

## Decisions

### Decision

An Act respecting elections and referendums in municipalities  
(R.S.Q., c. E-2.2)

#### **Chief electoral officer — Performance of the duties of members of the identity verification panel on polling day**

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, concerning the performance of the duties of members of the identity verification panel on polling day

WHEREAS following the registration process set out in Division II of Chapter II of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities (2003, c. 14), referendum polls are being held on this day in 89 sectors;

WHEREAS section 38 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities provides that the chief electoral officer is responsible for the organization and holding of the referendum poll;

WHEREAS significant problems have been encountered in recruiting the referendum personnel required for the holding of the polls in several sectors;

WHEREAS section 81.1 of the Act respecting elections and referendums in municipalities states that an identity verification panel shall be established for every place where a polling station is located, and that the said panel shall comprise three members, including a chairman;

WHEREAS, in several sectors, the number of available referendum personnel is insufficient to allow compliance with the provisions of section 81.1 of the Act respecting elections and referendums in municipalities;

WHEREAS, pursuant to section 4 of the Act respecting the consultation of citizens with respect to the territorial reorganization of certain municipalities, and by the effect of the reference in section 567 of the Act respecting elections and referendums in municipalities, the provisions of Division III of Chapter V of Title I concerning election personnel apply, adapted as required and provided they are compatible, to referendums;

WHEREAS the said provisions do not allow for measures to be taken in respect of the exceptional circumstance arising from the shortage of referendum personnel;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities states that if, subsequent to an exceptional circumstance, a provision of Chapters V to VII.1, Division I of Chapter XII and Chapters XIII and XIV of Title I does not meet the demands of the resultant situation, the chief electoral officer may adapt the provision in order to achieve its object;

WHEREAS, by the effect of the reference in section 516.1 of the Act respecting elections and referendums in municipalities, section 90.5 applies to Title II of the said Act;

WHEREAS the chief electoral officer has first informed the Minister of Municipal Affairs, Sport and Recreation of the decision he intends to make;

The chief electoral officer, pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, has decided to adapt section 81.1 of the said Act in order to authorize the person in charge of the poll in a sector in which a referendum is being held to take the following steps where he or she concludes that the number of available referendum personnel is insufficient to allow for the establishment of an identity verification panel:

1. To appoint a chairman to the identity verification panel;
2. To allow the deputy returning officer and the poll clerk to perform the duties of the other members of the identity verification panel;

This decision shall come into force on June 20, 2004.

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

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