

Decisions

Decision

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

Chief Electoral Officer — Nomination papers for the by-election in Québec City

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 one of the nomination papers for the by-election in Québec City

WHEREAS a by-election for the position of mayor shall take place on December 2, 2007, in Québec City;

WHEREAS a mascot using the name “La Merveille” has publicly expressed the intention to file nomination papers for this position;

WHEREAS the provisions of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) regarding the acceptance of nomination papers are not adapted to such a situation;

WHEREAS, in order to maintain the integrity of the current electoral process, the returning officer of Québec City has made a formal request to the Chief Electoral Officer to adapt the provisions of the Act respecting elections and referendums in municipalities, regarding the acceptance of nomination papers in order to allow the returning officer to ensure that certain provisions of the Act are applied appropriately;

WHEREAS the integrity of the current electoral process must be maintained;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities allows the Chief Electoral Officer to adapt a provision of the Act where it comes to his attention that, subsequent to 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 Municipal Affairs and Regions of the decision he intends to make;

The Chief Electoral Officer, pursuant to the powers conferred on him by section 90.5 of the Act respecting elections and referendums in municipalities, has decided to adapt section 165 of this Act by inserting the following after the first paragraph:

“However, upon presentation of the nomination papers of the mascot using the name “La Merveille”, the returning officer shall verify if it meets the requirements of this section and if all required documents are attached.”.

This decision shall take effect on October 22, 2007.

Québec, 22 October 2007

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

8385

Decision

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

Chief Electoral Officer — Identification of electors during the by-election in Québec City

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 identification of electors during the by-election in Québec City

WHEREAS a by-election for the position of mayor shall take place on December 2, 2007, in Québec City;

WHEREAS the problem of elector identification was raised during the provincial general elections of March 26, 2007, during the by-election of September 24, 2007, in the Charlevoix electoral division and during the on-going school general elections;

WHEREAS the Chief Electoral Officer decided during these electoral periods, to adapt the provisions of the Election Act (R.S.Q., c. E-3.3) and of the Act respecting school elections (R.S.Q., c. E-2.3) regarding the identification of electors in order to ensure the good conduct of the election and the security of electors;

WHEREAS the provisions regarding elector identification contained in the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) are identical to those of the Election Act and of the Act respecting school elections;

WHEREAS the Chief Electoral Officer has reason to believe that the situation experienced during general provincial elections of March 26, 2007, during the by-election of September 24, 2007, in the Charlevoix electoral division and during the on-going school general elections is likely to recur during the by-election for the office of mayor of December 2, 2007, in the City of Québec;

WHEREAS in order to avoid security problems and ensure that voting is conducted smoothly, the returning officer of Québec City has made a formal request for the Chief Electoral Officer to adapt the provisions of the Act respecting elections and referendums in municipalities regarding the identification of electors to oblige electors who show up at polling stations or at identity verification panels to have their faces uncovered;

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

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities 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 or an emergency, the provision does not meet the demands of the resultant situation;

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 provisions of sections 213.2 and 215 of this legislation 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 October 9, 2007.

Québec, 9 October 2007

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

8383

Decision

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

Chief Electoral Officer — Mobile poll during the by-election in Québec City

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 mobile poll during the by-election in Québec City

WHEREAS a by-election for the position of mayor shall take place on December 2, 2007, in Québec City;

WHEREAS a person domiciled or residing in a facility maintained by an establishment that runs a hospital, a residential and long-term care facility or a rehabilitation centre as defined by the Act respecting health services and social services (R.S.Q., c. S-4.2) or that runs a hospital or a reception centre as defined by the Act respecting health services and social services for Cree Native Persons (R.S.Q., c. S-5) may request, if he is unable to move about, to vote in a mobile polling station;

WHEREAS the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) states that the advance polling station is open from 12 p.m. to 8 p.m., on the seventh day before polling day and that the mobile polling station may receive the vote of electors from 8 a.m. to 11 a.m. on the same day;