

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities, as replaced by section 6.5 of the agreement entered into by the Comité de transition de l'agglomération de Québec, states that if, subsequent to an exceptional circumstance, a provision of the Act or the agreement does not meet the demands of the resultant situation, the chief electoral officer may adapt the provision in order to achieve its object;

WHEREAS the chief electoral officer has first informed the Minister of Municipal Affairs and Regions 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, as replaced by section 6.5 of the agreement entered into by the Comité d'agglomération de Québec, has decided to adapt the Act respecting elections and referendums in municipalities in order to authorize the returning officer of the City of L'Ancienne-Lorette to take the following steps:

1. The preamble forms an integral part of this decision.
2. The returning officer of the City of L'Ancienne-Lorette is authorized to obtain a reading, using the other electronic ballot box in the polling station located at the polyvalente Ancienne-Lorette, of the ballot cards placed in the ballot card receptacle that were not recorded.
3. The procedure stipulated in article (2) above shall take place upon the closing of the poll and shall be carried out by the senior deputy returning officer in the presence of representatives of the parties and of the candidates.
4. If the procedure stipulated in article (2) cannot be carried out, the returning officer is authorized to proceed with a manual counting of the ballot cards, in accordance with the provisions of the Act respecting elections and referendums in municipalities relating to the counting of votes.
5. The senior deputy returning officer shall draft minutes of the procedure carried out and shall have the minutes signed by the representatives of the parties and candidates who are present.

6. This decision shall take effect on November 6, 2005.

Québec, 6 November 2005

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

7279

Decision

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

Chief electoral officer — Unrecorded ballots in the City of Sainte-Adèle

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 unrecorded ballots in the City of Sainte-Adèle

WHEREAS municipal elections will take place today in the City of Sainte-Adèle;

WHEREAS, following the conclusion of an agreement pursuant to section 659.2 of the Act respecting elections and referendums in municipalities, a "Perfas-Tab" electronic ballot box system is being used;

WHEREAS, due to a power outage, the memory cards of two electronic ballot boxes located in two polling stations was reset to zero before the results compiled by the said ballot boxes had been recorded on the memory card;

WHEREAS the results from approximately 450 ballot cards placed in the ballot card receptacles of the two electronic ballot boxes in question have therefore not been recorded;

WHEREAS, if the situation is not remedied, certain electors will have exercised their right to vote but their ballots will not have been recorded by the electronic ballot boxes;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities, as replaced by section 6.5 of the agreement entered into by the City of Sainte-Adèle, states that if, subsequent to an exceptional

circumstance, a provision of the Act or the agreement does not meet the demands of the resultant situation, the chief electoral officer may adapt the provision in order to achieve its object;

WHEREAS the chief electoral officer has first informed the Minister of Municipal Affairs and Regions 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, as replaced by section 6.4 of the agreement entered into by the City of Sainte-Adèle, has decided to adapt the Act respecting elections and referendums in municipalities in order to authorize the returning officer of the City of Sainte-Adèle to take the following steps:

1. The preamble forms an integral part of this decision.
2. The returning officer of the City of Sainte-Adèle is authorized to obtain a new electronic ballot box reading of the ballot cards from the polling stations located at 120, rue Claude Grégoire and 1312, boulevard Sainte-Adèle that were placed in the ballot card receptacles but not recorded;
3. The procedure stipulated in article (2) above shall take place upon the closing of the poll and shall be carried out by senior deputy returning officers.
4. If the procedure stipulated in article (2) cannot be performed, the returning officer is authorized to proceed with a manual counting of the ballot cards, in accordance with the provisions of the Act respecting elections and referendums in municipalities relating to the counting of votes.
5. Every senior deputy returning officer shall draft minutes of the procedure carried out and shall have the minutes signed by the candidates present, or their representatives.
6. This decision shall take effect on November 6, 2005.

Québec, 6 November 2005

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