

WHEREAS the Chief Electoral Officer has informed the authorized parties represented at the National Assembly of his intention to use these sections and has taken the necessary means to inform the other authorized parties, candidates and electors concerned.

The Chief Electoral Officer, pursuant to the powers conferred on him by section 26 of Bill 24 and by section 490 of the Election Act, has decided to adapt section 2 of Bill 24 and sections 194, 301.6, 301.7, 301.8 and 301.9 of the Election Act as follows:

1. The returning officers of the electoral divisions of Verchères and Pointe-aux-Trembles are authorized to set up a polling station from 9:00 a.m. to 12:00 p.m. on September 29, 2022, at the Centre d'hébergement De Lajemmerais and at the Centre Le Cardinal for electors domiciled in these facilities;

2. Electors domiciled in these facilities who are unable to move about may make a verbal request to election officers for revision or voting in their apartment or room;

3. Section 301.9 does not apply to the electors referred to in subparagraph 2 of this decision.

This decision takes effect on the date of signature.

Québec, September 28, 2022

PIERRE REID
Chief Electoral Officer

106013

Decision

Election Act
(chapter E-3.3)

An Act to foster voting in the next general election in Québec
(chapter 24)

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 26 of the Act to foster voting in the next general election in Québec and section 490 of the Election Act with respect to postal delay issues related to ballot papers for voting by mail transmitted to returning officers

WHEREAS Order in Council No. 1633-2022, issued on August 28, 2022, enjoins the Chief Electoral Officer to hold general elections in Québec on October 3, 2022;

WHEREAS An Act to foster voting in the next general election in Québec (S.Q. 2022, c. 24; hereinafter Bill 24), passed on June 8, 2022, and assented to on June 9, 2022, came into force on August 1, 2022, with the exception of section 28, which came into force on assent;

WHEREAS, for the purposes of the October 3, 2022, general elections, electors at risk of developing complications from COVID-19 contamination due to their medical condition and electors in ordered or recommended isolation due to COVID-19 are eligible to vote by mail, pursuant to section 6 of Bill 24;

WHEREAS under section 15 of Bill 24, an elector exercising his or her right to vote by mail must send the envelope containing his or her ballot paper to the returning officer for his or her electoral division;

WHEREAS, according to section 15 of Bill 24, the envelope containing the elector's ballot paper must be received by 8:00 p.m. on October 3, 2022, in order for the elector's vote to be counted;

WHEREAS, according to section 11 of Bill 24, voting-by-mail kits cannot be sent to electors until September 20 or 21, 2022, due to the time frame for printing the regular ballot papers that must be included in these kits;

WHEREAS on September 8, 2022, discussions took place between representatives of Canada Post and representatives of the Chief Electoral Officer regarding postal delay issues;

WHEREAS, in these exchanges, Canada Post has stated that it cannot guarantee receipt of envelopes containing ballot papers from electors at the offices of returning officers in the 125 electoral divisions by 8:00 p.m. on October 3, 2022, if the envelopes are returned by electors on or after September 26, 2022;

WHEREAS, in these circumstances, the ballot paper of the elector who exercised his or her right to vote by mail under Bill 24 might not be received on time at the office of the returning officer and, as a result, cancelled in accordance with subsection 5 of section 19 of Bill 24;

WHEREAS in order to reduce the risk of ballot papers being cancelled because they are received after the deadline prescribed by Bill 24, it is appropriate to allow the envelope containing the elector's ballot paper to also be sent to the Chief Electoral Officer;

WHEREAS section 26 of the Bill 24 and section 490 of the Election Act (CQLR, c. E-3.3) allow the Chief Electoral Officer to adapt a provision of these acts where he finds that, subsequent to an exceptional circumstance, a provision does not meet the demands of the situation;

WHEREAS the Chief Electoral Officer has informed the authorized parties represented at the National Assembly of his intention to use these sections and has taken the necessary means to inform the other authorized parties, candidates and electors concerned.

The Chief Electoral Officer, pursuant to the powers conferred on him by section 26 of Bill 24 and by section 490 of the Election Act, has decided to adapt the first paragraph of section 15 and sections 17, 18, 22 and 23 of Bill 24 so that the envelope containing the elector's ballot paper may also be transmitted to the Chief Electoral Officer and to provide for the procedures for verifying and counting the envelopes received by the latter.

For the purposes of this decision, the first paragraph of section 15 and sections 17, 18, 22 and 23 of Bill 24 reads as follows:

“**15.** The elector must send the second envelope to the returning officer of his or her electoral division or to the Chief Electoral Officer so that it is received before 8:00 p.m. on polling day.

“**17.** The verification of envelopes preceding the counting of votes starts on the days and at the times determined by the Chief Electoral Officer.

To that end, the returning officer transmits to the Chief Electoral Officer, in the manner determined by the Chief Electoral Officer, the list referred to in section 10.

“**18.** The returning officer designates one or more persons to verify the envelopes received at his or her office.

The Chief Electoral Officer designates one or more persons to verify the envelopes received at his office.

“**22.** The returning officer and the Chief Electoral Officer set up as many stations as necessary to count the votes they received. And, for each of the stations, appoints a deputy returning officer and a poll clerk.

Where the count is conducted in the office of the returning officer, such appointments are made in accordance with section 310 of the Election Act.

Where the count is conducted in the office of the Chief Electoral Officer, such appointments are made in accordance with the second and third paragraphs of section 370.8 of the Election Act.

“**23.** At the office of the returning officer, the votes are counted at the place and time determined by the returning officer in accordance with sections 361 to 370.2 of the Election Act, with the necessary modifications. The candidates and their representatives may be present.

At the office of the Chief Electoral Officer, the votes are counted at the place and time determined by the Chief Electoral Officer in accordance with sections 361 to 370.2 and 370.11 to 370.12 of the Election Act, with the necessary modifications. Each authorized party may designate a representative to be present.

No ballot paper may be rejected for the sole reason that it does not bear the election officer's initials. This paragraph also applies in the case of a judicial recount.”

This decision takes effect on the date of signature.

Québec, September 21, 2022

PIERRE REID
Chief Electoral Officer

106010

Decision

Election Act
(chapitre E-3.3)

Decision of the chief electoral officer pursuant to the powers conferred upon him by section 490 of the election act with respect to the lack of polling staff in certain electoral divisions

WHEREAS Order in Council No. 1633-2022, issued on August 28, 2022, enjoins the Chief Electoral Officer to hold general elections in Québec on October 3, 2022;

WHEREAS, under section 302 of the Election Act (CQLR, c. E-3.3), the returning officer shall, on polling day, establish a polling station for each polling subdivision;

WHEREAS, under sections 310 and 312 of the Election Act, the returning officer shall appoint a deputy returning officer and a poll clerk for each polling station, in the manner provided for in those sections;

WHEREAS, under section 312.1 of the Election Act, the returning officer shall establish an identity verification panel for every place where a polling station is located;

WHEREAS the Chief Electoral Officer and the returning officers make every effort to fill the positions of deputy returning officers and poll clerks and to establish a sufficient reserve in the event that the persons appointed to these positions withdraw;