

Decision

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

Chief Electoral Officer**— Exercise of voting rights by election officers during by-elections in the electoral divisions of Bourget, Pointe-aux-Trembles and Hull**

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the exercise of voting rights by election officers during by-elections in the electoral divisions of Bourget, Pointe-aux-Trembles and Hull

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, Pointe-aux-Trembles and Hull on May 12, 2008;

WHEREAS difficulties were encountered with regard to the recruitment of the election officers required to hold the poll;

WHEREAS election officers who were recruited these last days did not exercise their right to vote during the advance poll or during voting at the office of the returning officer;

WHEREAS these election officers cannot leave their positions on polling day to exercise their right to vote in the polling subdivision in which their domicile is located;

WHEREAS provisions are required to enable these election officers to exercise 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 340 and the Voting Regulation as follows:

1. The returning officer or his deputy shall issue an authorization to vote to the elector who is an election officer in the electoral division of his domicile, who is entered on the list of electors of this electoral division but that his name does not appear on the list of electors of one of the polling station for which he exercises his functions and who has not exercised his right to vote during the advance poll or during voting at the office of the returning officer.

2. The authorization to vote shall be issued to the election officers concerned by the officer in charge of information and order.

3. An election officer who has obtained an authorization shall present it to the deputy returning officer and declare under oath:

a) that he is indeed the person who obtained it;

b) that he did not exercise his right to vote in the advance poll or at the office of the returning officer because he intended to vote on polling day.

This decision shall come into force on May 12, 2008.

Québec, 12 May 2008

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

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