

chapter E-3.3

ELECTION ACT

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TITLE I

ELECTORS

CHAPTER I

QUALIFIED ELECTORS

1. Every person who

- (1) has attained 18 years of age,
- (2) is a Canadian citizen,
- (3) has been domiciled in Québec for six months,
- (4) is not disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code, and

(5) is not deprived of election rights pursuant to this Act, the Referendum Act (chapter C-64.1), the Act respecting elections and referendums in municipalities (chapter E-2.2) or the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3),

is a qualified elector.

The domicile of a person is the domicile established under the Civil Code.

1989, c. 1, s. 1; 1992, c. 38, s. 1; 1995, c. 23, s. 5; 1997, c. 8, s. 1; 2006, c. 17, s. 1; 2010, c. 32, s. 1; 2020, c. 1, s. 313; 2020, c. 11, s. 163.

2. To exercise his right to vote, a person must be a qualified elector on polling day and his name must be entered on the list of electors of the polling subdivision in which his domicile is situated on the 14th day before polling day.

1989, c. 1, s. 2; 1995, c. 23, s. 6; 2006, c. 17, s. 2.

3. A candidate having filed a nomination paper in accordance with section 237 may vote in the electoral division in which the candidate is running even if that candidate is not domiciled in that electoral division. The candidate must file a request to that effect on revision of the list of electors during an election period.

1989, c. 1, s. 3; 1992, c. 21, s. 157; 1994, c. 23, s. 23; 1995, c. 23, s. 7; 1998, c. 52, s. 1; 2006, c. 17, s. 36; 2006, c. 17, s. 3; 2021, c. 37, s. 1.

4. The Chief Electoral Officer, the judges of the courts of justice, the Public Protector, the Auditor General and the members of the Commission de la représentation shall not engage in partisan work.

1989, c. 1, s. 4.

CHAPTER II

Repealed, 1995, c. 23, s. 8.

1995, c. 23, s. 8.

5. *(Repealed).*

1989, c. 1, s. 5; 1992, c. 38, s. 2; 1995, c. 23, s. 8.

6. *(Repealed).*

1989, c. 1, s. 6; 1992, c. 38, s. 3; 1995, c. 23, s. 8.

7. *(Repealed).*

1989, c. 1, s. 7; 1995, c. 23, s. 8.

8. *(Repealed).*

1989, c. 1, s. 8; 1992, c. 38, s. 4; 1995, c. 23, s. 8.

9. *(Repealed).*

1989, c. 1, s. 9; 1992, c. 38, s. 5; 1995, c. 23, s. 8.

10. *(Repealed).*

1989, c. 1, s. 10; 1995, c. 23, s. 8.

11. *(Repealed).*

1989, c. 1, s. 11; 1995, c. 23, s. 8.

12. *(Repealed).*

1989, c. 1, s. 12; 1992, c. 38, s. 6; 1995, c. 23, s. 8.

13. *(Repealed).*

1989, c. 1, s. 13; 1992, c. 38, s. 7; 1995, c. 23, s. 8.

TITLE II

ELECTORAL REPRESENTATION

CHAPTER I

ELECTORAL DIVISIONS

14. Québec shall be divided into electoral divisions delimited in such a way as to ensure that the principle of effective representation of electors is respected.

Electoral divisions, numbering not fewer than 122 nor more than 125, shall be delimited taking into account the principle that the vote of each elector is of equal weight.

1989, c. 1, s. 14; 1991, c. 48, s. 1.

15. An electoral division represents a natural community established on the basis of demographical, geographical and sociological considerations, such as the population density, the relative growth rate of the population, the accessibility, area and shape of the region, the natural local boundaries and the territories of local municipalities.

1989, c. 1, s. 15; 1996, c. 2, s. 662.

16. The boundaries of each electoral division shall be delimited in such a way that the number of electors in a division, according to the permanent list of electors, does not deviate by more than 25% from the quotient obtained by dividing the total number of electors by the number of electoral divisions.

1989, c. 1, s. 16; 1995, c. 23, s. 9; 1997, c. 8, s. 2.

17. The Commission de la représentation may, for exceptional reasons, depart from the rule set out in section 16 if it considers that its application would not adequately serve the purpose of this chapter. Every such decision shall be in writing and give reasons.

Notwithstanding section 16, the Îles-de-la-Madeleine described in Schedule I are an electoral division.

1989, c. 1, s. 17; 1991, c. 48, s. 2; 1992, c. 38, s. 8.

18. The Commission shall assign a name to each electoral division delimited by it, after consulting the Commission de toponymie established under the Charter of the French language (chapter C-11).

1989, c. 1, s. 18.

19. The Commission shall make a new delimitation of the electoral divisions after the second general election following the last delimitation.

1989, c. 1, s. 19; 1991, c. 48, s. 3.

20. *(Repealed).*

1989, c. 1, s. 20; 1991, c. 48, s. 4.

21. *(Repealed).*

1989, c. 1, s. 21; 1991, c. 48, s. 4.

22. Within the 12 months following the election referred to in section 19, the Commission shall submit to the President or the Secretary General of the National Assembly a preliminary report in which it proposes a new delimitation of the electoral divisions.

The report shall be made public immediately. The President of the National Assembly shall table the report in the National Assembly within 15 days of receiving it if it is sitting or, if it is not, within 15 days after the opening of the next session or resumption.

1989, c. 1, s. 22; 1991, c. 48, s. 5.

23. The Commission shall take the necessary steps to ensure the best possible diffusion of the proposed boundaries of the electoral divisions submitted in its preliminary report.

1989, c. 1, s. 23.

24. Within six months following the tabling of its preliminary report, the Commission shall hear the representations made by the Members of the National Assembly and by interested individuals and organizations.

For that purpose, the Commission shall, after giving notice thereof, hold public hearings in the various regions of Québec.

1989, c. 1, s. 24; 2001, c. 13, s. 1.

24.1. After holding consultations pursuant to section 24, the Commission may, if it considers it necessary and after giving notice thereof, hold public hearings in one or more of the regions of Québec to hear

representations made by the Members of the National Assembly and by interested individuals and organizations concerning one or more of the proposed amendments to its preliminary report.

The Commission shall in that case be granted an additional period of four months after the expiry of the period provided for in section 24.

2001, c. 13, s. 2.

25. The preliminary report of the Commission and, where applicable, any amendment proposed by the Commission shall be submitted to the Committee on the National Assembly for examination.

For the purposes of such examination, all the Members of the National Assembly may take part in the debates of the Committee on the National Assembly.

1989, c. 1, s. 25; 2001, c. 13, s. 3.

26. When the Committee on the National Assembly examines the preliminary report and, where applicable, any proposed amendments referred to in section 25, the Commission shall furnish it with all the required documents and information and be at its disposal to assist it in carrying out its work.

1989, c. 1, s. 26; 2001, c. 13, s. 4.

27. (*Repealed*).

1989, c. 1, s. 27; 2001, c. 13, s. 5.

28. After considering the representations made to it by the Members of the National Assembly, and by individuals and organizations, the Commission shall submit a report indicating the boundaries of the electoral divisions to the President or the Secretary General of the National Assembly, who shall table it before the Assembly.

Within five days following the tabling, the report shall be the subject of a debate limited to five hours carried on in one sitting or two consecutive sittings of the National Assembly; if it is not sitting, the debate, subject to the same time limits, shall take place in the Committee on the National Assembly, within ten days from the tabling of the report contemplated in the first paragraph, and all the Members may take part in the debate in respect of the report.

No motion, except a motion of adjournment, may be presented during the debate.

1989, c. 1, s. 28.

29. Not later than the tenth day following the debate, the Commission shall establish the boundaries of the electoral divisions and assign names to them.

The Commission shall publish the list of the electoral divisions in the *Gazette officielle du Québec*, indicating the name and boundaries of each; it may also mention the local municipalities whose territories are comprised in each electoral division and, where applicable, the unorganized territories and Indian reserves comprised therein.

1989, c. 1, s. 29; 1996, c. 2, s. 663.

30. Publication of the list of electoral divisions in the *Gazette officielle du Québec* is absolute proof of its existence and of its content, and every person is required to take cognizance of it.

