

## Decisions

### Decision

An Act respecting school elections  
(R.S.Q., c. E-2.3)

#### Chief Electoral Officer

##### — Holding of by-election in the Samares School Board

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, concerning the holding of a by-election in the Samares School Board

WHEREAS a by-election is to be held on June 18, 2006, in electoral division number 13 of the Samares School Board in accordance with sections 191 and 200 of the Act respecting school elections (R.S.Q., c. E-2.3);

WHEREAS the second paragraph of section 200 of the Act respecting school elections provides that the provisions of Chapters IV to XII of the said Act shall apply to by-elections;

WHEREAS some of the said provisions have been adapted by means of special decisions of the Chief Electoral Officer made on October 3, 2003, pursuant to section 30.8 of the Act respecting school elections, concerning the power to swear in election staff, acceptance of nominations by an assistant to the returning officer, the ballot, the poll book and the statement of votes;

WHEREAS it is necessary for these special decisions to apply to the by-election in the Samares School Board;

WHEREAS section 30.8 of the Act respecting school elections allows the Chief Electoral Officer to adapt a provision of the Act where it comes to his attention that, subsequent to an error or an exceptional circumstance, the provision does not meet the demands of the resultant situation;

WHEREAS the Chief Electoral Officer has first informed the Minister of Education, Recreation and Sport of the decision he intends to make;

The Chief Electoral Officer, pursuant to the powers conferred upon him by section 30.8 of the Act respecting school elections, has decided to adapt the provisions of the Act respecting school elections as follows:

— The following decisions made by the Chief Electoral Officer during the election period ending on November 16, 2003, shall apply, adapted as required, to the by-election in the Samares School Board:

– Decision of October 3, 2003 concerning the power of election officers to administer oaths;

– Decision of October 3, 2003 concerning the ballot paper, the poll book and the statement of votes.

This decision has been in force from the time the returning officer of the Samares School Board first took action in respect of the by-election to which it applies.

Québec, 24 May 2006

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

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### Decision

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

#### Chief Electoral Officer

##### — Issuing of an authorization to vote to certain electors in the Municipality of Sainte-Sabine

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 issuing of an authorization to vote to certain electors in the Municipality of Sainte-Sabine

WHEREAS a by-election will be held in the Municipality of Sainte-Sabine on June 4, 2006;

WHEREAS, on April 20, 2006 and in accordance with section 100 of the Act respecting elections and referendums in municipalities, the Chief Electoral Officer provided the list of electors whose names are entered on the permanent list of electors and who are entitled to have their names entered on the municipal list to be used in the election;

WHEREAS following a technical error during the drawing up of the revised list of electors, 41 electors domiciled on Doyon Street were entered twice on the list of electors;

WHEREAS following a technical error during the drawing up of the revised list of electors, 41 electors domiciled on Route 235 were not entered on the list of electors;

WHEREAS following these technical errors, the electors in question were entered twice or not entered on the revised list of electors of the municipality and whereas they were correctly entered on the list of electors transmitted by the Chief Electoral Officer on April 20, 2006;

WHEREAS the revision period of the list of electors ended on May 23, 2006;

WHEREAS the electors in question will be entered twice on the list of electors in one case or will not be able to exercise their voting right in the other case;

WHEREAS the situation needs to be corrected in order to enable the electors in question to exercise their voting rights;

WHEREAS section 219 of the Act respecting elections and referendums in municipalities allows certain electors to obtain an authorization to vote from the returning officer, under certain conditions;

WHEREAS the said section, as currently worded, does not allow the returning officer to grant such authorization to an elector whose name does not appear on the revised list of electors or on any document of a board of revisors;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities states that if, subsequent to an error, a provision of the Act 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, has decided to adapt the Act respecting elections and referendums in municipalities in order to authorize the returning officer of the Municipality of Sainte-Sabine to take the following steps:

1. The preamble forms an integral part of this decision.
2. The returning officer of the Municipality of Sainte-Sabine is authorized to prepare an abstract of changes on the list of electors in order to strike off the names of the 41 electors domiciled on Doyon Street whose names appear twice on the list of electors.
3. The returning officer of the Municipality of Sainte-Sabine is authorized to issue an authorization to vote to the 41 electors domiciled on Route 235 who go to the polling station, whose name appears on the list of electors provided by the Chief Electoral Officer on April 20, 2006, and whose name does not appear on the revised list of electors.
4. An elector who obtains an authorization to vote shall be admitted to vote after producing identification, presenting the said authorization to the deputy returning officer and after declaring under oath that he or she is the person who obtained it. An indication thereof shall be entered in the poll book.
5. The returning officer shall take the steps required to notify the deputy returning officers and poll secretaries working in the polling stations of the content of this decision and the measures required to apply it.
6. The returning officer shall, at the earliest opportunity, notify every independent candidate concerned by this decision.
7. This decision shall take effect on May 24, 2006.

Québec, 24 May 2006

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

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