

Decisions

Decision

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

Chief Electoral Officer

— Polling hours in case of delay or interruption

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning polling hours in case of delay or interruption

WHEREAS order-in-council number 346-2008, issued on April 9, 2008, enjoined the Chief Electoral Officer to hold by-elections in the electoral divisions of Bourget, Hull and Pointe-aux-Trembles on May 12, 2008;

WHEREAS section 333 of the Election Act (R.S.Q., c. E-3.3) was modified by the Act to amend the Election Act to encourage and facilitate voting (2006, c. 17) in order to set polling times from 9:30 a.m. to 8 p.m., namely during a period of ten and a half hours;

WHEREAS section 353 of the Election Act stipulates that in case of interruption or delay, polling will continue until it has lasted for a period of eleven hours;

WHEREAS following an error, section 353 was not modified to implement the new polling hours;

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 error, 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 353 of this Act in order to take into account the new polling hours.

For the purposes of this decision, section 353 of the Election Act shall read as follows:

“353. If it is not possible for the polling to begin at the prescribed time, or if it is interrupted by irresistible force or cannot be concluded for a lack of ballot papers, it shall be continued until it has lasted ten and a half hours.”

This decision shall take effect on the date of the order enjoining the Chief Electoral Officer to hold by-elections in the electoral divisions of Bourget, Hull and Pointe-aux-Trembles.

Québec, 15 April 2008

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

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