Notwithstanding the foregoing, the Commission shall take the necessary steps to ensure the best possible diffusion among the public of the boundaries of the electoral divisions, and particularly of the changes made in relation to the previous boundaries.

1989, c. 1, s. 30.

31. After publication in the *Gazette officielle du Québec* of the list of electoral divisions, the Commission shall cause a map of the divisions to be printed.

1989, c. 1, s. 31.

32. The list of electoral divisions published in the *Gazette officielle du Québec* comes into force when the Legislature ends in accordance with section 6 of the Act respecting the National Assembly (chapter A-23.1), unless it ends before the expiry of six months from publication.

When the Legislature ends before the expiry of a six-month period following that publication, the list in force on the day before the end of that Legislature remains in force for the next general election and for the duration of the Legislature following that election. The coming into force of the new list is then postponed until that Legislature ends. The new list is used for the next general election and the process set out in this chapter then resumes.

1989, c. 1, s. 32; 2013, c. 13, s. 1; 2021, c. 37, s. 2.

33. Upon publication in the *Gazette officielle du Québec* of the list of electoral divisions, the Chief Electoral Officer shall assign one of the divisions to each returning officer in office and appoint a returning officer to each unassigned division, if any.

Appointments made under this section are effective until new returning officers are appointed in conformity with section 503.

1989, c. 1, s. 33.

CHAPTER II

ELECTORAL PRECINCTS AND POLLING SUBDIVISIONS

34. Within six months after the publication of the list of electoral divisions in the *Gazette officielle du Québec*, the Chief Electoral Officer and the returning officers shall establish the boundaries of the electoral precincts and the polling subdivisions on the basis of the new electoral divisions.

1989, c. 1, s. 34; 2021, c. 37, s. 3.

35. The returning officer, under the authority of the Chief Electoral Officer, is responsible, in the electoral division to which he is appointed, for the establishment

(1) of polling subdivisions comprising not more than the maximum number of electors prescribed by directive of the Chief Electoral Officer. However, a polling subdivision in which a residential facility described in section 180 is situated may exceed that figure by up to the number of electors registered on the permanent list of electors for the address of that facility; and

(2) of electoral precincts comprising polling subdivisions served by the same voting place.

1989, c. 1, s. 35; 1995, c. 23, s. 10; 1996, c. 2, s. 664; 2011, c. 5, s. 1; 2021, c. 37, s. 4.

36. On the basis of the description of the boundaries of the electoral precincts and polling subdivisions, the Chief Electoral Officer shall prepare an index of the streets, avenues, boulevards, hills, squares, lanes, ranges or other thoroughfares in each electoral division.

1989, c. 1, s. 36.

37. The Chief Electoral Officer shall transmit the description of the boundaries of the electoral precincts and polling subdivisions and an index of the thoroughfares in an electoral division to the authorized parties who apply therefor, to every authorized party authority at the level of the electoral division and to the authorized independent Member for the division, where such is the case.

1989, c. 1, s. 37; 2008, c. 22, s. 1.

38. The Chief Electoral Officer may prepare a map of each electoral division, indicating the electoral precincts and polling subdivisions comprised in it.

1989, c. 1, s. 38.

CHAPTER II.1

TRANSMISSION OF LIST FOLLOWING A NEW DELIMITATION

2001, c. 72, s. 1.

38.1. Within 30 days after the expiry of the time limit provided in section 34, the Chief Electoral Officer shall transmit the list of the electors whose names are entered on the permanent list of electors on the basis of the new delimitation of electoral divisions to the authorized parties represented in the National Assembly and to any other authorized party that so requests.

2001, c. 72, s. 1.

38.2. In addition to the transmission provided for in section 40.38.1, the Chief Electoral Officer shall, between 1 October and 1 November each year, transmit the list of the electors whose names are entered on the permanent list of electors on the basis of the new delimitation of electoral divisions to the authorized parties represented in the National Assembly and to any other authorized party that so requests.

2001, c. 72, s. 1.

38.3. At the times stated in sections 38.1 and 38.2, a Member may request the Chief Electoral Officer to transmit to the Member the list of the electors whose names are entered on the permanent list of electors on the basis of the new delimitation of electoral divisions in respect of a single electoral division resulting from the new delimitation among the divisions that include all or part of the division represented by the Member.

2001, c. 72, s. 1.

38.4. If the transmission under section 38.1 is effected after 1 September, no transmission is effected pursuant to section 38.2 between 1 October and 1 November of the same year.

2001, c. 72, s. 1.

38.5. The last paragraph of section 40.38.1 and sections 40.38.2 and 40.38.3, with the necessary modifications, apply in respect of this chapter.

2001, c. 72, s. 1.

CHAPTER III

Repealed, 1995, c. 23, s. 11.

1995, c. 23, s. 11.

39. *(Repealed).*

1989, c. 1, s. 39; 1995, c. 23, s. 11.

40. *(Repealed).*

1989, c. 1, s. 40; 1995, c. 23, s. 11.

TITLE II.1

PERMANENT LIST OF ELECTORS

1995, c. 23, s. 12.

CHAPTER I

DESCRIPTION

1995, c. 23, s. 12.

40.1. The permanent list of electors consists of the information contained in the register of electors and the register of territories.

1995, c. 23, s. 12.

40.2. The information contained in the register of electors shall include the name, domiciliary address, sex and date of birth of each elector and, where applicable, entries relating to the exercise of his right to vote outside Québec.

The information shall in addition specify, for the purposes of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3), the category of school service centre, French language or English language, at which the elector's right to vote is to be exercised and whether the information relates to a person referred to in the first or in the second paragraph of section 11.1 of the said Act.

1995, c. 23, s. 12; 1999, c. 25, s. 85; 2000, c. 59, s. 8; 2020, c. 1, ss. 312 and 313.

40.3. The information contained in the register of territories shall include

(1) for the purposes of this Act and the Referendum Act (chapter C-64.1), the description of electoral divisions, electoral precincts and polling subdivisions;

(2) for the purposes of the Act respecting elections and referendums in municipalities (chapter E-2.2), the electoral districts or the wards of the municipalities to which Title I of that Act applies or the entire territory of any such municipality whose territory is not divided for electoral purposes;

(3) for the purposes of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3), the electoral divisions and the sectors.

1995, c. 23, s. 12; 2002, c. 10, s. 99; 2020, c. 1, s. 313.

CHAPTER II

ENTRY ON THE LIST AND UPDATING

1995, c. 23, s. 12; 1997, c. 8, s. 3.

40.3.1. The name of every person who is a qualified elector within the meaning of section 1 may be entered on the permanent list of electors.

1997, c. 8, s. 4.

40.4. The information relating to electors shall be updated on the basis of the information transmitted to the Chief Electoral Officer by electors and on the basis of the information transmitted by the Régie de l'assurance maladie du Québec, the school service centres, the Public Curator, the Chief Electoral Officer of Canada and the Department of Citizenship and Immigration of Canada in the manner determined in an agreement entered into with the Chief Electoral Officer, in accordance with the provisions of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

The information shall also be updated on the basis of the changes transmitted by returning officers or by the person responsible for a municipal or school poll following the revision of a list of electors or referendum list and of any verification of the permanent list of electors carried out under section 40.11 or on the basis of the changes made by the permanent board of revisors established under section 40.12.1.

1995, c. 23, s. 12; 1999, c. 15, s. 1; 1997, c. 8, s. 5; 1999, c. 89, s. 53; 2000, c. 59, s. 9; 2002, c. 10, s. 100; 2008, c. 22, s. 2; 2020, c. 1, s. 312.

40.5. Each elector is responsible for communicating to the Chief Electoral Officer any change in the information entered in his respect on the permanent list of electors.

1995, c. 23, s. 12.

40.6. An elector may, at any time, request that his name be entered on or struck off the permanent list of electors, or that any information entered in his respect be corrected.

Unless the request concerns a change of address of an elector whose name is already entered on the list or the entry on the list by the Public Curator of the name of an elector in respect of whom the Public Curator exercises tutorship, two documents of the type determined by the Chief Electoral Officer must be joined to the request in support of the information communicated.

1995, c. 23, s. 12; 2008, c. 22, s. 3.

