

## Decisions

### Decision

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

#### Chief Electoral Officer — Counting of advance poll ballots

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the election act concerning the counting of advance poll ballots

WHEREAS order-in-council number 685-2007, issued on August 22, 2007, enjoined the Chief Electoral Officer to hold by-election on September 24, 2007, in the electoral division of Charlevoix ;

WHEREAS the advance poll was held on September 16 and 17, 2007 ;

WHEREAS the number of people voting in the advance poll was very high ;

WHEREAS section 361 of the Election Act (R.S.Q., c. E-3.3) states that the deputy returning officer, assisted by the poll clerk, shall count the ballots after the close of polls ;

WHEREAS the counting of advance poll ballots risks being significantly delayed due to the high number of electors who exercised their right to vote ;

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 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 section 361 of this Act as follows :

1. On polling day, the returning officer of the electoral division of Charlevoix is authorized to start counting advance poll ballots before the close of the polls ;

2. The counting of advance poll ballots cannot begin before 6 p.m. ;

3. The returning officer must take all pertinent measures to ensure that no result of the counting of advance poll ballots is released before the close of the polls.

This decision shall take effect on the date of the order enjoining the Chief Electoral Officer to hold by-election in the electoral division of Charlevoix.

Québec, 21 September 2007

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

8331

### Decision

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

#### Chief Electoral Officer — The identification of electors on polling day

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the identification of electors on polling day

WHEREAS order-in-council number 685-2007, issued on August 22, 2007, enjoined the Chief Electoral Officer to hold by-election on September 24, 2007, in the electoral division of Charlevoix ;

WHEREAS the problem of elector identification has been raised in the on-going by-elections ;

WHEREAS the Chief Electoral Officer has good reason to believe that the situation that occurred during the general election of March 26, 2007, in Québec is likely to recur ;

WHEREAS submissions made at the Chief Electoral Officer by various parties give the impression that problems regarding security and the conduct of polling risk occurring in polling stations during the by-election in the Charlevoix electoral division;

WHEREAS the security of electors who exercise their right to vote and the good conduct of the election must be guaranteed;

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 or emergency, 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 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 335.2 and 337 of this Act as follows:

1. Anyone who appears at a polling station or at an identity verification panel must have his face uncovered.

This decision shall take effect on the date of the order enjoining the Chief Electoral Officer to hold by-election in the electoral division of Charlevoix.

Québec, 7 September 2007

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

8330