

Erratum

Decision

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

Gazette officielle du Québec, Part 2, 12 September 2012,
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The following three decisions should have been published in English:

“Chief Electoral Officer — Requests for entry on the list of electors and the mobile poll in the electoral division of Jean-Lesage

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act, concerning requests for entry on the list of electors and the mobile poll in the electoral division of Jean-Lesage

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 Jean-Lesage, approximately thirty requests by electors for entry on the list of electors and for the mobile poll were not processed, due to an error;

WHEREAS the said requests were submitted within the timeframes required by the Election Act (R.S.Q., c. E-3.3);

WHEREAS the deadline stipulated in section 194 of the Election Act for processing of the said requests by a mobile board of revisors expired on August 21, 2012;

WHEREAS the period stipulated in section 301.16 of the Election Act for the mobile poll ended at 2:00 p.m. on August 30, 2012;

WHEREAS, pursuant to the provisions of the Election Act concerning the revision of the list of electors by a special board of revisors, a request for entry on the list must be filed in person by the elector, and an elector entered on the list in this way cannot exercise his or her right to vote in the advance poll;

WHEREAS the application of these provisions means that the electors affected by the situation described above must go in person to the special board of revisors to

request entry on the list of electors and cannot exercise their right to vote at the mobile polling station;

WHEREAS the electors in question are unable to travel;

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 sections 190, 208, 221, 223 and 225 of this Act as follows:

1. The special board of revisors for the electoral division of Jean-Lesage is authorized to process requests for entry on the list of electors made by the electors to whom this decision applies, without the obligation for the electors to be present in person;

2. The revisors from the special board of revisors for the electoral division of Jean-Lesage are authorized to obtain from the electors concerned all the documents, testimony and oaths required by the special board of revisors;

3. The returning officer for the electoral division of Jean-Lesage must take all the necessary steps to ensure that the electors whose requests for entry on the list of electors are accepted by the special board of revisors are able to exercise their right to vote at the mobile polling station.

This decision shall take effect on August 29, 2012.

Québec, August 29, 2012

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

2264

Decision

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

Chief Electoral Officer

— Counting of advance poll ballots

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act concerning the counting of advance poll ballots

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 the various advance polls have been taking place since August 24, 2012;

WHEREAS the number of people voting in the advance polls on August 26 and 27, 2012, was very high;

WHEREAS, in several polling stations, additional ballot boxes were opened after the first day of the advance poll;

WHEREAS section 361 of the Election Act (R.S.Q., c. E-3.3) states that the deputy returning officer, assisted by the poll clerk, shall count the ballots after the close of polls;

WHEREAS in many electoral divisions, the counting of advance poll ballots risks being significantly delayed due to the high number of electors who exercised 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 sections 361 to 370.2 of this Act as follows:

1. The returning officer is authorized, as from 6:00 p.m. on polling day, to have a supplementary deputy returning officer and poll clerk begin counting the advance ballots for the additional ballot boxes opened after the first day of the advance poll.

2. The returning officer is authorized, as from 6:00 p.m. on polling day, to begin counting the advance ballots for ballot boxes containing more than 300 ballots.

3. In the case of ballot boxes containing more than 600 ballots, the returning officer must appoint one or more teams of supplementary deputy returning officers and poll clerks to begin counting the ballots as from 6:00 p.m. on polling day.

4. The returning officer must take all necessary steps to ensure that the personnel assigned to count the ballots from the said ballot boxes are able to communicate the results of the count before the poll closes; the personnel in question and the representatives present must make an oath to this effect.

This decision shall take effect on August 29, 2012.

Québec, August 29, 2012

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

2265

Decision

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

Chief Electoral Officer

— Exercise of the duties of officer assigned to the list of electors on polling day

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 490 of the Election Act concerning the exercise of the duties of officer assigned to the list of electors on polling day

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 section 310.1 of the Election Act (R.S.Q., c. E-3.3) stipulates that, in every polling station, the returning officer shall appoint one person to act as officer assigned to the list of electors, as recommended by the candidate of the authorized party that came third at the last election;

WHEREAS section 312 of the Election Act provides that recommendations for the appointment of election personnel must be received by the returning officer no

later than the seventeenth day preceding polling day, and that if no recommendations are received, the returning officer shall make the appointment without any other formality;

WHEREAS the Chief Electoral Officer intends to make every effort to fill the positions of deputy returning officer and poll clerk and to build a sufficient reserve in case the persons appointed to those positions should withdraw;

WHEREAS the number of officers assigned to the list of electors available on polling day in certain electoral divisions is insufficient to comply with the provisions of section 310.1 of the Election Act;

WHEREAS special measures may be taken by the returning officers on polling day if it is not possible to place one person assigned to the list of electors at each polling station;

WHEREAS section 490 of the Election Act allows the Chief Electoral Officer to adapt a provision of the Act if it comes to his attention that the said provision does not meet the demands of the situation subsequent to an exceptional circumstance;

WHEREAS the Chief Electoral Officer has informed the authorized parties represented at the National Assembly of his intention to use the provisions of the said section, and has taken the necessary steps to inform the other authorized parties, candidates and electors concerned;

The Chief Electoral Officer, pursuant to the powers conferred upon him by section 490 of the Election Act, has decided to adapt section 310.1 of the Election Act to provide that the duties of the officer assigned to the list of electors shall be carried out by the poll clerk in polling stations where the position was not filled as of the date on which this decision was made.

This decision shall take effect on August 29, 2012.

Québec, August 29, 2012

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

2266”.