40.6.1. An elector may request that the entry of his name on the permanent list of electors be considered for the purposes of provincial, municipal or school elections only.

1997, c. 8, s. 6.

40.6.2. Before entering the name of an elector, the Chief Electoral Officer shall make sure that the name of the elector is not already entered on the permanent list of electors and that the address transmitted is likely the elector's domiciliary address.

1997, c. 8, s. 6; 2021, c. 37, s. 5.

40.7. The Chief Electoral Officer shall obtain from the Régie de l'assurance maladie du Québec notice of any change in the name, address, date of birth or sex of a person whose name is entered on the permanent list of electors, and, where applicable, of the date of the person's death and the corresponding address expiry codes. The Chief Electoral Officer shall also obtain from the Régie the name, address, date of birth and sex of any person of full age who has informed the Régie that he has acquired Canadian citizenship or has stated, on

registering for the first time with the Régie, that he holds Canadian citizenship. The Chief Electoral Officer shall obtain the same information from the Régie concerning any person who is about to reach 18 years of age, at least six months before the person's eighteenth birthday, and concerning any person who meets the criteria set out in subparagraphs 1 to 3 of the first paragraph of section 1 and whose name is not yet entered on the permanent list of electors.

If the Régie has been unable to identify an elector whose name is entered on the list of electors in its own file of insured persons, the Chief Electoral Officer may communicate with the elector concerned to verify the accuracy of the information held concerning the elector and may request that the elector correct or complete the information where necessary.

After receiving an advisory opinion from the Commission d'accès à l'information, the Chief Electoral Officer shall, on request, obtain from the Régie any other personal information needed to compile and update the permanent list of electors.

As well, the Chief Electoral Officer shall, on request, obtain from the Régie a list of all the residential addresses in Québec.

1995, c. 23, s. 12; 1997, c. 8, s. 7; 1999, c. 89, s. 53; 2008, c. 22, s. 4.

40.7.0.1. The Chief Electoral Officer shall obtain from the school service centres, in accordance with section 11.2 of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3), the name, date of birth, sex and domiciliary address of the persons referred to in section 11.1 of the said Act.

2000, c. 59, s. 10; 2020, c. 1, ss. 312 and 313.

40.7.1. The Chief Electoral Officer shall obtain from the Public Curator the name, address, date of birth and sex of any person who is disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code.

1997, c. 8, s. 8; 2001, c. 2, s. 1; 2008, c. 22, s. 5; 2020, c. 11, s. 164.

40.7.2. The Chief Electoral Officer shall obtain from the Chief Electoral Officer of Canada the information contained in the Register of Electors that is required for the updating of the information entered on the permanent list of electors.

2008, c. 22, s. 6.

40.8. The Chief Electoral Officer shall obtain from the Department of Citizenship and Immigration of Canada the name, address, date of birth and sex of any person of full age domiciled in Québec who acquires Canadian citizenship.

1995, c. 23, s. 12.

40.9. The name of every person of full age having informed the Régie de l'assurance maladie du Québec that he has acquired Canadian citizenship, having registered with the Régie for the first time as a Canadian citizen or having been identified by the Department of Citizenship and Immigration of Canada as a new Canadian citizen shall be entered on the permanent list of electors by the Chief Electoral Officer. The Chief Electoral Officer shall notify the elector in writing that his name has been entered on the permanent list of electors, requesting the elector to correct or complete the information which concerns him, where required.

If the notice is returned to the Chief Electoral Officer without having reached the addressee or if the Chief Electoral Officer is notified by the person that he cannot or does not wish to be entered on the permanent list of electors, the person's name shall be struck off the list.

1995, c. 23, s. 12; 1998, c. 52, s. 2; 1999, c. 89, s. 53.

40.9.1. After receiving information from the Régie de l'assurance maladie du Québec concerning a person who has reached or is about to reach 18 years of age, the Chief Electoral Officer shall advise the person in writing that he will be entered on the permanent list of electors, unless the Chief Electoral Officer is advised by the person that he cannot or does not wish to be so entered.

However, no entry shall be made if the notice is returned to the Chief Electoral Officer without having reached the addressee.

1998, c. 52, s. 2; 1999, c. 89, s. 53.

40.10. Before incorporating into the permanent list of electors any change made to a municipal or school list of electors or referendum list following its revision, the Chief Electoral Officer may contact the elector concerned for confirmation of the change he intends to incorporate.

1995, c. 23, s. 12; 2002, c. 10, s. 101.

40.10.1. The Chief Electoral Officer shall strike off the permanent list of electors the name of any person in whose respect he receives a confirmation of death, the name of any person deprived of his election rights pursuant to this Act or the Referendum Act (chapter C-64.1) and the name of any person who is disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code.

1997, c. 8, s. 9; 2020, c. 11, s. 165.

40.10.2. The Chief Electoral Officer shall retain the information relating to an elector in whose respect he receives a confirmation from a board of revisors that the elector's name has been struck off the list of electors on the ground that the elector is not domiciled at the address for which his name has been entered.

The information shall be retained for a maximum period of five years or until the Chief Electoral Officer obtains confirmation of the elector's new domiciliary address, in which case the elector's name shall be re-entered on the permanent list of electors opposite the new address.

1997, c. 8, s. 9.

40.11. An enumeration or an *ad hoc* revision, or the implementation of any other measure allowing a total or partial verification of the permanent list of electors, may be ordered by the Government on the recommendation of the parliamentary committee having examined the report of the Chief Electoral Officer pursuant to section 542.1.

The issue of an order or writ instituting an election or referendum ends any verification in progress in the electoral division concerned, except in the case of an enumeration. In that case, the enumeration shall continue and the name of every person who is a qualified elector on polling day may be entered on the list of electors for the polling subdivision in which the person is domiciled.

1995, c. 23, s. 12; 1999, c. 15, s. 2.

40.12. The information relating to territories shall be updated on the basis of the changes made to the descriptions of electoral divisions, electoral precincts and polling subdivisions.

The information shall also be updated on the basis of the changes made to the descriptions of the electoral territories of municipalities and school service centres and transmitted to the Chief Electoral Officer by the municipalities and school service centres on the conditions he determines.

1995, c. 23, s. 12; 2020, c. 1, s. 312.

CHAPTER II.1

PERMANENT REVISION

1999, c. 15, s. 3.

DIVISION I

ESTABLISHMENT AND ORGANIZATION OF PERMANENT BOARD OF REVISORS

1999, c. 15, s. 3.

40.12.1. To ensure that the permanent list of electors is updated on a continuous basis, the Chief Electoral Officer shall establish a permanent board of revisors within the Chief Electoral Officer's office.

1999, c. 15, s. 3.

40.12.2. The permanent board shall be composed of three members, including the chairman, appointed by the Chief Electoral Officer.

The members may be chosen from among the Chief Electoral Officer's personnel.

1999, c. 15, s. 3; 2021, c. 37, s. 6.

40.12.3. *(Repealed).*

1999, c. 15, s. 3; 2021, c. 37, s. 7.

40.12.4. If a member of the permanent board is absent or unable to act, the Chief Electoral Officer shall appoint a substitute. Section 40.12.2 applies to the appointment with the necessary modifications.

1999, c. 15, s. 3; 2021, c. 37, s. 8.

40.12.5. The members of the permanent board shall be appointed for a term not exceeding five years.

1999, c. 15, s. 3.

40.12.6. The tariff of remuneration and expenses of permanent board members shall be fixed by government regulation.

1999, c. 15, s. 3.

40.12.7. The chairman of the permanent board shall convene the board whenever the chairman considers it appropriate.

1999, c. 15, s. 3.

40.12.8. The permanent board shall sit in Québec or Montréal, at the office of the Chief Electoral Officer.

On the authorization of the Chief Electoral Officer, the board may sit at any other place.

1999, c. 15, s. 3.

40.12.9. The quorum of the permanent board is two members.

Decisions are made by a majority vote. In case of a tie, the chairman has a casting vote.

1999, c. 15, s. 3.

40.12.10. A member of the permanent board must, on pain of forfeiture of office, abstain from participating in any deliberation or decision concerning which any of the grounds for recusation, with the necessary modifications, listed in articles 202 and 203 of the Code of Civil Procedure (chapter C-25.01) could be invoked in the member's regard. Moreover, the member must withdraw from the sitting for the duration of the deliberations and the vote relating to such matter.

