

Decisions

Decision

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

Chief electoral officer — Application of section 306

Decision of the chief electoral officer pursuant to the powers conferred by section 490 of the Election Act with regard to the application of section 306

WHEREAS Order-in-Council 558-2002, dated May 15, 2002, enjoins the chief electoral officer to hold by-elections on Monday, June 17, 2002, in the electoral divisions of Berthier, Joliette, Lac-Saint-Jean and Vimont;

WHEREAS section 306 of the Election Act (R.S.Q., c. E-3.3) provides that polling day shall be a day of vacation for the students in all the schools of a school board located in an electoral division where an election is being held;

WHEREAS the Ministère de l'Éducation and the school boards located in the territories of the electoral divisions of Berthier, Joliette, Lac-Saint-Jean and Vimont (the Lac-Saint-Jean, Laval and des Samares school boards) have scheduled a single English examination and a standard local examination for secondary level students on June 17, 2002;

WHEREAS the said examinations cannot be postponed to a later date;

WHEREAS polling stations will be established in some of the schools in which the above-mentioned examinations are scheduled;

WHEREAS section 490 of the Election Act allows the chief electoral officer to adapt a provision of the Act where so required by exceptional circumstances;

WHEREAS the chief electoral officer has informed the authorized parties of his intention to apply the provisions of the said section and has taken the necessary steps to inform the candidates and electors concerned;

The chief electoral officer, pursuant to the powers conferred by section 490 of the Election Act, has decided to adapt section 306 as follows:

1. The schools of the Lac-Saint-Jean, Laval and des Samares school boards located in the territories of the electoral divisions of Berthier, Joliette, Lac-Saint-Jean and Vimont at which a secondary-level single English examination or a secondary-level standard local examination is scheduled for June 17, 2002, are authorized to remain open for the exclusive purpose of holding the said examinations.

2. The management of the schools contemplated in article 1, at which polling stations will be established on June 17, 2002, must take appropriate steps to ensure the safety of the students, after entering into an agreement, where applicable, with the returning officers.

This decision shall take effect on the date of the order-in-council enjoining the chief electoral officer to hold by-elections in the electoral divisions of Berthier, Joliette, Lac-Saint-Jean and Vimont.

Québec, 3 June 2002

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

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Decision

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

Chief electoral officer — Application of the second paragraph of section 306

Decision of the chief electoral officer pursuant to the powers conferred by section 490 of the Election Act with regard to the application of the second paragraph of section 306

WHEREAS Order-in-Council 558-2002, dated May 15, 2002, enjoins the chief electoral officer to hold by-elections on Monday, June 17, 2002, in the electoral divisions of Berthier, Joliette, Lac-Saint-Jean and Vimont;

WHEREAS the second paragraph of section 306 of the Election Act (R.S.Q., c. E-3.3) provides that every educational establishment, on the day of the poll, shall give time off to all pupils and students who are electors;

WHEREAS the Ministère de l'Éducation, the school boards located in the territories of the electoral divisions of Berthier, Joliette, Lac-Saint-Jean and Vimont (the Lac-Saint-Jean, Laval and des Samares school boards) and the private educational establishments located in the territories of the said electoral divisions will be holding a single English examination and a standard local examination for secondary level students on June 17, 2002;

WHEREAS the said examinations cannot be postponed to a later date;

WHEREAS section 490 of the Election Act allows the chief electoral officer to adapt a provision of the Act where so required by exceptional circumstances;

WHEREAS the chief electoral officer has informed the parties of his intention to apply the provisions of the said section and has taken steps to inform the candidates and electors concerned;

The chief electoral officer, pursuant to the powers conferred by section 490 of the Election Act, has decided to adapt the second paragraph of section 306 as follows:

1. The second paragraph of section 306 shall not apply to pupils and students who are electors and who attend the schools of the Lac-Saint-Jean, Laval and des Samares school boards located in the territories of the electoral divisions of Berthier, Joliette, Lac-Saint-Jean and Vimont or the private educational establishments located in the territories of the said electoral divisions where a secondary-level single English examination or a secondary-level standard local examination is scheduled.

This decision shall take effect on the date of the order-in-council enjoining the chief electoral officer to hold by-elections in the electoral divisions of Berthier, Joliette, Lac-Saint-Jean and Vimont.

Québec, 7 June 2002

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