

## Decisions

### Decision

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

#### Chief Electoral Officer — Application of section 206

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the application of section 206

WHEREAS order-in-council number 1058-2008, issued on November 5, 2008, enjoined the Chief Electoral Officer to hold general elections in Québec on March 26, 2007;

WHEREAS section 206 of the Election Act (R.S.Q., c. E-3.3) allows electors domiciled in a facility referred to in section 3 who would like to avail themselves of the provisions of this section, to submit to the returning officer a written application for entry on, correction of, or striking off the list of electors;

WHEREAS section 3 applies to a facility maintained by an establishment that operates a hospital centre, a residential and long-term care centre or a rehabilitation centre as defined by the Act respecting health services and social services (R.S.Q., c. S-4.2) or a hospital centre 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);

WHEREAS a retirement home identified in the register prepared pursuant to the Act respecting health services and social services and situated in the electoral division of Chomedey, is presently under quarantine;

WHEREAS electors domiciled in this retirement home cannot present before a board of revisors their application for entry on the list of electors;

WHEREAS electors domiciled in the concerned retirement home cannot avail themselves of section 206 of the Election Act;

WHEREAS the said electors may not be able to exercise their right to vote due to the exceptional circumstance of the quarantine imposed upon the residence;

WHEREAS this exceptional circumstance requires the institution of special procedures in order to allow persons domiciled in this retirement home to present to a board of revisors an application for entry on the list of electors;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt a provision of the Act where so required by exceptional circumstances;

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 on him by section 490 of the Election Act, has decided to adapt this Act in order to allow electors domiciled in the retirement homes concerned by the present decision to avail themselves of the provisions of section 206 of the Election Act.

For the purposes of the application of the present decision, section 206 of the Election Act is adapted by inserting, after the words “avail themselves of the provisions of this section,” in the second paragraph, the words “or an elector domiciled in a retirement home identified in the register prepared pursuant to the Act respecting health services and social services (R.S.Q., c. S-4.2).”

This decision shall take effect on the date of the order enjoining the Chief Electoral Officer to hold general elections in Québec.

Québec, 27 November 2008

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

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