1999, c. 15, s. 3; I.N. 2016-01-01 (NCCP).

40.12.11. The Chief Electoral Officer shall place at the disposal of the permanent board the personnel necessary for the exercise of the board's functions.

After consulting the chairman of the permanent board and as needed, the Chief Electoral Officer shall request returning officers to appoint a sufficient number of teams of two revising officers.

The provisions of this Act applicable to revising officers during an election period apply with the necessary modifications to revising officers assigned to the permanent board.

1999, c. 15, s. 3.

DIVISION II

REVISION PROCESS

1999, c. 15, s. 3.

40.12.12. The permanent board shall decide the cases submitted to it by the Chief Electoral Officer concerning the updating of the permanent list of electors.

1999, c. 15, s. 3.

40.12.13. Sections 209 and 212 to 216 apply with the necessary modifications to the exercise of the functions of the permanent board.

1999, c. 15, s. 3; 2006, c. 17, s. 4.

40.12.14. Before striking off or refusing to enter a person's name, the permanent board must, unless the person is present, convene the person by way of a written notice stating the grounds for the decision it intends to make and allow the person to present observations within 20 days.

The notice must be notified by registered mail or by the revising officers to the person concerned or, if it cannot be notified, it must be left at or sent to the address entered on the permanent list of electors or at any other place where the permanent board or the revising officers have reason to believe the person may be reached.

A certificate of the notification shall be drawn up by the sender or by the revising officers in the prescribed form and returned to the permanent board.

1999, c. 15, s. 3; 2001, c. 72, s. 2; I.N. 2016-01-01 (NCCP).

40.12.15. Notwithstanding section 40.12.14, the permanent board is not required to send a written notice if the person concerned has met with the revising officers and confirmed to them that he is not a qualified elector, if the board has been informed by a person living at the address for which the name of the person concerned is entered on the permanent list of electors that the person concerned is no longer domiciled at that place or if the permanent board is satisfied, on the basis of the evidence presented to it, that the person

concerned is disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code or is deceased.

1999, c. 15, s. 3; 2001, c. 72, s. 3; 2020, c. 11, s. 166.

40.12.16. If the person to whom a notice is notified requests to appear before the permanent board, the permanent board shall convene the person by means of a notice in writing of at least 10 clear days.

The notice shall be notified in one of the manners provided for in section 40.12.14.

The permanent board shall, upon convening a person who lives a great distance away, endeavour to keep the travelling involved to a minimum.

1999, c. 15, s. 3; 2001, c. 72, s. 4; I.N. 2016-01-01 (NCCP).

40.12.17. Whenever the permanent board makes a decision in the absence of the elector concerned, it shall immediately notify the elector of its decision in writing.

The notice must state the grounds for the decision and describe the procedure whereby the elector may apply to the board for a revision of the decision. The notice must also indicate that the elector has 20 days to file an application for revision. The notice shall be notified in one of the manners provided for in section 40.12.14.

1999, c. 15, s. 3; 2001, c. 72, s. 5; I.N. 2016-01-01 (NCCP).

40.12.18. *(Repealed).*

1999, c. 15, s. 3; 2021, c. 37, s. 9.

40.12.19. The permanent board shall advise the Chief Electoral Officer of its final decisions immediately and the Chief Electoral Officer shall forthwith correct the permanent list of electors accordingly.

1999, c. 15, s. 3.

DIVISION III

SUSPENSION OF PROCEEDINGS AND END OF TERM

1999, c. 15, s. 3.

40.12.20. The issue of an order instituting a by-election suspends the proceedings of the permanent board in respect of the electoral division concerned until the date of publication of the notice referred to in section 380.

1999, c. 15, s. 3.

40.12.21. The issue of a writ instituting a referendum suspends the proceedings of the permanent board until the date of publication of the notice referred to in section 380 of Appendix 2 to the Referendum Act (chapter C-64.1).

1999, c. 15, s. 3.

40.12.22. From 1 September of the calendar year in which a general election is to be held under the Act respecting elections and referendums in municipalities (chapter E-2.2) or, in the case of a by-election, from the date of publication of a public notice of election, the proceedings of the permanent board are suspended in respect of the territory concerned until the date of publication of the notice referred to in section 260 of that Act.

In the case of a referendum under that Act, the proceedings of the permanent board are suspended, in respect of the territory concerned, from the date on which the Chief Electoral Officer transmits to the clerk or the clerk-treasurer a list of the electors whose names are entered on the permanent list of electors until

(1) the date of the sitting referred to in the third paragraph of section 532 of that Act, the date of the sitting referred to in section 557 of that Act or the date of publication of the notice referred to in the second paragraph of section 559 of that Act, if no referendum is held; or

(2) the date of the tabling of the statement of the final results referred to in section 578 of that Act, if a referendum is held.

1999, c. 15, s. 3; 2009, c. 11, s. 85; 2021, c. 31, s. 132.

40.12.23. The publication of the public notice referred to in section 51 of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) suspends the proceedings of the permanent board in respect of the territory concerned until the date of publication of the notice referred to in section 163 of that Act.

The filing of the list of electors pursuant to section 347 of the Education Act (chapter I-13.3) suspends the proceedings of the permanent board in respect of the territory concerned until the date of the tabling provided for in section 351 of that Act.

1999, c. 15, s. 3; 2002, c. 10, s. 102; 2020, c. 1, s. 313.

40.12.24. The issue of an order instituting a general election terminates the term of office of the members of the permanent board, notwithstanding any other termination date indicated in their instrument of appointment.

1999, c. 15, s. 3.

CHAPTER III

VERIFICATION

1995, c. 23, s. 12.

DIVISION I

ENUMERATION OF ELECTORS

1995, c. 23, s. 12.

40.13. Every person who is a qualified elector on the last day of an enumeration of electors may be registered during that enumeration.

1995, c. 23, s. 12.

40.14. The enumeration of electors shall be conducted in each polling subdivision by a team of two enumerators.

The returning officer may, however, assign two or more teams of two enumerators to conduct the enumeration in a polling subdivision comprising more than 350 electors.

1995, c. 23, s. 12.

40.15. The two enumerators forming an enumeration team shall be appointed by the returning officer, one on the recommendation of the authorized party that ranked first in the last election or of the independent

Member who was elected as such, and the other on the recommendation of the authorized party that ranked second in the last election.

1995, c. 23, s. 12.

40.16. In a new electoral division, an electoral division the boundaries of which have changed since the last election or an electoral division in which no authorized party ranked second in the last election, the Chief Electoral Officer shall decide, according to the criteria prescribed by regulation, which parties or independent Members are entitled to make recommendations under section 40.15.

1995, c. 23, s. 12.

40.17. The recommendations are made by the leader of the party or the independent Member, as the case may be, or by the person designated in writing by him for that purpose.

1995, c. 23, s. 12.

40.18. The recommendations must be received by the returning officer not later than Tuesday of the week preceding that of the enumeration.

The returning officer may, on reasonable grounds, refuse a recommendation. In such a case, he shall request a new recommendation.

Where no recommendation has been received, or where the person recommended is not qualified to hold the office, the returning officer shall make the appointment without any other formality.

1995, c. 23, s. 12.

40.19. The returning officer shall post, in his office, the list of enumerators appointed by him and transmit it to the authorized parties represented in the National Assembly and to the independent Member, if any. He shall inform them without delay of changes made to the list.

1995, c. 23, s. 12.

40.20. Not later than the day preceding the first day of the enumeration, the returning officer shall give enumerators the Chief Electoral Officer's directives concerning the procedure to be followed during the enumeration, the required materials, and a badge in the form prescribed by regulation that must be worn conspicuously by each enumerator at all times while conducting an enumeration.

In addition, the returning officer shall inform each enumerator of the name and address of the other enumerator in his enumeration team.

1995, c. 23, s. 12.

40.21. The enumerators in an enumeration team shall work together; in no case may they act individually.

In the event of disagreement, the matter shall be submitted to the returning officer, who shall decide it immediately; the enumerators are bound by the decision.

1995, c. 23, s. 12.

