

**SCHEDULE I**

(s. 4)

**STATIONARY ENGINE AND STATIONARY ENGINE INSTALLATION CLASSIFICATION FOR CLASSIFYING THE CERTIFICATES OF QUALIFICATION IN STATIONARY ENGINE MECHANICS**

Type of machine within the meaning of the Regulation respecting stationary enginemen	Maximum capacity permitted, in kW					
	Energy production				Refrigerating apparatus	
	Class 4	Class 3	Class 2	Class 1	Class B	Class A
High-pressure boilers	6 000	12 000	20 000	All		
Low-pressure steam boilers	6 000	12 000	20 000	All		
High or low pressure coiled tube boilers	All	All	All	All		
Low-pressure hot water boilers	All	All	All	All		
Thermal liquid boilers	All	All	All	All		
High-pressure steam generators	All	All	All	All		
Steam engines and turbines	All	All	All	All		
Refrigerating apparatus Group A2, A3, B2 or B3					250	All
Refrigerating apparatus Group A1 or B1					900	All

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Gouvernement du Québec

**Agreement**Election Act  
(R.S.Q., c. E-3.3)AGREEMENT CONCERNING THE TESTING  
OF NEW METHODS OF VOTING

BETWEEN

MR JEAN CHAREST, LEADER OF THE QUÉBEC  
LIBERAL PARTY, AN AUTHORIZED PARTY  
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR ANDRÉ BOISCLAIR, LEADER OF THE  
PARTI QUÉBÉCOIS, AN AUTHORIZED PARTY  
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR MARIO DUMONT, LEADER OF THE  
ACTION DÉMOCRATIQUE DU QUÉBEC /  
TEAM MARIO DUMONT, AN AUTHORIZED  
PARTY REPRESENTED IN THE NATIONAL  
ASSEMBLY

AND

MR MARCEL BLANCHET, IN HIS CAPACITY  
AS THE CHIEF ELECTORAL OFFICER OF  
QUÉBECWHEREAS on September 14, 2005, the seat of member  
of the electoral division of Sainte-Marie–Saint-Jacques  
became vacant following the resignation of Mr André  
Boulerice;WHEREAS pursuant to section 130 of the Election Act  
(R.S.Q., c. E-3.3), a by-election to fill a vacant seat has  
to be called latest six months after the seat becomes  
vacant;

WHEREAS pursuant to the provisions of section 489 of the Election Act, the Chief Electoral Officer may test new methods of voting during a by-election;

WHEREAS on April 22, 2004, the Chief Electoral Officer tabled the report “Améliorer l'accès au vote et favoriser son exercice – Une proposition du Directeur général des élections” that proposes a set of measures aimed at improving the exercise of voting rights;

WHEREAS the Minister for the Reform of Democratic Institutions tabled a draft bill replacing the Election Act on December 15, 2004;

WHEREAS many of the measures proposed in the report of the Chief Electoral Officer are included in the draft election bill;

WHEREAS during the by-elections that will take place in the electoral division of Sainte-Marie–Saint-Jacques, the Chief Electoral Officer would like to test some of the measures proposed in the report tabled in April 2004 and in the draft election bill concerning mobile advance polling stations, mobile polling stations, mobile boards of revisors and the opening hours of advance polling stations;

WHEREAS during the same by-election the Chief Electoral Officer would like to test new measures related to assisting electors in voting and a poster bearing the photographs of candidates in voting places;

WHEREAS an agreement between the Chief Electoral Officer of Québec and the leaders of the authorized parties represented in the National Assembly is required to implement these new voting procedures;

WHEREAS this agreement has to describe the new voting procedures, mention the provisions of the Election Act that it replaces and be signed by each of these persons;

WHEREAS the present agreement has force of law.

CONSEQUENTLY, THE PARTIES AGREE AS FOLLOWS:

## 1. PREAMBLE

The preamble to this agreement forms an integral part of this agreement.

## 2. PURPOSE OF THE AGREEMENT

This agreement is intended to test, during the by-election that is scheduled in the electoral division of Sainte-Marie–Saint-Jacques, mobile advance polling stations

and mobile polling stations in private and public residence for the elderly, in hospitals offering long-term care and in residential and long-term care centres, and to test mobile boards of revisors. It is also intended to test new opening hours for advance polling stations, new procedures for assisting electors during voting and a poster bearing the photographs of candidates in voting places.

