2 of the said Act as follows:

1. In polling subdivisions 02 OBEDJWAN, NO (CLOVA) and 04 (Pourvoirie L'Escapade) of the electoral division of Laviolette, the duties normally entrusted to the members of the identity verification panel by the Election Act shall be performed by the deputy returning officer and the poll clerk of the polling station.

2. The deputy returning officer and the poll clerk of the polling station shall exercise the powers conferred on members of the identity verification panel by section 335.2 of the Election Act.

3. This decision takes effect on the date of the Order in Council ordering the Chief Electoral Officer to institute by-elections in the electoral divisions of Blainville, Jonquière, Labelle and Laviolette.

Sainte-Foy, 15 September, 2001

MARCEL BLANCHET,
*Chief Electoral Officer and Chairman of the
Commission de la représentation électorale*

4581

Decision, 14 September 2001

Election Act
(R.S.Q., c. E-3.3)

Chief electoral officer — Cancellation of the agreement concerning the use of new voting procedures

Decision of the chief electoral officer pursuant to the powers conferred by section 490 of the election act with regard to the use of new voting procedures involving electronic ballot boxes and computerized polling stations at the by-election of October 1, 2001, in the electoral division of Blainville

WHEREAS Order in Council 935-2001, dated August 29, 2001, orders the Chief Electoral Officer to institute a by-election on Monday, October 1, 2001 in the electoral division of Blainville;

WHEREAS the Chief Electoral Officer and the leaders of the three authorized parties represented in the National Assembly availed themselves of section 489 of the Election Act (R.S.Q., c. E-3.3) and, on September 7, 2001, signed an agreement concerning the use of new voting procedures involving electronic ballot boxes and computerized polling stations;

WHEREAS, following a call for bids, the firm P.G. Elections Inc. was selected to supply equipment and services relating to the electronic ballot boxes and computerized polling stations;

WHEREAS, due to exceptional circumstances, P.G. Elections Inc. is unable to guarantee delivery of the goods and services stipulated in the bid;

WHEREAS the exceptional circumstances make it impossible to use new voting procedures in the electoral division of Blainville;

WHEREAS, under section 489 of the Election Act, the agreement has the force of law;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt provisions of the Act where exceptional circumstances so require;

WHEREAS the Chief Electoral Officer has informed the authorized political parties represented in the National Assembly that it is impossible to follow up on the said agreement, and that he intends to use the provisions of the said section;

The Chief Electoral Officer, under the powers conferred by section 490 of the Election Act, hereby cancels the said agreement.

This decision has effect from the date of signing.

Sainte-Foy, 14 September 2001

MARCEL BLANCHET,
*Chief Electoral Officer and Chairman of the
Commission de la représentation électorale*

4564