40.22. The enumerators shall visit every dwelling situated in the polling subdivision assigned to them at least twice, once between 9 a.m. and 6 p.m. and once between 6 p.m. and 9 p.m. on a different day, unless they are certain of having registered, on their first visit, every person who is a qualified elector.

At each dwelling at which they receive no response on their first visit, the enumerators shall leave a card giving the date and time of their second visit.

1995, c. 23, s. 12.

40.23. The name of an elector may not be entered by the enumerators unless the entry is requested at the elector's domicile by the elector himself or, if the elector is absent or unable to act, by any person present and who is a qualified elector.

1995, c. 23, s. 12; 1999, c. 40, s. 116.

40.24. Before entering a person's name, the enumerators shall verify whether, on the last day of the enumeration, the person holds Canadian citizenship, is 18 years of age or over and has been domiciled in Québec for at least six months.

For that purpose, an enumerator may request proof of the age and citizenship of the person the entry of whose name is requested in the form of one of the following identification documents: a birth certificate, a citizenship certificate or a Canadian passport.

1995, c. 23, s. 12.

40.25. The enumerators shall enter on an enumeration slip the name, address, sex and date of birth of every person domiciled at that address who is a qualified elector on the last day of the enumeration. They shall complete an enumeration slip for each elector.

1995, c. 23, s. 12; 1999, c. 25, s. 86.

40.26. The enumerators may not refuse to enter the name of an elector on the grounds that they were unable to note his date of birth or that no identification document was presented despite a request therefor made in accordance with the second paragraph of section 40.24.

1995, c. 23, s. 12.

40.27. Every person who requests the entry of his name or who requests the entry of the name of another person must declare, by signing the enumeration slip, that the information provided is, to his knowledge, true and accurate.

A person who is unable or who refuses to sign the enumeration slip must, before the entry can be made, declare that the information provided is, to his knowledge, true and accurate; the enumerators shall record the fact on the enumeration slip.

1995, c. 23, s. 12.

40.28. The enumerators shall sign the enumeration slip and leave a copy at the domicile of the elector whose name has been entered.

1995, c. 23, s. 12.

40.29. If one of the enumerators, after entering the name of a person, has reasonable grounds to believe that the person is not entitled to have his name entered, he shall make a report to the returning officer in the prescribed manner.

1995, c. 23, s. 12.

40.30. The enumerators shall prepare a list of the dwellings that were vacant, the places where persons refused to have their names entered, the places where not all the residents were qualified electors and the places where, after two visits, they obtained no response.

They shall give the list to the returning officer at the end of the enumeration.

1995, c. 23, s. 12.

40.31. The returning officer may establish a procedure for enumerating persons domiciled or lodged in a place described in section 135.1 with the executive director, owner, manager, operator or person in charge of that place in order to ensure that they are registered on the list of electors.

The procedure must, in particular, ensure that the enumerators have access to those persons.

1995, c. 23, s. 12; 2006, c. 17, s. 5.

40.32. The executive director, owner, manager, operator, superintendent, caretaker or person in charge of a place described in section 135.1 must allow and facilitate access to the premises by the enumerators.

1995, c. 23, s. 12; 2006, c. 17, s. 6.

40.33. The enumerators shall, not later than the last day of the enumeration, return all the enumeration slips they have completed and any report made pursuant to section 40.29 to the returning officer or to the person designated by the returning officer, according to the procedure determined by the returning officer.

1995, c. 23, s. 12.

40.34. The returning officer shall computerize the information relating to the electors whose names have been entered by the enumerators.

1995, c. 23, s. 12.

40.35. The returning officer shall transmit the computerized list to the Chief Electoral Officer to allow the entries, from all the electoral divisions, that relate to electors with the same name and the same date of birth to be identified.

1995, c. 23, s. 12.

40.36. Where the Chief Electoral Officer identifies entries relating to two or more electors with the same name and the same date of birth, he shall transmit a request for verification of the entries to the returning officer of each of the electoral divisions concerned, unless he is certain that the entries relate to different electors.

1995, c. 23, s. 12.

40.37. Not later than Tuesday of the week following that of the enumeration, the returning officer shall transmit the list of the electors whose names are entered for each polling subdivision to the authorized parties represented in the National Assembly, to any other authorized party that so requests, and to the authorized independent Member, if any.

The list shall be transmitted in computerized form or in duplicate copies, as specified to the returning officer.

The returning officer shall transmit, at the same time, a copy of the list made by the enumerators pursuant to section 40.30.

1995, c. 23, s. 12; 2008, c. 22, s. 7.

DIVISION II

AD HOC REVISION OF THE LIST

1995, c. 23, s. 12; 1999, c. 15, s. 4.

40.38. The provisions relating to the production, transmission and revision of the list of electors that are applicable during an election period apply, adapted as required, for the purposes of an *ad hoc* revision of all or part of the permanent list of electors. Sections 220 to 228, however, do not apply to such a revision.

1995, c. 23, s. 12; 1999, c. 15, s. 5; 2006, c. 17, s. 7.

CHAPTER III.1

TRANSMISSION OF THE LIST

1998, c. 52, s. 3.

40.38.1. In January, April and September each year, the Chief Electoral Officer shall transmit the list of the electors registered on the permanent list of electors for the purposes of a provincial poll to the authorized parties represented in the National Assembly, to any other authorized party that so requests and to every Member. However, Members shall only receive the list for the electoral division they represent.

No list is to be transmitted during an election or referendum period or within the three months that follow a general election or a referendum.

1998, c. 52, s. 3; 1999, c. 15, s. 6; 2006, c. 17, s. 8.

40.38.2. The list shall be transmitted in computer form and in duplicate.

The list shall indicate the name, address, date of birth and sex of each elector, with the exception of an elector who is a Member or of a member of a council of a municipality having exercised his right to refuse to allow the communication of information under section 659.0.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2). In the case of electors who are entitled to vote outside Québec, the list shall also indicate their address outside Québec.

1998, c. 52, s. 3; 2024, c. 24, s. 143.

40.38.3. The list transmitted shall contain a cautionary note concerning its confidentiality and shall state the penalties applicable to any person who communicates or uses the information contained in the list of electors for purposes other than those provided for by this Act.

The Member or the person designated by a political party to receive the list receives it after undertaking in writing to take appropriate measures to protect the confidentiality of the list and to restrict its use to the purposes provided for by this Act.

1998, c. 52, s. 3; 2021, c. 25, s. 84.

CHAPTER IV

CONFIDENTIALITY

1995, c. 23, s. 12.

40.38.4. The Chief Electoral Officer or any person designated by him in accordance with the law may use any information contained in the permanent list of electors for an inspection, inquiry and proceedings related

to the application of this Act or the regulations or any other Act or regulation partly or wholly under his administration.

2016, c. 18, s. 1.

40.39. Information relating to electors is not public information within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1).

1995, c. 23, s. 12.

40.40. Documents transmitted in support of information communicated to the Chief Electoral Officer shall be retained only for the time needed for their processing, and shall then be destroyed. However, in the case of original documents, they shall be returned to the elector.

1995, c. 23, s. 12.

40.41. No person may use, communicate or allow to be communicated, for purposes other than those provided for in this Act or the Referendum Act (chapter C-64.1), or communicate or allow to be communicated to any person not legally entitled thereto, any information relating to an elector.

1995, c. 23, s. 12.

40.42. The Chief Electoral Officer shall not, except with the consent of the person concerned, communicate, or enter into an agreement for the purpose of communicating, personal information contained in the permanent list of electors for purposes other than those provided for in this Act, the Referendum Act (chapter C-64.1), the Act respecting elections and referendums in municipalities (chapter E-2.2), the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) or the Jurors Act (chapter J-2) or for purposes other than those provided for in the second and fourth paragraphs.

The Chief Electoral Officer may enter into an agreement with the Chief Electoral Officer of Canada to supply him with information contained in the permanent list of electors for the sole purpose of drawing up a list to be used in a federal poll. The agreement must provide for the safety measures that will be taken to ensure the confidentiality of the information transmitted.

The expenses relating to the transmission of such information, established under section 549, shall be charged to the Chief Electoral Officer of Canada.

