

Decisions

Decision

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

Chief electoral officer

— Powers conferred on him by section 90.5 of the Act respecting elections and referendums in municipalities concerning the hours of the revision period in certain municipalities

Decision of the chief electoral officer pursuant to the powers conferred on him by section 90.5 of the Act respecting elections and referendums in municipalities concerning the hours of the revision period in certain municipalities

WHEREAS municipal by-elections are scheduled for February 21 and February 28, 2021, in certain municipalities;

WHEREAS, pursuant to section 110 of the Act respecting elections and referendums in municipalities (CQLR, chapter E-2.2), when a poll is to be held, the municipal list of electors must be revised;

WHEREAS section 132 of the Act respecting elections and referendums in municipalities provides that the returning officer shall ensure that the board of revisors holds sittings for the purpose of receiving applications on at least two days, at the latest on the second day before the last day of sittings of the board, including at least once in the evening from 7:00 to 10:00 p.m.;

WHEREAS Order in Council 2-2021 dated January 8, 2021, prohibits, with certain exceptions, any person from being outside his or her residence or its equivalent, or its grounds, between 8:00 p.m. and 5:00 a.m.;

WHEREAS, pursuant to section 52 of the Act respecting elections and referendums in municipalities, to exercise the right to vote, a person must, at the time of voting, be an elector of the municipality and have his or her name entered on the list of electors of the municipality;

WHEREAS the measure provided for in Order in Council 2-2021 could prevent an elector from applying to a board of revisors of his or her municipality for the purpose of having his or her name entered on the list of electors of the municipality;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities allows the Chief Electoral Officer to adapt a provision of the Act where he finds that, subsequent to an exceptional circumstance, the provision does not meet the demands of the resultant situation;

WHEREAS the Chief Electoral Officer has informed the Minister of the Ministère des Affaires municipales et de l'Habitation of the decision he intends to make;

The Chief Electoral Officer, pursuant to the powers conferred on him by section 90.5 of the Act respecting elections and referendums in municipalities, has decided to adapt section 132 of this legislation as follows:

1. The preamble forms an integral part of this decision;

2. For the purposes of the municipal by-elections to be held on February 21 or February 28, 2021, the third paragraph of section 132 of the Act respecting elections and referendums in municipalities is replaced by the following:

“According to whether the returning officer decides that the board shall hold sittings for that purpose in the morning, in the afternoon or in the evening, the board shall sit from at least 10:00 a.m. to 1:00 p.m., from 2:30 p.m. to 5:30 p.m. or from 4:00 p.m. to 7:00 p.m., respectively.”

3. The returning officer shall take all necessary means to inform electors of the sitting times of the board of revisors.

This decision shall take effect from the date of signing.

Québec City, 29 January 2021

PIERRE REID,
Chief Electoral Officer

104922