

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 for the poll of November 16, 2003

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 drawn from the permanent list of electors and containing, for each sector, the list of electors having their domicile in the territory concerned by the election;

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

WHEREAS, as a result of these errors, some electors are entered in an electoral division other than the one in which they are entitled to be entered;

WHEREAS the Act respecting school elections provides that electors shall exercise their right to vote in the territory of the school board in which they are domiciled;

WHEREAS the revision period provided for in the Act respecting school elections ended on October 30, 2003;

WHEREAS certain electors will 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 in order to authorize the returning officers of school boards whose territories have been described erroneously to take the following steps by Friday, November 14, 2003:

1. Errors on the lists of electors of electoral divisions in the same school board

(a) Where the school board returning officer observes that certain electors have been entered on the list of electors of an electoral division in which they are not domiciled, he shall, if a poll is to be held in that electoral division, produce a statement of changes to the list of electors for that electoral division, so that the electors in question are entered on the list of electors of the electoral division in which they are domiciled;

(b) The returning officer shall produce a statement of changes to the list of electors on which the electors were entered erroneously, if a poll is to be held in the electoral division concerned, and shall indicate on the list that the electors in question cannot vote;

(c) The statements of changes shall be incorporated into the lists of electors for the electoral divisions concerned, and shall be sent to all candidates in the said electoral divisions;

(d) The returning officer shall take the necessary steps to inform the electors concerned of the changes made to their entries on the list.

2. Errors on the lists of electors of electoral divisions in different school boards

(a) Where he observes that certain electors have been entered on the list of electors of an electoral division in a different school board, in which they are not domiciled, the returning officer of the school board in which the said electors should be entered shall, using the information provided by the chief electoral officer, produce a statement of changes to the list of electors of the electoral division concerned, so that the electors in question are entered on the list of electors of the electoral division in which they are domiciled;

He shall inform the returning officer of the school board in which the electors were erroneously entered of the changes he has made;

(b) he returning officer of the school board in which the electors were erroneously entered shall produce a statement of changes to the list of electors of the electoral division in question, if a poll is to be held in that electoral division, and shall indicate on the list that the electors in question cannot exercise their right to vote;

(c) The statements of changes shall be incorporated into the lists of electors for the electoral divisions concerned, and shall be sent to all candidates in the said electoral divisions;

(d) The returning officer contemplated in paragraph a shall take the necessary steps to inform the electors concerned of the changes made to their entries on the list.

This decision shall take effect on November 11, 2003.

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

6023

Decision

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

Chief electoral officer — Electors in the Commission scolaire des patriotes

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, concerning electors in the Commission scolaire des patriotes

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 drawn from the permanent list of electors and containing, for each sector, the list of electors having their domicile in the territory concerned by the election;

WHEREAS the electors having their domicile in the territory of two electoral divisions of the Commission scolaire des Patriotes, namely electoral divisions 5 and 6, have been erroneously entered on the list of electors for the Commission scolaire Marie-Victorin;

WHEREAS a poll will be held in electoral divisions 5 and 6 of the Commission scolaire des Patriotes;

WHEREAS the Act respecting school elections provides that electors shall exercise their right to vote in the territory of the school board in which they are domiciled;

WHEREAS the electors in the electoral divisions of the Commission scolaire des Patriotes in which a poll will be held may exercise their right to vote;

WHEREAS the revision period provided for in the Act respecting school elections ended on October 30, 2003;

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 in order to authorize the returning officer of the Commission scolaire des Patriotes to take the following steps:

1. The returning officer of the Commission scolaire des Patriotes, using the information provided by the chief electoral officer, shall produce a statement of changes to the list of electors for electoral division 5 and a statement of changes to the list of electors for electoral division 6, indicating the names of the electors erroneously entered on the list of electors for the Commission scolaire Marie-Victorin;

2. The statements of changes shall be incorporated into the list of electors for electoral division 5 and the list of electors for electoral division 6, and shall be sent to all candidates in the said electoral divisions;