

## Decisions

### Decision

An Act respecting school elections  
(R.S.Q., c. E-2.3)

#### 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 30.8 of the Act respecting school elections, concerning the entry of electors on the list of electors

WHEREAS a general school election will be held on November 16, 2003, in the school boards of Québec;

WHEREAS, pursuant to section 39 of the Act respecting school elections (R.S.Q., c. E-2.3), the chief electoral officer has transmitted to the returning officer of each school board the list of school electors containing, for each sector, the list of electors having their domicile in the territory concerned by the election;

WHEREAS, pursuant to section 41 of the Act respecting school elections, the list of electors of each school board was deposited by the returning officer on October 14, 2003;

WHEREAS errors have occurred in the description of the territory of the electoral divisions of some school boards;

WHEREAS, as a result of these errors, some electors are entered on the list of electors of the wrong electoral division;

WHEREAS, during the revision period, the provisions of the Act respecting school elections do not allow a board of revisors to correct an error in the entry of an elector on the list if the elector has not requested such a correction;

WHEREAS certain electors may not be able to exercise their right to vote or may have the opportunity to vote in an electoral division that is not their own if remedial action is not taken;

WHEREAS section 30.8 of the Act respecting school elections allows the chief electoral officer to adapt a provision of the Act where it comes to his attention that, subsequent to an error or an exceptional circumstance, the provision does not meet the demands of the resultant situation;

WHEREAS the chief electoral officer has first informed the Minister of Education of the decision he intends to make;

The chief electoral officer, pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, has decided to adapt the Act respecting school elections to provide that the boards of revisors of school boards may correct incorrect entries on the list of electors in the absence of requests for correction from the electors.

For the purposes of this decision, the Act respecting school elections is amended by inserting the following section after section 56:

“**56.1.** Upon a request from the returning officer, accompanied by the relevant documents, the board of revisors of the electoral division concerned is authorized to examine files and make the necessary corrections to the list of electors where electors have been entered in the wrong electoral division.

Where the correction results in the entry of an elector on the list of electors of one electoral division and the striking of that elector from the list of another electoral division, the board is not required to give the notice of one clear day provided for in section 58.8.

However, the returning officer must take all the necessary steps to inform the elector of the changes made to his entry on the list and, where applicable, of the place where the elector may exercise his right to vote.”

This decision shall apply and take effect on October 24, 2003.

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