The Chief Electoral Officer may enter into an agreement, in accordance with sections 67.2.1 to 67.2.3 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), to communicate personal information contained in the permanent list of electors to a person or body wishing to use the information for study or research purposes or for the production of statistics.

1995, c. 23, s. 12; 2006, c. 22, s. 177; 2020, c. 1, s. 313; 2021, c. 25, s. 85.

TITLE III

AUTHORIZATION AND FINANCING OF POLITICAL PARTIES, INDEPENDENT MEMBERS OF THE NATIONAL ASSEMBLY AND INDEPENDENT CANDIDATES, AND FINANCING OF POLITICAL PARTY LEADERSHIP CAMPAIGNS

1998, c. 52, s. 4; 2011, c. 38, s. 1.

CHAPTER I

AUTHORIZATION OF POLITICAL PARTIES, PARTY AUTHORITIES, INDEPENDENT MEMBERS OF THE NATIONAL ASSEMBLY AND INDEPENDENT CANDIDATES

1998, c. 52, s. 4.

DIVISION I

GENERAL PROVISIONS

41. Every political party, party authority, independent Member or independent candidate wishing to solicit or collect contributions or to incur expenses or contract loans shall obtain an authorization from the Chief Electoral Officer in accordance with this chapter.

For the purposes of this Act, the expression “independent candidate” includes any person who, at the time of the person’s application for authorization, undertakes to run as an independent candidate.

For the purposes of this Act, an independent Member is a Member of the National Assembly who belongs to no authorized political party.

1989, c. 1, s. 41; 1998, c. 52, s. 5; 2008, c. 22, s. 8.

42. A party, a party authority, an independent Member or an independent candidate soliciting authorization shall have an official representative designated in writing by the leader of the party or by the person designated in writing by the leader, by the independent Member or by the independent candidate, as the case may be.

1989, c. 1, s. 42; 1992, c. 38, s. 9; 2008, c. 22, s. 9.

43. Only one official representative shall be appointed for each authorized entity.

The official representative of an authorized party may, however, with the written approval of the leader of the party, appoint not more than one delegate for each electoral division.

A political party, a party authority, an independent Member or an independent candidate holding an authorization under this chapter is an authorized entity.

1989, c. 1, s. 43; 1998, c. 52, s. 6.

44. From the publication of the list of electoral divisions in the *Gazette officielle du Québec*, the Chief Electoral Officer may grant authorizations, taking into account the new electoral divisions.

From the publication referred to in the first paragraph, the official representative of a party may, in accordance with the second paragraph of section 43, appoint a delegate for each of the new electoral divisions.

1989, c. 1, s. 44.

45. A person cannot be an official representative or delegate if

- (1) he is not a qualified elector;
- (2) he is a candidate or the leader of a party; or
- (3) he is an election officer or an employee of an election officer.

1989, c. 1, s. 45.

45.1. Within 30 days after being appointed, official representatives and delegates shall undergo training given by the Chief Electoral Officer on political financing rules.

Official representatives and delegates shall also undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall, by directive, determine the other particulars regarding all such training.

2016, c. 18, s. 2.

46. An official representative or a delegate may resign by sending a written notice to that effect to the Chief Electoral Officer and to the person referred to in section 42.

Within 30 days of resigning, the official representative shall file with the party, the party authority, the independent Member or the independent candidate a financial report, with vouchers, covering the period during which he was in office.

Where an authorized entity no longer has an official representative, another official representative shall be designated without delay and the Chief Electoral Officer shall be so informed in writing.

The Chief Electoral Officer shall publish, in the *Gazette officielle du Québec*, a notice of the resignation or replacement of an official representative or of a delegate.

1989, c. 1, s. 46; 1992, c. 38, s. 10; 1998, c. 52, s. 7.

DIVISION II

AUTHORIZATION OF A POLITICAL PARTY

47. A political party applying for authorization must submit with its application to the Chief Electoral Officer the names, addresses, membership card numbers and expiration dates and signatures of at least 100 members of the party who are qualified electors and in favour of the application for authorization.

The application must also be accompanied with a deposit of \$500, refundable upon the filing of the first financial report of the party under section 113 or upon the filing of the closing financial report under section 67.

1989, c. 1, s. 47; 1998, c. 52, s. 8; 2004, c. 36, s. 1.

47.1. Before filing an application for authorization, a party may reserve a name for a period not exceeding six months by transmitting a written application to that effect to the Chief Electoral Officer.

The second and third paragraphs of section 50 apply to the application, with the necessary modifications.

A party having reserved a name may, however, change the name in its application for authorization.

1998, c. 52, s. 9.

48. A party applying for authorization shall furnish the following information to the Chief Electoral Officer:

- (1) the name of the party;
- (2) the address and email address to which communications intended for the party must be sent;
- (3) the addresses where the books and accounts pertaining to contributions the party will receive and the expenses it will incur are to be kept;
- (4) the name, address, email address and telephone number of the party's official representative and those of his delegates, if any;
- (5) the name, address, email address and telephone number of the leader and of two officers of the party;
- (6) the addresses and email addresses of not more than two permanent offices of the party, where applicable.

1989, c. 1, s. 48; 1998, c. 52, s. 10; 2021, c. 37, s. 11.

49. A party applying for authorization shall also declare, in an affidavit made by its leader, the amount of the funds at its disposal, and that any money collected by it after 1 April 1978 was collected in accordance with this title.

The party shall remit to the Chief Electoral Officer, together with its application for authorization, any sum of money collected after 1 April 1978 contrary to this title.

The Chief Electoral Officer shall remit any sum received under the preceding paragraph to the Minister of Finance.

1989, c. 1, s. 49; I.N. 2016-01-01 (NCCP).

50. The Chief Electoral Officer shall grant the authorization if the conditions provided in sections 47, 48 and 49 are met.

The Chief Electoral Officer shall, however, refuse to authorize a party if the name of the party includes the word "independent".

He shall also refuse to authorize a party if the name of the party is substantially the same as that of an authorized party or of a party that has ceased to be an authorized party, and is likely to mislead electors as to which party they are supporting.

1989, c. 1, s. 50; 1992, c. 38, s. 11.

51. An authorized party wishing to change its name shall, through its leader, apply therefor in writing to the Chief Electoral Officer.

The application must be accompanied with a copy of a resolution to that effect made in conformity with the by-laws of the party and certified by two or more officers of the party.

The provisions of the second and third paragraphs of section 50 apply to the application.

Where an application for a name change is received by the Chief Electoral Officer after the issue of an order instituting an election, the change cannot take effect until the date of the publication of the notice referred to in section 380.

1989, c. 1, s. 51; 1992, c. 38, s. 12; 1998, c. 52, s. 11; 1999, c. 15, s. 7.

51.1. An authorized party must at all times have at least 100 members who are qualified electors and hold a valid membership card.

2011, c. 5, s. 2.

51.2. Not later than 30 April each year, an authorized party must send to the Chief Electoral Officer a list showing the names and addresses of 100 members who meet the conditions set out in section 51.1.

The Chief Electoral Officer may take any necessary measures to verify the accuracy of the information provided under the first paragraph.

2011, c. 5, s. 2.

DIVISION III

AUTHORIZATION OF A PARTY AUTHORITY

52. The Chief Electoral Officer shall grant authorization to a party authority upon a written application of the leader of the authorized party or of the person designated in writing by the leader, and upon production of the following information:

- (1) the name of the party authority;
- (2) the address and email address to which communications intended for the party authority must be sent;
- (3) the addresses where the books and accounts pertaining to the contributions it will receive and the expenses it will incur are to be kept;
- (4) the name, address, email address and telephone number of the official representative of the party authority.

The organization of a political party at the level of an electoral division, of a region or of Québec is a party authority.

1989, c. 1, s. 52; 2021, c. 37, s. 12.

DIVISION IV

MERGER OF AUTHORIZED PARTIES

53. Where authorized parties wish to merge, their leaders shall so advise the Chief Electoral Officer.

1989, c. 1, s. 53; 1998, c. 52, s. 12.

54. The merger notice shall be given jointly and in writing.

The notice shall

- (1) indicate the name of the party to result from the merger;
- (2) produce, in respect of the party that will result from the merger, the information contemplated in section 48;
- (3) indicate how each of the party authorities of the applying parties will be affected by the proposed merger;

(4) produce, for each of the party authorities of the party that will result from the merger, the information contemplated in section 52;

(5) indicate the date of merger.

