

Decisions

Decision

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

Chief Electoral Officer

— Entry of certain electors on the list of electors

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning the entry of certain electors on the list of electors

WHEREAS order-in-council number 810-2012, issued on August 1, 2012, enjoined the Chief Electoral Officer to hold general elections in Québec on September 4, 2012;

WHEREAS, in the electoral division of Laviolette, the case of an elector incorrectly registered, due to matching problems, in a polling subdivision that is not the polling subdivision of his domicile, has been discovered;

WHEREAS similar errors are likely to be also found in other electoral divisions;

WHEREAS the Election Act states that electors must exercise their right to vote in the polling subdivision that corresponds to their domiciliary address;

WHEREAS outside an election period the Chief Electoral Officer is able to correct such situations without imposing any special procedure on the electors concerned;

WHEREAS pursuant to the provisions of the Election Act regarding the revision of the list of electors in an election period, any application for entry on, correction of, or striking off the list of electors must be presented to a board of revisors;

WHEREAS the application of these provisions means that the electors affected by the situation described above must apply to the board of revisors to correct the errors on the list of electors that will be used in the forthcoming elections;

WHEREAS such errors must not have the effect of imposing on the electors concerned special procedures for the errors to be corrected;

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 concerned;

The Chief Electoral Officer, pursuant to the powers conferred on him by section 490 of the Election Act, has decided to adapt the provisions of this Act:

(1) by inserting the following section after section 209:

“**209.1** If electors were not registered on the right list of electors because their domiciliary address was not matched with the right polling subdivision, the Chief Electoral Officer or, on the Chief Electoral Officer’s request, a board of revisors makes the necessary corrections.

The Chief Electoral Officer informs the electors concerned and the authorized parties of any corrections made under the first paragraph.”;

(2) by replacing number “208” in subparagraph 4 of the first paragraph of section 340 by number “209.1”.

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

Québec, 9 August 2012

JACQUES DROUIN,
*Chief Electoral Officer and
Chairman of the Commission de
la représentation électorale*

2237