

Decisions

Decision, 18 October 2001

An Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2)

Chief electoral officer

— Applications by certain electors before a board of revisors

Decision of the chief electoral officer by virtue of the powers invested in him under section 90.5 of the Act respecting elections and referendums in municipalities concerning applications by certain electors before a board of revisors

WHEREAS municipal elections are scheduled to take place in Montréal on 4 November 2001;

WHEREAS the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) stipulates that the returning officer shall revise the list of electors by establishing, on the territory of the municipality, boards of revisors whose work he shall apportion and coordinate;

WHEREAS the returning officer and the chief electoral officer have been informed that handicapped persons, who are eligible to vote in the City of Montréal, are unable to get to a board of revisors to have their names entered on, struck off from or corrected on the list of electors;

WHEREAS the Act respecting elections and referendums in municipalities stipulates that, during the period of revision of the electoral list, entry, correction or striking off of an elector must be done by a spouse, a relative or a person cohabiting with the person;

WHEREAS these handicapped persons have indicated their intention to apply to have their names entered on the electoral list so as to be able to vote in the 4 November 2001 elections;

WHEREAS the business hours of the boards of revisors in the City of Montréal ended on Wednesday, 17 October 2001 at 5:00 p.m.;

WHEREAS the handicapped persons contemplated in this decision are currently housed in a residential and long-term care centre (C.H.S.L.D.) and cannot meet the requirements of the Act, given their unique situation;

WHEREAS the Act respecting elections and referendums in municipalities states that the hours of sittings of a board of revisors may be extended but that this decision falls to the chairman of the board of revisors and not the returning officer;

WHEREAS the residential and long-term care centre contemplated in this decision is the following:

Centre d'hébergement et de soins de longue durée Saint-Charles-Borromée
66, boulevard René-Lévesque Est
Montréal (Québec)

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities allows the chief electoral officer to adapt a provision of the Act when warranted by an exceptional circumstance;

WHEREAS the general provisions of the Act respecting elections and referendums in municipalities applicable to revision are not adapted to the situation described herein;

WHEREAS the chief electoral officer previously informed the Minister of Municipal Affairs and Greater Montréal of the decision he intends to make;

By virtue of the powers invested in him under section 90.5 of the Act respecting elections and referendums in municipalities, the chief electoral officer has decided to adapt the provisions of sections 122, 128, 131 and 132 of the Act as follows:

1. The preamble is an integral part of this decision.
2. The returning officer for the City of Montréal is authorized to decide alone regarding the extension of hours of sitting of the boards of revisors and, to this end, is authorized to extend the sitting hours of any board of revisors competent to receive applications from the residential and long-term care centre mentioned in the preamble for the duration he deems necessary.
3. By virtue of this decision, and solely for this purpose, anyone currently in the employ of the residential and long-term care centre mentioned in the preamble is authorized to present to the board of revisors any application for entry, correction or striking off of any elector who is a beneficiary of the said facility who is unable to go to the board and who has indicated the intention to make such an application.

4. These applications must be submitted to the competent board of revisors during the business hours determined by the returning officer and must comply with the other conditions set out in the Act.

5. No later than ten days before the day fixed for polling, the returning officer shall inform all parties authorized under Chapter XIII, teams recognized under Division III of this chapter and independent candidates concerned by this decision of the decision.

6. This decision shall come into effect on 18 October 2001.

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

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Decision, 19 October 2001

An Act respecting elections and referendums in municipalities
(R.S.Q., c. E-2.2)

Chief electoral officer

— Applications by certain electors before a board of revisors and exercise of the right to vote

Decision of the chief electoral officer by virtue of the powers invested in him under section 90.5 of the Act respecting elections and referendums in municipalities concerning applications by certain electors before a board of revisors and concerning exercise of the right to vote

WHEREAS municipal elections are scheduled to take place in a number of municipalities on 4 November 2001;

WHEREAS the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) stipulates that the returning officer shall revise the list of electors by establishing, on the territory of the municipality, boards of revisors whose work he shall apportion and coordinate;

WHEREAS the returning officer and the chief electoral officer have been informed that a number of persons, who are eligible to vote in these municipalities, are unable to get to a board of revisors to have their names entered on, struck off from or corrected on the list of electors;

WHEREAS the Act respecting elections and referendums in municipalities stipulates that, during the period of revision of the electoral list, entry, correction or striking off of an elector must be done by a spouse, a relative or a person cohabiting with the person;

WHEREAS the business hours of the boards of revisors had ended on the date of this decision or will end in the next few hours;

WHEREAS the electors contemplated in this decision are currently housed in a facility maintained by an establishment operating a residential and long-term care centre or rehabilitation centre within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2) on the territory of one of these municipalities and cannot meet the requirements of the Act, given their unique situation;

WHEREAS a number of electors housed in a facility maintained by an establishment operating a residential and long-term care centre or rehabilitation centre within the meaning of the Act respecting health services and social services are unable to go to exercise their right to vote;

WHEREAS the Act respecting elections and referendums in municipalities does not provide for the possibility of the returning officer's setting up mobile polling stations;

WHEREAS this situation threatens to prevent many of the electors of these establishments from exercising their right to vote;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities allows the chief electoral officer to adapt a provision of the Act when warranted by an exceptional circumstance;

WHEREAS the provisions of the Act respecting elections and referendums in municipalities applicable to revision are not adapted to the situations described herein;

WHEREAS the chief electoral officer previously informed the Minister of Municipal Affairs and Greater Montréal of the decision he intends to make;

By virtue of the powers invested in him under section 90.5 of the Act respecting elections and referendums in municipalities, the chief electoral officer has decided to adapt the provisions of sections 122, 128, 131, 132, 133, 174, 175, 177, 179, 180 and 183 of the Act as follows: