

WHEREAS the Chief Electoral Officer has identified some cases where these retirement homes have been closed down or placed under total or partial quarantine due to risks of the spread of contagious diseases;

WHEREAS it is reasonable to believe that other cases of closure or total or partial quarantine of retirement homes due to risks of the spread of contagious diseases could be identified by the Chief Electoral Officer in the next few days;

WHEREAS electors domiciled in retirement homes identified by the Chief Electoral Officer cannot present before a board of revisors an application for entry on, correction of, or striking off the list of electors;

WHEREAS electors domiciled in retirement homes cannot avail themselves of section 206 of the Election Act;

WHEREAS electors domiciled in retirement homes identified by the Chief Electoral Officer may be unable to exercise their right to vote due to these exceptional circumstances;

WHEREAS these exceptional circumstances require the institution of special procedures in order to allow persons domiciled in the retirement homes identified by the Chief Electoral Officer to present to a board of revisors an application for entry on, correction of, or striking off the list of electors;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt a provision of the Act where so required by exceptional circumstances;

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 inform the other authorized parties, the candidates and the electors in question;

The Chief Electoral Officer, pursuant to the powers conferred on him by section 490 of the Election Act, has decided to adapt this Act in order to allow electors domiciled in retirement homes that he has identified to avail themselves of the provisions of section 206 of the Election Act.

For the purposes of the application of the present decision, section 206 of the Election Act is adapted by inserting, after the words “avail themselves of the provisions of this section,” the words “or an elector domiciled in a retirement home identified in the register prepared pursuant to the Act respecting health services and social services (R.S.Q., c. S-4.2).”.

This decision shall take effect on the date of the order enjoining the Chief Electoral Officer to hold general elections in Québec.

Québec, 9 March 2007

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

8099

Decision

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

Chief Electoral Officer — Application of sections 239 and 241

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the application of sections 239 and 241

WHEREAS order-in-council number 167-2007, issued on February 21, 2007, enjoined the Chief Electoral Officer to hold general elections in Québec on March 26, 2007;

WHEREAS section 239 of the Election Act (R.S.Q., c. E-3.3) states that nomination papers shall bear the name and signature of the official agent;

WHEREAS section 241 of the Election Act states that a person offering himself as a candidate must attach to his nomination papers, if applicable, a letter from the leader of an authorized party recognizing him as a candidate of that party;

WHEREAS the limited and temporary isolation of the electoral division of Îles-de-la-Madeleine may make it impossible to produce nomination papers that comply with the Election Act within the prescribed deadlines;

WHEREAS this exceptional circumstance requires the institution of special procedures regarding the production of nomination papers;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt a provision of the Act where so required by exceptional circumstances;

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 inform the other authorized parties, the candidates and the electors in question;

The Chief Electoral Officer, pursuant to the powers conferred on him by section 490 of the Election Act, has decided to adapt the provisions of sections 239 and 241 of this Act as follows:

1. The returning officer of the electoral division of Îles-de-the-Madeleine may accept to receive by fax a document bearing the name and signature of the official agent of a person who files his nomination papers within the deadline prescribed by the Act. This document shall be an integral part of the nomination papers.

2. The returning officer of the electoral division of Îles-de-the-Madeleine may accept to receive by fax a letter from the leader of an authorized party recognizing a person who has filed his nomination papers as the candidate of this party. This document shall be an integral part of the nomination papers.

3. The official agent of a person who files his nomination papers must transmit the original copy of the document referred to in subparagraph 1 to the office of the returning officer of the electoral division of Crémazie latest at 2 p.m. on the sixteenth day before polling day.

4. The leader of the authorized party must send the original copy of the document referred to in subparagraph 2 to the office of the returning officer of the electoral division of Crémazie latest at 2 p.m. on the sixteenth day before polling day.

5. The returning officer of the electoral division of Crémazie must transmit to the returning officer of the electoral division of Îles-de-the-Madeleine the original documents that he receives in application of subparagraphs 3 and 4 as soon as they are received. These documents shall be an integral part of the nomination papers.

This decision shall take effect on the date of the order enjoining the Chief Electoral Officer to hold general elections in Québec.

Québec, 10 March 2007

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

8096

Decision

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

Chief Electoral Officer

— Application of sections 294, 295, 296, 298 and 299

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the application of sections 294, 295, 296, 298 and 299

WHEREAS order-in-council number 167-2007, issued on February 21, 2007, enjoined the Chief Electoral Officer to hold general elections in Québec on March 26, 2007;

WHEREAS sections 294, 295, 296, 298 and 299 of the Election Act (R.S.Q., c. E-3.3) outline conditions required for inmates to vote;

WHEREAS there are electors in temporary detention or in closed custody pursuant to the Youth Criminal Justice Act (S.C. 2002, c. 1);

WHEREAS these electors are in temporary detention or in closed custody in facilities that report to establishments that operate child and youth protection centres as defined by the Act respecting health services and social services (R.S.Q., c. S-4.2);

WHEREAS the Chief Electoral Officer has been informed by these electors about a request aimed at enabling them to exercise their right to vote;

WHEREAS the provisions of the Election Act regarding voting by inmates may not apply to electors in temporary detention or in closed custody;

WHEREAS the deadline stipulated in section 296 of the Election Act does not permit the setting up in a timely manner of the procedure required to enable these electors to exercise their right to vote;

WHEREAS these electors will be unable to exercise their right to vote if the pertinent provisions of the Election Act are not adapted;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt a provision of the Act where so required by exceptional circumstances;

WHEREAS the Chief Electoral Officer has informed the authorized parties represented in the National Assembly of his intention to use the provisions of the