

Decisions

Decision

Election Act
(chapter 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 809-2014, issued on September 17, 2014, enjoined the Chief Electoral Officer to hold a by-election in the electoral division of Lévis on October 20, 2014;

WHEREAS the number of people voting in the advance polls on October 12 and 13, 2014, was very high;

WHEREAS section 361 of the Election Act (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 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 section 361 of this Act by adding the following paragraphs:

“In the case of one or several ballot boxes containing more than 300 ballots, the returning officer of the electoral division of Lévis is authorized, as from 6:00 p.m. on polling day, to begin counting the whole advance ballots by the deputy returning officer and the poll clerk.

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 October 17, 2014.

Québec, October 17, 2014

LUCIE FISET,
Chief Electoral Officer and president of the Commission de la représentation électorale

3516