## 3. MODIFICATIONS TO THE ELECTION ACT

### 3.1 Access

Section 135.1 of the said Act is replaced by the following:

“**135.1.** The owner, manager, superintendent or caretaker of a residential building or a residence for the elderly listed in the register established under the Act respecting health services and social services must allow and facilitate access to the building by persons in charge of distributing notices or documents from the chief electoral officer or the returning officer.

The same rule applies to the director general of an institution referred to in section 3 with regard to any facility maintained by the institution.”.

### 3.2 Setting up of the mobile board of revisors

The said Act is amended by inserting the following after section 179:

“**179.1.** The returning officer shall set up as many mobile boards of revisors as needed in the electoral division.

He shall assign to each board the polling subdivisions he designates.

A mobile board of revisors shall be set up with the consent of the owner or the manager, in all institutions referred to in section 3 and in all residences for the elderly identified in the register prepared in accordance with the Act respecting health services and social services that houses 50 people or more. These institutions shall meet the criteria established by the chief electoral officer.

A mobile board of revisors may also visit electors who are unable to move about and who are domiciled or living in any institution referred to in section 3 or in a residence for the elderly identified in the register prepared in accordance with the Act respecting health services and social services.

**179.2.** The institutions referred to in section 179.1 must allow their premises to be used free of charge for mobile boards of revisors.”.

### 3.3 Notice to electors regarding the mobile board of revisors

Section 182 of this Act is modified by inserting the following after the first paragraph:

“However, information on the days and hours of mobile boards of revisors are provided by the returning officer to the electors concerned.”.

### 3.4 Duration of the sessions of the mobile board of revisors

Section 195 of this Act is modified by inserting the following after the second paragraph:

“The mobile board of revisors seats on the days and during the hours determined by the returning officer for the period referred to in the first paragraph.”.

### 3.5 Written request to a board of revisors

Section 206 of the said Act is replaced by the following:

“**206.** An elector domiciled or living in a residence for the elderly listed in the register established under the Act respecting health services and social services or in a facility referred to in section 3 and who wishes to avail himself of the provisions of that section may apply in writing to the returning officer to have his name entered or struck off the list of electors, or for a correction thereto.

The returning officer shall transmit the applications received to the competent board of revisors.”.

### 3.6 Application to a mobile board of revisors by an elector who is unable to move about

The said Act is amended by inserting the following after section 206:

“**206.1.** The mobile board of revisors may go to the room or apartment of an elector unable to move about domiciled or living in a facility referred to in section 3 or in a residence for the elderly listed in the register established under the Act respecting health services and social services and who applies to the returning officer not later than the thirteenth day before polling day.

**206.2.** Despite section 206.1, during its visit of a facility referred to in this section, the mobile board of revisors may visit the room or apartment of an elector who is unable to move about and who so requests.”.

### 3.7 Request to verify the list of electors submitted to the mobile board of revisors by the returning officer

This Act is amended by inserting the following after section 209:

“**209.1.** The returning officer may send to the mobile board of revisors cases of electors registered on the list of electors of an institution referred to in section 3 or of a residence for the elderly listed in the register established under the Act respecting health services and social services.

In these cases, the board exercises the same powers and performs the same duties as those that it has for requests made by an elector.”.

### 3.8 Poster with photographs of candidates

Section 241 of this Act is modified by inserting the following after the third paragraph:

“The photograph referred to in the first paragraph is used by the chief electoral officer to produce a poster containing the name, party affiliation or the mention “independent” as the case may be, that is placed at voting places.

However, a candidate may refuse to have his photograph appear on such a poster by sending a written request to the returning officer. This written request should be received at the office of the returning officer before 2 p.m. on the sixteenth day before polling day.

A candidate may submit a different photograph before 2 p.m. on the sixteenth day before polling day as long as it complies with the directives issued by the chief electoral officer.”.

### 3.9 Provisions applicable to advance polling

Section 263 of this Act is amended by replacing the second paragraph with the following:

“However, there shall be no officers assigned to the list of electors during this vote. In addition, the deputy returning officer and the poll clerk may act as members of the identity verification panel in polling stations for inmates, mobile advance polling stations and mobile polling stations.”.

