

Notice

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

Documents issued by the chief electoral officer — Authenticity and delegation of signing authority — Amendments

In accordance with section 550 of the Election Act, the Committee of the National Assembly has approved without modification, on March 31, 2004, the “Regulation to amend the Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority” which had been submitted to it by the chief electoral officer of Québec.

FRANÇOIS CÔTÉ,
*Secretary General of the
National Assembly*

In accordance with the third paragraph of section 550 of the Election Act, the chief electoral officer of Québec hereby publishes the “Regulation to amend the Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority”, which he has drafted in function of sections 550, 500 and 501 of the Election Act which was approved without modification by the Committee on the National Assembly, on March 31, 2004.

The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

MARCEL BLANCHET,
*Chief Electoral Officer
of Québec*

Regulation to amend the Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority*

Election Act
(R.S.Q., c. E-3.3, ss. 500, 501 and 550)

1. Section 2 of the Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority is replaced by the following:

“**2.** The definitions in the Regulation respecting contracts of the chief electoral officer, approved by the Office of the National Assembly by Decision 1155-1 dated 15 July 2003 (2003, *G.O.* 2, 2271), apply to this Regulation.”.

2. Section 8.1 is amended in the French text by replacing “directeurs de scrutin” by “directeurs du scrutin”.

3. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Notice

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

Returning officer — Conditions of exercise

In accordance with section 550 of the Election Act, the Committee of the National Assembly has approved without modification, on March 31, 2004, the “Regulation respecting the conditions of exercise of the duties of returning officer” which had been submitted to it by the chief electoral officer of Québec.

FRANÇOIS CÔTÉ,
*Secretary General of the
National Assembly*

* The Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority, approved by the Committee on the National Assembly on 20 December 2000 (2001, *G.O.* 2, 1182), has been amended once, by the regulation approved by the Committee on the National Assembly on 15 June 2001 (2001, *G.O.* 2, 3537).

In accordance with the third paragraph of section 550 of the Election Act, the chief electoral officer of Québec hereby publishes the “Regulation respecting the conditions of exercise of the duties of returning officer”, which he has drafted in function of sections 550 and 394 of the Election Act which was approved without modification by the Committee on the National Assembly, on March 31, 2004.

The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

MARCEL BLANCHET,
Chief Electoral Officer
of Québec

Regulation respecting the conditions of exercise of the duties of returning officer

Election Act
(R.S.Q., c. E-3.3, ss. 507 and 550)

1. A public office holder may not apply for a competition for appointment as a returning officer for two years following the date on which the public office holder’s term ends.

The prohibition applies only if the person held the office of

- (1) Member of the Parliament of Canada;
- (2) Member of the National Assembly;
- (3) member of the council of a municipality;
- (4) warden of a regional county municipality elected in accordance with section 210.29.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9); or
- (5) member of a school board.

2. A returning officer must

- (1) be a qualified elector at all times;
- (2) be domiciled at all times in the electoral division of appointment or in an adjoining electoral division insofar as the returning officer is capable of satisfactorily exercising his or her duties as if so domiciled;

(3) not be a member of any political party or engage in any partisan work at the federal, provincial, municipal or school board level or hold an elective position at such a level;

(4) be upright and impartial;

(5) have relevant knowledge of the Election Act (R.S.Q., c. E-3.3) and the Referendum Act (R.S.Q., c. C-64.1);

(6) have relevant knowledge of the electoral division for which the returning officer has been appointed;

(7) not exercise identical duties at the federal level;

(8) have knowledge of the French language;

(9) have knowledge of the English language where the number of English-speaking electors so warrants;

(10) abide in all respects by the oath of office made;

(11) cooperate with the chief electoral officer in examining, assessing and trying new voting procedures;

(12) comply with the directives of the chief electoral officer; and

(13) make space available at the returning officer’s domicile for the material and equipment required to exercise his or her duties, according to the conditions determined by the chief electoral officer.

3. A returning officer must also have the following professional skills:

(1) the ability to manage the human, financial and material resources available to the returning officer to achieve the expected results at each stage of the election proceedings;

(2) the ability to ensure the follow-up of the activities ensuing from the election calendar and to monitor achievement of the results determined by the chief electoral officer;

(3) the ability to make decisions, resolve disputes in accordance with the Election Act, election regulations and the directives of the chief electoral officer within very short periods;

(4) the ability to create and maintain a climate of confidence in dealings with the electors, candidates and other intervenors during and outside the electoral events;

(5) the ability to perform quality work within the deadlines fixed by the election calendar;

(6) the ability to use the computer systems and data produced and to have them used; and

(7) the ability to pass on knowledge acquired to other adults.

4. A returning officer must be available as required for

(1) the holding of a general election, by-election or referendum; and

(2) any other assignment that may be required by the chief electoral officer including delimiting polling subdivisions, carrying out preparatory activities for an event referred to in paragraph 1 and training activities, for the period determined by the chief electoral officer.

5. A returning officer who agrees to exercise similar duties at the municipal, school board or other level must first obtain authorization from the chief electoral officer and undertake in writing to be available at all times, immediately and without prior notice, when so required by the chief electoral officer.

6. During an event referred to in section 4, a returning officer must be readily accessible to the chief electoral officer and the members of the executive committee.

In addition, the chief electoral officer may require that a returning officer be present at his or her office at any time during an event referred to in that section.

7. Paragraph 3 of section 2 applies to a returning officer who is a member of the council of a municipality or school board before 6 May 2004 only as of the end of the returning officer's term as a member of the council.

8. This Regulation replaces the Returning Officer (Qualifications) Regulation approved by the Committee on the National Assembly on 23 March 1989 (*G.O.* 2, 5 April 1989, 1569).

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

Notice

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

Deputy returning officer, poll clerk, officer assigned to the list of electors and identity verification panel member — Candidates entitled to recommend — Amendment

In accordance with section 550 of the Election Act, the Committee of the National Assembly has approved without modification, on March 31, 2004, the "Regulation to amend the Regulation respecting the determination of the candidates entitled to recommend deputy returning officer, poll clerk, officer assigned to the list of electors and identity verification panel member appointments" which had been submitted to it by the chief electoral officer of Québec.

FRANÇOIS CÔTÉ,
*Secretary General of the
National Assembly*

In accordance with the third paragraph of section 550 of the Election Act, the chief electoral officer of Québec hereby publishes the "Regulation to amend the Regulation respecting the determination of the candidates entitled to recommend deputy returning officer, poll clerk, officer assigned to the list of electors and identity verification panel member appointments", which he has drafted in function of sections 550, 311 and 312.1 of the Election Act which was approved without modification by the Committee on the National Assembly, on March 31, 2004.

The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

MARCEL BLANCHET,
*Chief Electoral Officer
of Québec*