

Decisions

Decision, 23 November 2001

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

Chief electoral officer — Issuing of an authorization to vote for certain electors of the new City of Saguenay

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 the issuing of an authorization to vote for certain electors of the new City of Saguenay, during the 25 November 2001 elections

WHEREAS municipal elections are scheduled to take place in the City of Saguenay on 25 November 2001 ;

WHEREAS the City of Saguenay is composed of the amalgamation of the cities of Chicoutimi, Jonquière, La Baie and Laterrière and the municipalities of Lac-Kénogami and Shipshaw by virtue of Order in Council 841-2001 of 27 June 2001 ;

WHEREAS the list of electors in the municipalities that will hold regular elections on 4 November 2001 was produced on 12 September 2001 by the Chief Electoral Officer for the returning officers of these municipalities ;

WHEREAS, despite the above-mentioned, the Chief Electoral Officer produced the lists of electors for electors domiciled in the City of Saguenay on 16 October 2001 in order to be able to include the changes made to the list of electors for the municipalities of Jonquière and Lac-Kénogami, belonging to the electoral division of Jonquière, where the provincial by-election was held on 1 October 2001 ;

WHEREAS due to a technical error, the electors that moved from one city to another, within the boundaries of the new City of Saguenay, between 12 September 2001 and 16 October 2001, were omitted from the list of domiciled electors produced by the Chief Electoral Officer and forwarded to the returning officer ;

WHEREAS these electors are not entered on the list of electors to be used for the 25 November 2001 elections ;

WHEREAS these electors would otherwise have been entered on the list of electors since, despite the fact that they moved, they maintain their elector status allowing them to exercise their right to vote on 25 November 2001 ;

WHEREAS there is reason to allow these electors to vote ;

WHEREAS section 219 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) allows certain electors to obtain an authorization to vote from the returning officer, under certain conditions ;

WHEREAS the wording of this section does not allow the returning officer to authorize an elector to vote if he is not entered on the revised list of electors and if his name does not appear on any board of revisors' document ;

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 if subsequent to an error, emergency or exceptional circumstance, that provision does not meet the demands of the resultant situation ;

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 section 219 of the Act as follows :

1. The preamble is an integral part of this decision.
2. The returning officer for the City of Saguenay is authorized to issue an authorization to vote for the electors mentioned in the preamble which represent approximately 300 electors, in order to enable them to exercise their right to vote in the borough in which they are domiciled in the City of Saguenay.

3. The authorization to vote may be issued as of the present decision.

4. The returning officer is authorized to issue an authorization to vote to those electors requesting it.

5. An elector who has obtained an authorization to vote shall be admitted to vote after having presented his authorization to the deputy returning officer and after declaring under oath that he is the person who obtained it. An indication thereof shall be entered in the poll book.

6. The returning officer shall take the necessary measures to inform the deputy returning officers and secretaries working in the polling stations of the content of this decision and of the measures to take for it to be implemented.

7. As soon as possible, the returning officer shall inform all political parties and independent candidates authorized under Chapter XIII concerned by this decision.

8. This decision shall come into effect on 23 November 2001.

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