

Decisions

Decision

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

Chief Electoral Officer — Postponement of the beginning of voting at certain polling stations during the by-election in the electoral division of Vachon

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the postponement of the beginning of voting at certain polling stations during the by-election in the electoral division of Vachon

WHEREAS order-in-council number 459-2010, issued on June 2, 2010, enjoined the Chief Electoral Officer to hold a by-election in the electoral division of Vachon on July 5, 2010;

WHEREAS, pursuant to sections 193 and 194 of the Election Act (R.S.Q., c. E-3.3), the last day of the work of the boards of revisors and the mobile boards of revisors shall be the eleventh day preceding polling day, namely June 24, 2010;

WHEREAS June 24 is a non-judicial day pursuant to section 61 of the Interpretation Act (R.S.Q., c. I-16);

WHEREAS, pursuant to section 52 of the said Act, if the time fixed for any proceeding or for the doing of anything expire on a non-judicial day, such time shall be extended until the next following judicial day;

WHEREAS the end of the work of the boards of revisors and mobile boards of revisors shall therefore be extended until the tenth day preceding polling day, namely June 25, 2010;

WHEREAS, pursuant the provisions of section 263 of the Election Act, as replaced in accordance with the agreement made in December 2007, under section 489 of the Election Act, by the Chief Electoral Officer and the leaders of the authorized parties represented in the National Assembly, voting at the returning officer's office begins on the tenth day preceding polling day, namely June 25, 2010;

WHEREAS, under the provisions of sections 301.16 and 301.21 of the Election Act, the mobile poll in the institutions described in section 301.15, as well as voting at a domiciliary polling station, begins on the tenth day preceding polling day, namely June 25, 2010;

WHEREAS the holding of these polls cannot begin before the boards of revisors and mobile boards of revisors have completed their work and the revised lists of electors have been produced;

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 the provisions of sections 263, 301.16 and 301.21 of the Election Act in order to postpone the beginning of voting at the returning officer's office, the mobile poll in the institutions described in section 301.15 and voting at a domiciliary polling station to the ninth day preceding polling day, namely June 26, 2010.

Québec, 2 June 2010

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

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