

Decisions

Decision, 8 April 2003

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

Chief electoral officer

— Entry of electors on the list of electors

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the entry of electors on the list of electors

WHEREAS order-in-council number 370-2003, issued on March 12, 2003, enjoined the chief electoral officer to hold general elections in Québec on April 14, 2003;

WHEREAS, in some electoral divisions, electors have been entered by mistake in the wrong polling subdivision following problems with the assignment of the address of their domicile;

WHEREAS, in some electoral divisions, electors have been removed from the list by mistake, after being confused with other electors having the same date of birth;

WHEREAS the ordinary revision period has come to an end;

WHEREAS, during the special revision period, section 230 of the Election Act (R.S.Q., c. E-3.3) provides that only the elector concerned may file an application with the special board of revisors;

WHEREAS this provision does not allow the board of revisors to correct mistakes in the entry of electors on the list of electors unless the electors concerned so request;

WHEREAS certain electors may be unable to exercise their right to vote if corrections are not made;

WHEREAS section 490 of the Election Act allows the chief electoral officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the situation;

WHEREAS the chief electoral officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the said section,

and has taken the steps required to inform the other authorized parties, the candidates and the electors in question;

The chief electoral officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to adapt section 230 of the said Act in order to add a second paragraph, as follows:

“Upon a request by the returning officer, who shall hand over the files of the electors concerned, the special board of revisors for the electoral division concerned is authorized to analyze the files and make the required corrections in the following cases:

1. certain electors have been entered in the wrong polling subdivision due to an error;
2. certain electors have been removed from the list, following confusion with another elector having the same date of birth.”

This decision shall take effect on the date of the order enjoining the chief electoral officer to hold general elections in Québec.

Québec, 8 April 2003

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

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Decision, 8 April 2003

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

Chief electoral officer

— Exercise of the duties of officers assigned to the list of electors on polling day

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the exercise of the duties of officers assigned to the list of electors on polling day

WHEREAS order-in-council number 370-2003, issued on March 12, 2003, enjoined the chief electoral officer to hold general elections in Québec on April 14, 2003;

WHEREAS section 310.1 of the Election Act (R.S.Q., c. E-3.3) provides that, in every polling station, the returning officer shall appoint two persons to act as officers assigned to the list of electors, recommended by the candidates of the authorized parties whose candidates came first and second at the last election;

WHEREAS section 315.1 of the Election Act provides that the officers assigned to the list of electors shall have the duty of informing the poll runners as to the electors who have exercised their right to vote;

WHEREAS, in many electoral divisions, the number of officers assigned to the list of electors on polling day will be insufficient to comply with the provisions of section 310.1 of the election Act;

WHEREAS special provisions must be made by returning officers on polling day in situations where it is impossible for them to have two officers assigned to the list of electors in every polling station;

WHEREAS section 490 of the Election Act allows the chief electoral officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the situation;

WHEREAS the chief electoral officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the said section, and has taken the steps required to inform the other authorized parties, the candidates and the electors in question;

The chief electoral officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to adapt sections 310.1, 314 and 315 in order to authorize returning officers to take one of the following steps if they observe that the number of officers assigned to the list of electors is insufficient:

— appoint a single officer for each polling station;

— where it is impossible to ensure the presence of at least one officer in a polling station, have the duties of the officer performed by the deputy returning officer and the poll clerk.

This decision shall take effect on the date of the order enjoining the chief electoral officer to hold general elections in Québec.

Québec, 8 April 2003

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

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Decision, 8 April 2003

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

Chief electoral officer — Holding of the poll in the electoral division of Duplessis

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the holding of the poll in the electoral division of Duplessis

WHEREAS order-in-council number 370-2003, issued on March 12, 2003, enjoined the chief electoral officer to hold general elections in Québec on April 14, 2003;

WHEREAS section 302 of the Election Act (R.S.Q., c. E-3.3) provides that the returning officer shall establish a polling station for each polling subdivision;

WHEREAS section 303 of the Act provides that the polling stations for a given electoral precinct shall be grouped together and situated in a place of convenient access;

WHEREAS polling subdivision 147-B of the electoral division of Duplessis, attached to an unorganized territory, is composed of three labour camps, namely Camp 169, the Montagnais, Fox and Love stations;

WHEREAS the distances between these three labour camps are significant, and the camps are not linked by a passable road;