

Regulations and other Acts

Agreement

Election Act
(chapter E-3.3)

CONCERNING THE TESTING OF NEW POLLING FORMALITIES

BETWEEN:

MS. PAULINE MAROIS, LEADER OF THE PARTI QUÉBÉCOIS, AN AUTHORIZED PARTY REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. PHILIPPE COUILLARD, LEADER OF THE QUEBEC LIBERAL PARTY, AN AUTHORIZED PARTY REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. FRANÇOIS LEGAULT, LEADER OF COALITION AVENIR QUÉBEC-L'ÉQUIPE FRANÇOIS LEGAULT, AN AUTHORIZED PARTY REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. PIERRE-PAUL ST-ONGE, LEADER OF QUÉBEC SOLIDAIRE, AN AUTHORIZED PARTY REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. JACQUES DROUIN, IN HIS CAPACITY AS THE CHIEF ELECTORAL OFFICER OF QUEBEC

WHEREAS pursuant to sections 132 and 300 of the Election Act (chapter E-3.3), polling stations located in the offices of returning officers and advance polling stations must be accessible to handicapped persons;

WHEREAS pursuant to section 303 of the Election Act, polling stations on polling day must be accessible to handicapped persons; however, if the returning officer is unable to establish a polling station in a place that is accessible, he or she must obtain authorization from the Chief Electoral Officer;

WHEREAS the returning officers visited the voting places in September 2013 at the request of the Chief Electoral Officer, in order to prepare a status report on their accessibility;

WHEREAS the Chief Electoral Officer has observed that the obsolescence of certain buildings that will serve as polling places will make access difficult;

WHEREAS the current provisions of the Election Act do not allow electors to vote in a place other than the one in which the polling station for the polling subdivision of their domicile is located;

WHEREAS the Chief Electoral Officer wishes to avail himself of section 489 of the Election Act in order to recommend to the leaders of the authorized parties represented in the National Assembly that a new method of voting should be tested, in order to allow a returning officer to issue an authorization to vote to an elector whose mobility is impaired and whose polling station is located in a voting place that is not accessible on polling day;

WHEREAS the recommendation of the Chief Electoral Officer has been accepted by the four leaders of authorized parties represented at the National Assembly;

WHEREAS section 489 of the Election Act states that when the recommendation of the Chief Electoral Officer is accepted by the party leaders, an agreement must be signed in this respect by these party leaders and the Chief Electoral Officer;

WHEREAS this agreement has force of law.

CONSEQUENTLY, THE PARTIES AGREE AS FOLLOWS:

1. PREAMBLE

The preamble to this agreement forms an integral part of this agreement.

2. PURPOSE OF THE AGREEMENT

The purpose of this agreement is to test a new method of voting, whereby an elector whose polling station is located in an inaccessible voting place on polling day may obtain an authorization to vote that would allow him to vote in another accessible voting place in his electoral division.

3. AMENDMENTS TO THE ELECTION ACT

3.1 Section 340 of the Election Act (chapter E-3.3) is amended by adding the following subparagraph at the end of the first paragraph:

“(7) whose mobility is impaired and whose voting place is not accessible on polling day”.

3.2 Section 490 of the Act is amended by adding the following paragraph at the end:

“This section applies to an agreement entered into by the leaders of the authorized parties represented in the National Assembly and the Chief Electoral Officer, pursuant to section 489.”

4. AMENDMENTS TO VOTING REGULATION

4.1 Section 9 of the Voting Regulation (chapter E-3.3, r. 17) is amended by inserting the following paragraph after the first paragraph:

“The authorization to vote stipulated in the first paragraph may also be issued to an elector whose mobility is impaired and whose voting place is not accessible on polling day.”

4.2 Form 50 of the Voting Regulation, as adapted by the Chief Electoral Officer pursuant to section 35 of the Act to amend the Election Act to encourage and facilitate voting (2006, chapter 17) and section 88 of the Act to amend the Election Act and other legislative provisions (2008, chapter 22) is replaced by the following form:

« FORM 50

**Election Act
(chapter E-3.3, s. 340)****AUTORIZATION TO VOTE**

Electoral Division:

Polling Subdivision:

- I attest that the revised list of electors for the said polling subdivision of the electoral division contains the following entry:
- I attest the following name was erroneous during the transcription of the decision of the board of revisors:
- I attest that the following elector was struck the list of electors due to an error with the identity of another elector:
- I attest that the following elector has left his domicile to ensure his safety or that of his children:
- I attest that the elector is an election officer in the electoral division in which he is domiciled, that he is entered on the list of electors of said electoral division, but that his name does not appear on the list of electors of one of the polling stations of the place where he is performing his duties on polling day:
- I attest that the elector is entered on the list of electors for the polling subdivision of the address of his domicile, but that the voting place at which he must vote on polling day is not accessible to persons whose mobility is impaired:

Name_____
Domiciliary address_____
Sex_____
Date of birth

Signed at _____

this _____, 20 _____.

Returning Officer

OR

Assistant Returning Officer

5. APPLICATION OF THE AGREEMENT

The Chief Electoral Officer and the returning officer of each electoral division in which the present agreement will be applicable are responsible for its application.

In Québec, on 6 November 2013

FRANÇOIS LEGAULT,
*Leader of Coalition
Avenir Québec-Équipe François Legault*

6. EVALUATION REPORT

Within 90 days following the date of any general election or by-election referred to in the present agreement, the Chief Electoral Officer shall transmit to the leaders of the political parties represented at the National Assembly, a report covering the following points:

In Montréal, on 28 October 2013

PIERRE-PAUL ST-ONGE,
Leader of Québec solidaire

In Québec, on 8 November 2013

— election preparations related to the present agreement;

— the advantages and disadvantages encountered in applying the present agreement;

— recommended amendments to the provisions of the Election Act, if any.

JACQUES DROUIN,
Chief Electoral Officer of Québec

3094

7. EFFECT AND DURATION OF THE AGREEMENT

This agreement comes into force on the date of the last signature and shall be applicable to every general election or by-election that is ordered after it comes into force.

IN WITNESS WHEREOF, THE PARTIES HAVE SIGNED, IN FIVE COPIES,

In Québec, on 5 November 2013

PAULINE MAROIS,
Leader of The Parti Québécois

In Québec, on 7 November 2013

PHILIPPE COUILLARD,
Leader of The Quebec Liberal Party