The merger notice must be accompanied with a copy of a resolution to that effect made in conformity with the by-laws of each party concerned and certified by two or more officers of each of the parties.

1989, c. 1, s. 54; 1992, c. 38, s. 13; 1998, c. 52, s. 13.

55. *(Repealed).*

1989, c. 1, s. 55; 1998, c. 52, s. 14.

56. From the merger, the parties and their party authorities cease to exist and are replaced by the party and the party authorities resulting from the merger.

The party and the party authorities resulting from a merger succeed to the rights and obligations of the merged parties and party authorities.

Each of the parties and of their party authorities shall forward to the Chief Electoral Officer, within 60 days after the merger, the financial statement for the period that has elapsed from the preceding 31 December to the date of the merger.

1989, c. 1, s. 56.

57. The Chief Electoral Officer shall publish a notice of any merger in the *Gazette officielle du Québec* and post the notice on the Chief Electoral Officer's website.

The notice shall indicate the name of the official representative of the party resulting from the merger and, as the case may be, the names of its delegates. It shall, in addition, indicate the name of the official representative of each of its party authorities.

1989, c. 1, s. 57; 2008, c. 22, s. 10.

58. The official representatives of the party and party authorities resulting from the merger shall file the financial statements required by sections 113 and 117, for the part of the fiscal year that has elapsed since the merger, not later than the dates prescribed in those sections during the year immediately following that of the merger.

The financial statement of the party must be accompanied with an opening balance sheet on the date of the merger. The financial statement of each party authority resulting from the merger must indicate the cash balance on the date of the merger.

1989, c. 1, s. 58; 2021, c. 37, s. 13.

DIVISION V

AUTHORIZATION OF AN INDEPENDENT CANDIDATE OR OF A MEMBER OF THE NATIONAL ASSEMBLY WHO BECOMES AN INDEPENDENT

1998, c. 52, s. 15.

59. The Chief Electoral Officer or any person designated by him shall grant an authorization to every independent candidate who applies to him therefor in writing and who furnishes him with the following information:

- (1) his name, the address of his domicile, his email address and his telephone number;
- (2) the name of the electoral division in which he is a candidate;
- (3) the address and email address to which communications intended for him must be sent;
- (4) the address where the books and accounts pertaining to the contributions he will receive and the expenses he will incur are to be kept;
- (5) the name, address, email address and telephone number of his official representative.

During the period for filing nomination papers, an application for authorization may be made in the form prescribed for the nomination paper, and the candidate's official representative is the official agent designated by the candidate on the nomination paper.

1989, c. 1, s. 59; 1998, c. 52, s. 16; 2008, c. 22, s. 11; 2021, c. 37, s. 14.

59.1. Any elector who undertakes to run as an independent candidate in the next general election may file an application for authorization with the Chief Electoral Officer from the expiry of a period of three years after receipt by the Secretary General of the National Assembly of the list of candidates declared elected referred to in section 380.

Any elector who undertakes to run as an independent candidate in a by-election may file an application for authorization with the Chief Electoral Officer from the date on which the seat becomes vacant.

The application for authorization must contain the information referred to in section 59 as well as the signatures and addresses of at least 100 electors of the electoral division declaring that they support the application.

When a nomination paper is filed, the candidate's official representative becomes the candidate's official agent.

1998, c. 52, s. 17; 2001, c. 72, s. 6; 2021, c. 37, s. 15.

60. The authorization granted to an independent candidate entitles his official representative to solicit and collect contributions until polling day.

After polling day, the authorization granted to an independent candidate who was not elected entitles his official representative to solicit and collect contributions for the sole purpose of paying the debts arising from his election expenses and to dispose, in accordance with the second paragraph of section 441, of the sums and property derived from his election fund.

1989, c. 1, s. 60; 1998, c. 52, s. 18.

61. The authorization granted to an independent candidate who was not elected expires on 31 December of the year immediately following the election year.

The authorization of an independent candidate who was elected expires as soon as the person ceases to sit as an independent Member in the National Assembly, unless the candidate runs again as an independent candidate.

1989, c. 1, s. 61; 1992, c. 38, s. 14; 1998, c. 52, s. 19.

62. In the case of an authorized independent candidate who withdraws before polling day, the authorization granted to the candidate entitles his official representative to solicit and collect contributions for the sole purpose of paying the debts arising from election expenses incurred by the candidate before his withdrawal,

and to dispose, in accordance with the second paragraph of section 441, of the sums and property remaining in his election fund on the day of his withdrawal.

Section 125 applies to the candidate.

1989, c. 1, s. 62.

62.1. An application for authorization made by a Member of the National Assembly who becomes an independent without having been elected as such must be in writing and contain the information referred to in section 59, with the necessary modifications.

1998, c. 52, s. 20; 2008, c. 22, s. 12.

DIVISION VI

MISCELLANEOUS PROVISIONS

63. The Chief Electoral Officer may take any necessary measures to verify the accuracy of the information provided in support of an application for authorization.

The Chief Electoral Officer, where he intends to refuse an application, shall give the party, party authority, independent Member or independent candidate, as the case may be, the reasons for his decision and an opportunity to be heard.

1989, c. 1, s. 63; 1998, c. 52, s. 21.

64. Upon granting authorization to an entity, the Chief Electoral Officer shall publish a notice of it in the *Gazette officielle du Québec* and post the notice on the Chief Electoral Officer's website.

The notice shall indicate the name of the official representative, and those of his delegates, if any.

1989, c. 1, s. 64; 1998, c. 52, s. 22; 2008, c. 22, s. 13.

65. The Chief Electoral Officer shall keep registers of the entities he has authorized, setting out the information required under sections 48, 52, 59 and 62.1. The name, address, email address and telephone number of the official agent of each authorized party and candidate and, if applicable, the official agent's deputies shall also be set out in the registers. In addition, an entry shall be made in the registers to indicate whether or not the persons subject to section 45.1 or 408.1 have undergone the training required under the first paragraph of those sections.

Every authorized entity shall, without delay, furnish the Chief Electoral Officer, in writing, with the information required for updating the registers.

The information shall be furnished by the leader of the party or the person designated by him in writing, under section 42, or, as the case may be, by the independent candidate or the independent Member.

1989, c. 1, s. 65; 1998, c. 52, s. 23; 2008, c. 22, s. 14; 2016, c. 18, s. 3; 2021, c. 37, s. 16.

65.1. Within six months after being authorized, a party must transmit to the Chief Electoral Officer a copy of its by-laws duly adopted by its members at a general meeting.

An authorized party must also transmit to the Chief Electoral Officer a copy of any amendments to its by-laws for updating purposes.

1998, c. 52, s. 24.

66. Where the office of leader of an authorized party becomes vacant, the party shall, within 30 days, appoint an interim leader for the purposes of this Act and notify the Chief Electoral Officer of the appointment.

The notice must be signed by an officer of the party and be accompanied with a copy of a resolution to that effect made in conformity with the by-laws of the party, and certified by two or more officers of the party.

1989, c. 1, s. 66; 1998, c. 52, s. 25; 2008, c. 22, s. 15.

DIVISION VII

WITHDRAWAL OF AUTHORIZATION

67. The Chief Electoral Officer may, upon the written application of the leader, withdraw the authorization of a party or of any of its party authorities. The Chief Electoral Officer may, upon the written application of an authorized independent Member or of an authorized independent candidate, withdraw the authorization of the Member or candidate unless the debts arising from that person's election expenses have not been fully paid.

The application must be accompanied with a closing financial report of the entity contemplated in the application, for the period that has elapsed from the date of authorization or the preceding 31 December, as the case may be, to the date of the application for withdrawal of authorization. The report shall include the same information as the annual financial report described in section 113.

The application must also be accompanied with the financial report for the preceding fiscal year if it has not been filed.

The reports shall be filed by the last official representative or, failing that, by the leader of the party, by the independent Member or by the independent candidate.

In the case of a party or a party authority, the application must also be accompanied with a copy of a resolution to that effect made in conformity with the by-laws of the party and certified by two or more officers of the party.

