

Decisions

Decision

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

Chief electoral officer — Application of the second paragraph of section 306 during the by-elections in the electoral divisions of Verchères and Outremont

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the Election Act regarding the application of the second paragraph of section 306 during the by-elections in the electoral divisions of Verchères and Outremont

WHEREAS order in council n° 1045-2005 of November 8, 2005, enjoins the chief electoral officer to hold by-elections on Monday, December 12, 2005, in the electoral divisions of Verchères and Outremont;

WHEREAS the second paragraph of section 306 of the Election Act (R.S.Q., c. E-3.3) stipulates that every educational institution shall, on polling day, grant leave to those pupils and students who are electors;

WHEREAS December 12, 2005, falls during the examination period for many pupils and students who are qualified electors in the electoral divisions of Verchères and Outremont;

WHEREAS pupils and students who are qualified electors in the electoral divisions of Verchères and Outremont attend educational institutions that are scheduled to hold exams on December 12, 2005;

WHEREAS the holding of these various exams can not be postponed without causing major difficulties to the educational institutions and to the pupils and students concerned;

WHEREAS section 490 of the Election Act enables the chief electoral officer to adapt a provisions of the Act under exceptional circumstances;

WHEREAS the chief electoral officer has informed the authorized parties represented at the National Assembly of his intention to apply the provisions of this section and has taken necessary measures to also inform the other authorized parties, candidates and the electors concerned;

The chief electoral officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to replace the second paragraph of section 306 of this Act with the following:

“Every educational institution has to ensure that pupils and students who are qualified electors have four consecutive hours to enable them vote on polling day.”

This decision takes effect on December 1, 2005.

Québec, 1 December 2005

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

7368

Decision

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

Chief electoral officer — Exercise of the duties of officers assigned to the list of electors during the by-elections in the electoral divisions of Verchères and Outremont

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the exercise of the duties of officers assigned to the list of electors during the by-elections in the electoral divisions of Verchères and Outremont

WHEREAS order-in-council number 1045-2005, issued on November 8, 2005, enjoins the chief electoral officer to hold by-elections on Monday, December 12, 2005, in the electoral divisions of Verchères and Outremont;

WHEREAS section 310.1 of the Election Act (R.S.Q., c. E-3.3) provides that the returning officer shall appoint, in every polling station, two persons to act as officers assigned to the list of electors, recommended by the candidates of the authorized parties whose candidates came first and second at the last election;

WHEREAS section 315.1 of the Election Act provides that the officers assigned to the list of electors shall have the duty of informing the poll runners as to the electors who have exercised their right to vote ;

WHEREAS the number of officers assigned to the list of electors on polling day in the electoral divisions of Verchères and Outremont will be insufficient to comply with the provisions of section 310.1 of the Election Act ;

WHEREAS special provisions must be made by returning officers on polling day in situations where it is impossible for them to have two officers assigned to the list of electors in every polling station ;

WHEREAS section 490 of the Election Act allows the chief electoral officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the situation ;

WHEREAS the chief electoral officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the said section, and has taken the steps required to also inform the other authorized parties, the candidates and the electors in question ;

The chief electoral officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to adapt sections 310.1, 314 and 315 in order to authorize returning officers of the electoral divisions of Verchères and Outremont to take one of the following steps if they observe that the number of officers assigned to the list of electors is insufficient :

— appoint a single officer for each polling station ;

— where it is impossible to ensure the presence of at least one officer in a polling station, have the duties of the officer performed by the deputy returning officer and the poll clerk.

This decision shall take effect on December 8, 2005.

Québec, 8 December 2005

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

7367

Decision

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

Chief electoral officer

— Exercise of voting rights by election officers during the by-elections in the electoral divisions of Verchères and Outremont

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the exercise of voting rights by election officers during the by-elections in the electoral divisions of Verchères and Outremont

WHEREAS order-in-council number 1045-2005, issued on November 8, 2005, enjoins the chief electoral officer to hold by-elections on Monday, December 12, 2005, in the electoral divisions of Verchères and Outremont ;

WHEREAS significant difficulties were encountered in these electoral divisions with regard to the recruitment of the election officers required to hold the poll ;

WHEREAS the recruitment of election officers is underway on the date of this decision, and will continue until the day preceding polling day ;

WHEREAS a number of the election officers recruited will not have exercised their right to vote in the advance poll ;

WHEREAS these election officers cannot leave their positions on polling day to exercise their right to vote in the polling subdivision in which their domicile is located ;

WHEREAS provisions are required to enable these election officers to exercise their right to vote ;

WHEREAS section 490 of the Election Act (R.S.Q., c. E-3.3) allows the chief electoral officer to adapt a provision of the Act where he observes that, subsequent to an exceptional circumstance, it does not meet the demands of the situation ;

WHEREAS the chief electoral officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the said section, and has taken the steps required to also inform the other authorized parties, the candidates and the electors in question ;