

## Decisions

### Decision

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

#### Chief Electoral Officer — Entry of electors on the list of electors of the Sainte-Marie–Saint-Jacques electoral division

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act concerning the entry of electors on the list of electors of the Sainte-Marie–Saint-Jacques electoral division

WHEREAS order-in-council n° 124-2006 issued on March 6, 2006, enjoins the Chief Electoral Officer to hold a by-election on Monday, April 10, 2006, in the electoral division of Sainte-Marie–Saint-Jacques;

WHEREAS under section 145 of the Election Act (R.S.Q., c. E-3.3), the Chief Electoral Officer has sent the list of electors of the electoral division to the returning officer of the Sainte-Marie–Saint-Jacques electoral division;

WHEREAS pursuant to section 195 of the Election Act, the revision of the list of electors shall take place from March 20 to 30, 2006;

WHEREAS following an application for entry by an elector, it was discovered that ten electors domiciled on boulevard de Maisonneuve, in the Sainte-Marie–Saint-Jacques electoral division, were erroneously entered on the permanent list of electors of the neighbouring electoral division of Hochelaga-Maisonneuve following an error in drawing up the boundary;

WHEREAS as a result of this error, these electors are not entered on the list of electors of the Sainte-Marie–Saint-Jacques electoral division;

WHEREAS during the revision period, the provisions of the Election Act do not allow a board of revisors to correct errors in the entry of an elector on the list unless the elector requests such a correction;

WHEREAS the electors concerned may not be able to exercise their right to vote during the by-election in the Sainte-Marie–Saint-Jacques electoral division if remedial action is not taken;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt a provision of the Act where it comes to his attention that, subsequent to an error, the provision does not meet the demands of the resultant situation;

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 adapt the Election Act to provide that the board of revisors of the polling subdivision concerned may correct erroneous entries on the list of electors presented to it by the Chief Electoral Officer in the absence of applications for correction from electors.

For the purposes of this decision, the Election Act is amended by inserting the following after section 208:

“**208.1.** At the request of the returning officer and upon provision of the relevant documents, the board of revisors of the polling subdivision concerned is authorized to analyze the files and make necessary corrections to the list of electors in cases where electors are entered in the wrong electoral division.

In such cases, the board of revisors exercises the same powers and functions as those conferred on it for examining applications from electors.

For the purposes of the third paragraph of section 208, the documents in question may be presented to any revising officer who is designated by the board to collect any relevant information.”.

The returning officer of the Sainte-Marie–Saint-Jacques electoral division shall take necessary measures to inform the electors concerned of the location where they have to vote, if necessary.

This decision takes effect on March 28, 2006.

Québec, 28 March 2006

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

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## 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-election in the electoral division of Sainte-Marie–Saint-Jacques

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-election in the electoral division of Sainte-Marie–Saint-Jacques

WHEREAS order-in-council number 124-2006, issued on March 6, 2006, enjoins the Chief Electoral Officer to hold a by-election on Monday, April 10, 2006, in the electoral division of Sainte-Marie–Saint-Jacques;

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 division of Sainte-Marie–Saint-Jacques will be insufficient to comply with the provisions of section 310.1 of the Election Act;

WHEREAS special provisions must be made by returning officer 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 officer of the electoral division of Sainte-Marie–Saint-Jacques 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 April 5, 2006.

Québec, 5 April 2006

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

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