

Decisions

Decision

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

Chief Electoral Officer — Holding of a new election in the Découvreurs 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 new election in the Découvreurs School Board

WHEREAS a by-election was held on June 4, 2006, in electoral division number 1 of the Découvreurs School Board;

WHEREAS following tie-vote, a judicial recount was held pursuant to section 144 of the Act respecting school elections (R.S.Q., c. E-2.3);

WHEREAS the tie-vote was confirmed by the judicial recount;

WHEREAS section 156 of the Act respecting school elections provides that, if the tie-vote still exists after a judicial recount, the returning officer shall order a new election for the electoral division concerned and shall fix the dates for nominations and for the poll;

WHEREAS section 156 of the Act respecting school elections does not provide for the conditions of the new election, and whereas it would be appropriate to adapt the provisions of the Act due to the exceptional circumstances surrounding a tie-vote;

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 Sports 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 returning officer of the Découvreurs school board shall select the date of the poll from among the Sundays falling within the four months following the date of the judgment confirming the tie-vote;

— When establishing the date of the poll, the returning officer may provide for an election period that begins at least twenty-eight days prior to the date selected;

— The public notice of election provided for in section 38 and the notice of revision of the list of electors provided for in section 51 may be given at the same time;

— The notice of revision provided for in section 52 is optional;

— On the last day established for the submission of nominations, the office of the returning officer shall remain open continuously from 9:00 a.m. to 5:00 p.m.;

— Any deadlines set by the Act respecting school elections that must be adapted to suit the election period mentioned above shall be so adapted in accordance with the electoral calendar attached to this decision;

— The authorization granted to a candidate pursuant to Division III of Chapter XII for the poll of June 4, 2006, shall remain valid for the election period mentioned above;

— Delegations made pursuant to section 206.4 in respect of the authorization of candidates shall remain valid for the election period mentioned above;

— 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 new election held in the Découvreurs school board:

— Decision of October 3, 2003, concerning the power to swear in election staff;

– Decision of October 3, 2002, concerning the ballot, the poll book and the statement of votes.

This decision shall take effect on June 21, 2006.

Québec, 21 June 2006

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

SCHOOL ELECTORAL CALENDAR For a New Election (ASE 300.8 and 156)

DGE-EG09.9 VA (03-11)
Act respecting school elections



Key:

- No remuneration period
- Remuneration period
- Open to public
- End of voters' work
- Polling Day
- Judicial account period

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
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● Before the 19th day after polling day, send any changes made to the Board of Reviewers to the Chief Election Officer.