### 3.10 Opening hours of advance polling stations

Section 264 of the said Act is replaced by the following:

**264.** Advance polling stations are open from 9:30 a.m. to 8:30 p.m. on the Sunday and Monday before polling day.

If polling cannot begin at the prescribed time, is interrupted by irresistible force or cannot be concluded for lack of ballot papers, the chief electoral officer may extend polling hours as needed at the polling station affected.”.

### 3.11 Electors who vote in the advance poll

Section 270 of the said Act is replaced by the following:

**270.** At the end of each day of the advance poll, the returning officer sends the candidates the information relating to electors who voted in the advance poll.”.

### 3.12 Mobile advance polling stations and mobile polling stations

This Act is amended by replacing sub-section 3, division II, chapter V, title IV by the following:

#### “§3. *special provisions governing mobile advance polling stations*

**287.** The returning officer may set up as many mobile advance polling stations as needed in an electoral division.

These stations are established with the consent of the owner or manager, in any facility referred to in section 3 and in a residence for the elderly listed in the register established under the Act respecting health services and social services that houses 50 people or more.

The institutions referred to in the second paragraph must meet the criteria determined by the chief electoral officer.

**288.** The mobile advance poll is held on the eighth and seventh days before polling day during the hours determined by the returning officer for each institution.

Information on the days and hours of the mobile advance polling station are provided to the electors concerned by the returning officer.

**289.** An elector domiciled in an institution referred to in section 287 who wishes to vote in an advance poll must vote in the advance polling station set up in that institution.

**290.** An elector referred to in section 289 who is unable to move about may vote in his or her apartment or room provided a request to that effect is addressed to the returning officer not later than the thirteenth day before polling day and provided the elector is registered on the list of electors of the polling subdivision in which the institution is situated.

**291.** The returning officer draws up a list of electors who have filed a request under section 290, and sends a copy to the candidates.

**292.** Mobile advance polling stations are operated by a deputy returning officer and a poll clerk appointed by the returning officer.

**292.1.** At the time set by the returning officer, the deputy returning officer must stop receiving votes at the mobile advance polling station and move all the necessary material to the room or apartment of an elector on the list referred to in section 291 who is unable to move about.

The deputy returning officer must give the elector all the necessary assistance to vote.

The representatives of the candidates are not admitted into the elector’s room or apartment.

**292.2.** Despite section 290, a mobile advance polling station may, during its time at the institution referred to in this section, go to the room or apartment of an elector who is unable to move about upon request. The list referred to in section 291 has to mention this if need be.

**292.3.** The director general, owner or person in charge of an institution referred to in section 287 must facilitate access to the mobile advance polling station in the institution and cooperate with the deputy returning officer or the poll clerk.

#### §3.1 *Special provisions governing mobile polling stations*

**292.4.** The returning officer shall determine which advance polling stations will serve as mobile polling stations.

These stations shall be set up in the institutions referred to in section 287 in which an advance polling station has not been established or when less than 50 people are living in such an institution.

When serving as a mobile polling station, the advance polling station shall consist of the deputy returning officer and the poll clerk of the polling station.

**292.5.** A mobile polling station may receive the vote of electors on the ninth and sixth days before polling day at times determined by the returning officer for each institution.

**292.6.** Electors living in an institution referred to in section 292.4 who wishes to vote at a mobile polling station have to

(1) apply to the returning officer, not later than the thirteenth day before polling day;

(2) be registered on the list of electors of the subdivision where the institution is situated;

(3) be unable to move about.

**292.7.** The returning officer draws up a list of the electors who have filed a request under section 292.6, and send a copy to the candidates.

**292.8.** Paragraphs two and three of section 292.1 and sections 292.2 and 292.3 apply to mobile polling stations, with the necessary modifications.”.

### 3.13 Polling stations and subdivisions

Section 302 of this Act is modified by inserting the following after the third paragraph:

“The returning officer may regroup a polling subdivision, created in order to create a mobile advance polling station, with the nearest subdivision.”.

