

Decisions

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 for electors of Outremont borough, in the Ville de Montréal

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 for electors of Outremont borough, in the Ville de Montréal

WHEREAS by-elections shall take place on December 16, 2007, in Outremont borough, in the Ville de Montréal;

WHEREAS the Chief Electoral Officer sent, on November 1, 2007, in accordance with section 100 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), the list of the electors whose names were entered on the permanent list of electors and who are entitled to have their names entered on the list of electors to be used in the by-elections;

WHEREAS, subsequent to a matching error of an address in the electoral district of Robert-Bourassa, the names of fourteen electors domiciled at 454, Willowdale avenue, in Outremont borough, were not entered on the list of electors;

WHEREAS the revision period established by the returning officer ended on November 20, 2007;

WHEREAS the list of electors came into force on November 21, 2007;

WHEREAS, subsequent to this error, the above-mentioned fourteen electors will be unable to exercise their right to vote;

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

WHEREAS this section does not allow an elector to be authorized to vote if his name was not entered on the electoral list subsequent to such error;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities states that if, subsequent to an error, a provision of Chapters V to VII.1, Division I of Chapter XII and Chapters XIII and XIV of Title I 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 provisions of section 219 of the said Act as follows:

1. The preamble is an integral part of this decision.
2. The returning officer for the Ville de Montréal is authorized to issue an authorization to vote to the fourteen electors mentioned in the preamble in order to enable them to exercise their right to vote in Outremont Borough in the Ville de Montréal.
3. The authorization to vote may be issued as of this decision.
4. An elector with such authorization shall be admitted to vote after making a declaration under oath in accordance with section 219 of the Act.
5. The returning officer shall take the necessary measures to inform the polling station where the fourteen electors could go to exercise their right to vote, that they have been authorized to vote in Outremont Borough, in accordance with this decision.
6. As soon as possible, the returning officer shall inform all parties authorized and candidates concerned by this decision.

7. This decision shall come into effect on 13 December 2007.

Québec, 13 December 2007

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

8532

Decision

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

Chief Electoral Officer — Entry of the names of hundred and six electors of the Ville de Québec on the list of electors

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 entry of the names of hundred and six electors of the Ville de Québec on the list of electors

WHEREAS section 100 of the Act respecting elections and referendums in municipalities (R.S.Q., E-2.2) provides that the Chief Electoral Officer shall send the returning officer a list of the electors whose names were 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 the Chief Electoral Officer sent the said list on October 3, 2007;

WHEREAS the names of hundred and six electors domiciled in different sectors of the Ville de Québec do not appear on the list sent to the returning officer of the Ville de Québec, whereas the names of the said electors appear on the permanent list;

WHEREAS this omission is due to a problem linked to the computing system that was discovered only after the revision period;

WHEREAS the revision period established by the returning officer of the Ville de Québec ended on November 15, 2007;

WHEREAS the list of electors of the Ville de Québec came into force on November 19, 2007;

WHEREAS it is no longer possible to enter the names of electors on the list of electors;

WHEREAS the Chief Electoral Officer has identified hundred and six electors that will be unable to exercise their right to vote on December 2, 2007, unless remedial action is taken;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities states that if, subsequent to an error, a provision of Chapters V to VII.1, Division I of Chapter XII and Chapters XIII and XIV of Title I 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 section 219 of the said Act as follows:

By inserting, after subparagraph 2, the following subparagraph:

“(3) the name of the elector appears on the list sent to the returning officer by the Chief Electoral Officer to follow up on the decision taken pursuant to the powers conferred upon him by section 90.5 of the said Act on 30 November 2007.”

Upon receipt of the list of electors to whom this decision applies, the returning officer of the Ville de Québec shall take the necessary steps to allow these people to exercise their right to vote on 2 December 2007;

The returning officer shall, at the earliest opportunity, inform every political party and independent candidate of the steps taken to follow up on this decision.

This decision shall come into force on 30 November 2007.

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

8531