

Gouvernement du Québec

Agreement

An Act respecting elections and referendums in municipalities (chapter E-2.2)

AGREEMENT CONCERNING THE TESTING OF A NEW METHOD OF VOTING FOR VOTING AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF GATINEAU, a legal person established in the public interest having its head office at 25, Laurier St, Gatineau, Province of Québec, here represented by the mayor, Mr Maxime Pedneaud-Jobin and the clerk, Mrs Suzanne Ouellet, both authorized to sign this agreement under resolution n° CM2017-528, passed by the council of Municipality of Gatineau, hereinafter called,

THE MUNICIPALITY

AND

Mr. Pierre Reid, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (CQLR, chapter E-3.3), acting herein in that capacity and having his main office at 3460, rue de La Pérade, in Québec, province of Québec, hereinafter called,

THE CHIEF ELECTORAL OFFICER

AND

Mr. Martin Coiteux, in his capacity as MINISTER OF MUNICIPAL AFFAIRS AND LAND OCCUPANCY, having his main office at 10, rue Pierre-Olivier-Chauveau, in Québec, province of Québec, hereinafter called,

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities (CQLR, chapter E-2.2) to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of voting at the returning officer's office for the general election of November 5, 2017 in the MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities provide as follows:

“**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of the Act it amends or replaces.

The agreement has the effect of law.

659.3. After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs, Regions and Land Occupancy and the Chief Electoral Officer.”;

WHEREAS, for the purpose of allowing voting at the returning officer's office, it is expedient to provide for the procedure that will apply in the territory of the MUNICIPALITY during the general election of November 5, 2017;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and the measures required to carry it out;

WHEREAS this agreement has the effect of law;

THEREFORE, 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 voting at the returning officer's office during the general election of November 5, 2017.

3. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities applies to the general election of November 5, 2017 in the MUNICIPALITY, subject to the following provisions of that Act amended by this agreement:

1. The Act is amended by inserting the following after section 79:

“**79.1.** Sections 77 to 79 do not apply to the appointment of the deputy returning officer and the poll clerk for the returning officer’s polling station.”

2. Section 81.2 of the Act is amended by adding “or for voting at the returning officer’s office” at the end of the first paragraph.

3. Section 90.5 of the Act is amended by inserting “or in an agreement entered into under section 659.2” in the first paragraph after “90.1”.

4. Section 174 of the Act is amended by adding the following sentences at the end of the second paragraph: “An elector may vote at the returning officer’s office, or at the office of the assistant designated by the returning officer for that purpose, on the ninth, sixth, fifth and fourth days before polling day. However, the returning officer may not decide that any such office will be open on the sixth day before polling day if the returning officer has decided that the advance poll will be held that day.”

5. Section 177.1 of the Act is amended by adding the following sentence at the end: “The same applies for voting at the returning officer’s office.”

6. Section 178 of the Act is amended by inserting “, including the station at the returning officer’s office,” in the first paragraph after “station”.

7. Section 179 of the Act is amended by adding the following sentence at the end of the first paragraph: “The polling station at the returning officer’s office must be open from 10:00 a.m. to 8:00 p.m. except on the fourth day, when it must close at 2:00 p.m.”

8. Section 185 of the Act is amended by adding the following paragraph at the end:

“Despite the preceding paragraphs, the returning officer may allow, in accordance with the directives of the Chief Electoral Officer, the counting of the votes cast at the returning officer’s office from 6:00 p.m. on polling day.”

9. Section 283 of the Act is amended by adding the following paragraph after the third paragraph:

“The first three paragraphs do not apply to an office used by a candidate for election purposes that is situated near the returning officer’s office.”

4. DURATION AND APPLICATION OF THE AGREEMENT

The returning officer of the MUNICIPALITY shall be responsible for the application of this agreement and, accordingly, for the proper conduct of the testing of the new method of voting for the general election of November 5, 2017.

5. ASSESSMENT REPORT

Within 90 days following the general election of November 5, 2017, the returning officer of the MUNICIPALITY shall, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities, send the CHIEF ELECTORAL OFFICER and the MINISTER an assessment report setting out helpful points for improving the testing of a new method of voting, including, for instance:

—election preparation related to this agreement;

—the conduct of voting at the returning officer’s office;

—the advantages and disadvantages of using this new method of voting;

—recommended amendments to the Act respecting elections and referendums in municipalities, if any.

6. EFFECT OF THE AGREEMENT

This agreement takes effect on the date on which the last signature is affixed hereto.

AGREEMENT SIGNED IN THREE COPIES:

At Gatineau, this 14 day of the month of June 2017

THE MUNICIPALITY OF GATINEAU

By: _____
MAXIME PEDNEAUD-JOBIN, *mayor*

SUZANNE OUELLET, *clerk*

At Québec, this 16 day of the month of May 2017

THE CHIEF ELECTORAL OFFICER

PIERRE REID

At Québec, this 12th day of the month of May 2017

THE MINISTER OF MUNICIPAL AFFAIRS
AND LAND OCCUPANCY

By: _____
MARC CROTEAU
Deputy Minister

103066

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in municipalities
(chapter E-2.2)

AGREEMENT CONCERNING THE TESTING
OF A NEW METHOD OF VOTING FOR VOTING
AT THE RETURNING OFFICER'S OFFICE

Agreement entered into

BETWEEN

The MUNICIPALITY OF MONTRÉAL, a legal person
established in the public interest having its head office at
275, Notre-Dame E. St, office R.134, Montréal, Province of
Québec, here represented by the clerk, Mr Yves Saindon,
authorized to sign this agreement under resolution
n° CM17 0327, passed by the council of Municipality of
Montréal, hereinafter called,

THE MUNICIPALITY

AND

Mr. Pierre Reid, in his capacity as CHIEF ELECTORAL
OFFICER OF QUÉBEC, duly appointed to that office
under the Election Act (CQLR, chapter E-3.3), acting
herein in that capacity and having his main office at
3460, rue de La Pérade, in Québec, province of Québec,
hereinafter called,

THE CHIEF ELECTORAL OFFICER

AND

Mr. Martin Coiteux, in his capacity as MINISTER OF
MUNICIPAL AFFAIRS AND LAND OCCUPANCY,
having his main office at 10, rue Pierre-Olivier-Chauveau,
in Québec, province of Québec, hereinafter called,

THE MINISTER

WHEREAS the MUNICIPALITY has expressed a
desire to avail itself of the provisions of the Act respect-
ing elections and referendums in municipalities (CQLR,
chapter E-2.2) to enter into an agreement with the CHIEF
ELECTORAL OFFICER and the MINISTER in order to
allow the use of voting at the returning officer's office
for the general election of November 5, 2017 in the
MUNICIPALITY;

WHEREAS sections 659.2 and 659.3 of the Act respect-
ing elections and referendums in municipalities provide
as follows:

“**659.2.** A municipality may, in accordance with an
agreement made with the Minister of Municipal Affairs,
Regions and Land Occupancy and the Chief Electoral
Officer, test new methods of voting during a poll. The agree-
ment may provide that it also applies to polling held after the
poll for which the agreement was entered into; in such case,
the agreement shall provide for its period of application.

The agreement must describe the new methods of
voting and mention the provisions of the Act it amends
or replaces.

The agreement has the effect of law.

659.3. After polling during which a test mentioned in
section 659.2 is carried out, the municipality shall send
a report assessing the test to the Minister of Municipal
Affairs, Regions and Land Occupancy and the Chief
Electoral Officer.”;