### 3.14 Polling station in an institution referred to in section 3

Section 304 of the Act is repealed.

### 3.15 Officer in charge of information and order at a mobile advance polling station

Section 309 of this Act is modified by inserting the following after the second paragraph:

“However, in a mobile advance polling station, the returning officer may assign the function of officer in charge of information and order to another polling officer.”.

### 3.16 Assistance to electors

Section 347 of the said Act is replaced by the following:

“**347.** An elector who declares that he is unable to mark his ballot paper himself may be assisted:

(1) by a person who is his spouse or a relative within the meaning of section 205;

(2) by another person, in the presence of the deputy returning officer and the poll clerk assigned to the polling station. That person shall declare under oath that he has not assisted, during the poll, any other elector who is not a spouse or relative within the meaning of section 205.

(3) by the deputy returning officer, in the presence of the poll clerk.

In either case, an indication thereof shall be entered in the poll book.”.

### 3.17 Extension of polling

Section 353 of the said Act is replaced by the following:

“**353.** If polling cannot begin at the prescribed time, is interrupted by irresistible force or cannot be concluded for a lack of ballot papers, the chief electoral officer may extend polling hours as needed at the polling station affected.”.

### 3.18 Discretion of the Chief Electoral Officer upon observing an error, emergency or exceptional circumstance

Section 490 of the said Act is replaced by the following:

“**490.** If, during the election period, the chief electoral officer realizes that because of an error, emergency or an exceptional circumstance, a provision of the current Act is inadequate, the chief electoral officer may adapt the provision in order to achieve its object.

However, the chief electoral officer must inform the authorized parties represented in the National Assembly beforehand of the intended decision and must use all means necessary to inform the other authorized parties, candidates and electors concerned of the decision.

Within 30 days after polling day, the chief electoral officer must send the President or the Secretary General of the National Assembly a report on the decisions under this section. The President lays the report before the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days after resumption.”.

### 3.19 Penal Provision

The first paragraph of section 551 of this Act is replaced by the following :

The owner, manager, superintendent or caretaker of a residential building or a residence for the elderly identified in the register that is prepared pursuant to the Act respecting health services and social services or the director general of an institution referred to in section 3 for all facilities maintained by this institution who limits, restricts or fails to facilitate access to the building or residence by a person in charge of distributing a notice or document from the chief electoral officer or the returning officer.”

### 4. APPLICATION OF THE AGREEMENT

The Chief Electoral Officer and the returning officer of the electoral division of Sainte-Marie–Saint-Jacques are responsible for applying this agreement and, as a result, for the good conduct of the testing of the new methods of voting.

### 5. EVALUATION REPORT

Within 90 days following the date of the by-election, the Chief Electoral Officer shall transmit to the leaders of political parties represented in the National Assembly a report covering the following points :

— election preparations related to the present agreement ;

— the setting up of mobile advance polling stations, mobile polling stations and mobile boards of revisors ;

— the conduct of the mobile advance polling and the mobile revision ;

— the use of new methods of assisting electors in voting ;

— the impacts of new opening hours on the advance poll ;

— the production of a poster bearing the candidates’ photographs ;

— the advantages and disadvantages of using the new methods of voting.

### 6. APPLICATION OF THE ELECTION ACT

The Election Act (c. E-3.3) applies in the electoral division of Sainte-Marie–Saint-Jacques for the by-election covered by the present agreement, subject to the provisions of this Act that this agreement modifies or replaces.

### 7. EFFECT OF THE AGREEMENT

This agreement takes effect on the date of the order directing the Chief Electoral Officer to hold a by-election in the electoral division of Sainte-Marie–Saint-Jacques.

IN WITNESS WHEREOF, THE PARTIES HAVE SIGNED, IN FOUR COPIES,

In Montréal, on 19th of March 2006

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JEAN CHAREST,  
*Leader of the Québec Liberal Party*

In Montréal, on 23rd March 2006

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ANDRÉ BOISCLAIR,  
*Leader of the Parti québécois*

In Montréal, on 28th March 2006

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MARIO DUMONT,  
*Leader of the Action démocratique du Québec / Team Mario Dumont*

In Québec, on 28th March

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MARCEL BLANCHET,  
*Chief Electoral Officer of Québec*

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