1989, c. 1, s. 67; 1998, c. 52, s. 26; 2008, c. 22, s. 16.

68. The Chief Electoral Officer may withdraw the authorization of an authorized entity which does not furnish him with the information required for the purposes of the updating of the registers provided for in section 65 or, as the case may be, which does not comply with Division IV of Chapter II, regarding the auditor, or whose official representative does not comply with Division III of Chapter II, regarding expenses and loans of entities, or with Division V of Chapter II, regarding financial reports.

In addition, the Chief Electoral Officer must withdraw the authorization of a party which does not comply with section 51.1 and may withdraw the authorization of a party which does not provide the information required under section 51.2.

1989, c. 1, s. 68; 2011, c. 5, s. 3.

69. The Chief Electoral Officer shall withdraw the authorization of any independent Member if the Member joins a political party.

1989, c. 1, s. 69; 1998, c. 52, s. 27; 2001, c. 2, s. 2; 2004, c. 36, s. 2.

70. The Chief Electoral Officer shall withdraw his authorization from an independent candidate or an independent Member who dies.

The Chief Electoral Officer shall withdraw the authorization of any person who undertook to run as a candidate and has not filed a nomination paper at the expiry of the prescribed time.

1989, c. 1, s. 70; 1998, c. 52, s. 28.

71. The Chief Electoral Officer, where he intends to withdraw his authorization from an entity under section 67 or 68, shall give the party, party authority, independent Member or candidate, as the case may be, the reasons for his intention and an opportunity to be heard.

1989, c. 1, s. 71; 1998, c. 52, s. 29.

72. Upon withdrawing an authorization, the Chief Electoral Officer shall publish a notice of it in the *Gazette officielle du Québec* and post the notice on the Chief Electoral Officer's website.

The notice that an authorization has been withdrawn shall indicate the name of the official representative and those of his delegates, if any.

1989, c. 1, s. 72; 1998, c. 52, s. 30; 2008, c. 22, s. 17.

73. The withdrawal of authorization from a party entails the withdrawal of authorization from all its party authorities.

Where the authorization of a party is withdrawn during the election period, the Chief Electoral Officer may prescribe changes to ensure the transition from the status of party candidate to that of authorized independent candidate.

1989, c. 1, s. 73.

74. Where an independent candidate ceases to be authorized pursuant to an application filed under section 67, the sums and property remaining in his possession shall be remitted, without delay, by his official representative to the Chief Electoral Officer, who shall remit them to the Minister of Finance.

If an independent candidate ceases to be authorized under sections 68 and 70, sections 76, 77, 79 and 80, adapted as required, apply.

1989, c. 1, s. 74.

74.1. If an independent Member ceases to be authorized either following an application filed under section 67, because he has joined an authorized party, because he has died or because he has decided not to run again on the expiry of his term of office, sections 76, 77 and 88 apply, with the necessary modifications.

Any surplus shall, after the payment of debts, be remitted to the authorized party which the independent Member has joined or, in other cases, to the Minister of Finance.

1998, c. 52, s. 31; 2008, c. 22, s. 18.

75. Where a party authority ceases to be authorized, without the party being so affected, the sums and assets remaining in its possession shall be remitted to the official representative of the party by the person holding them.

The authority shall also file with the Chief Electoral Officer, within 60 days after the withdrawal of authorization, the financial reports prescribed in section 67, unless the reports have already been filed.

The party shall succeed to the rights and obligations of the party authority which has ceased to be authorized.

1989, c. 1, s. 75.

76. Where a party ceases to be authorized, the sums and assets of the party and party authorities shall be remitted without delay to the Chief Electoral Officer by the persons holding them.

The party and each of its party authorities shall also file with the Chief Electoral Officer, within 60 days following the withdrawal of authorization, the financial reports required in section 67 and the name and full address of each of their creditors and the amount due to each creditor.

The Chief Electoral Officer may require the party and its party authorities to remit to him any book, account or document relating to their financial affairs.

1989, c. 1, s. 76.

77. The Chief Electoral Officer shall liquidate the assets of the party and those of each of its party authorities separately.

He shall discharge the debts of the party and party authorities up to the amount of their respective assets.

1989, c. 1, s. 77.

78. After complying with section 77, the Chief Electoral Officer shall use any surplus of assets over liabilities of the party or of the party authorities to pay, *pro rata*, any creditors who have not been paid in full.

1989, c. 1, s. 78.

79. After payment of the debts, the balance, if any, shall be paid to the Minister of Finance.

1989, c. 1, s. 79.

80. For the purposes of the liquidation of the assets of a party and its party authorities which cease to be authorized, the Chief Electoral Officer may open accounts in a bank, trust company authorized under the Trust Companies and Savings Companies Act (chapter S-29.02) or financial services cooperative within the meaning of the Act respecting financial services cooperatives (chapter C-67.3) having an office in Québec, and designate two or more persons authorized to sign cheques or other orders of payment from among the members of his personnel.

1989, c. 1, s. 80; 1988, c. 64, s. 587; 2000, c. 29, s. 645; 2018, c. 23, s. 761.

CHAPTER II

FINANCING OF PARTIES, INDEPENDENT MEMBERS AND INDEPENDENT CANDIDATES

1998, c. 52, s. 32.

DIVISION I

PUBLIC FINANCING OF POLITICAL PARTIES

81. The Chief Electoral Officer shall determine, after each general election, the annual allowance that may be paid to the authorized parties under section 82. The allowance is revised annually.

The allowance is paid on a monthly or quarterly basis after consultation with the authorized party concerned.

1989, c. 1, s. 81; 2012, c. 26, s. 1.

82. The allowance shall be computed by dividing between the authorized parties, proportionately to the percentage of the valid votes obtained by them at the last general election, a sum equal to the product obtained

by multiplying the amount of \$1.94 by the number of electors entered on the list of electors used at that election.

The amount provided in the first paragraph is adjusted on 1 January each year according to the change in the average Consumer Price Index for the preceding year, based on the index established for the whole of Québec by Statistics Canada. If the amount computed on the basis of the index includes a decimal, the decimal is rounded off to the higher digit if it is equal to or greater than 5 and, if not, to the lower digit. The Chief Electoral Officer shall publish the results of the adjustment in the *Gazette officielle du Québec*.

1989, c. 1, s. 82; 1992, c. 38, s. 15; 2010, c. 36, s. 1; 2012, c. 26, s. 2.



See notice of indexation; (2025) 157 G.O. 1, 78. (Effect from 1 January 2025)

82.1. Within 10 days of the order instituting the holding of a general election, the Chief Electoral Officer shall pay an additional allowance to the authorized parties referred to in section 82.

This additional allowance is calculated following the modalities provided in the first paragraph of section 82 by replacing the amount therein by \$1.00.

2012, c. 26, s. 3.

82.2. The Chief Electoral Officer shall pay, in the manner and at the frequency the Chief Electoral Officer determines,

(1) \$2.50 for each dollar contributed to an authorized party up to an annual amount of \$20,000 paid in contributions to each party;

(2) in addition to the contributions referred to in subparagraph 1 of this paragraph, \$1.00 for each dollar contributed to an authorized party up to an annual amount of \$200,000 paid in contributions to each party.

During a general election, in addition to the amounts provided for in the first paragraph, the Chief Electoral Officer shall pay, in the manner and at the frequency the Chief Electoral Officer determines,

(1) \$2.50 for each additional dollar contributed to an authorized party for that election, up to \$20,000 paid in contributions to each party;

(2) in addition to the contributions referred to in subparagraph 1 of this paragraph, \$1.00 for each additional dollar contributed to an authorized party for that election, up to \$200,000 paid in contributions to each party.

2012, c. 26, s. 3.

82.3. To be entitled to receive the amounts provided for in section 82.2, a party that has been authorized since the last general election and that is not entitled to receive the allowance provided for in section 81 must submit to the Chief Electoral Officer, in the manner the Chief Electoral Officer determines,

(1) a list of the name and address of at least 1,000 members who meet the conditions set out in section 51.1; or

(2) a list of the name and address of at least 500 members who meet the conditions set out in section 51.1 and come from at least 10 administrative regions having at least 25 members each.

The Chief Electoral Officer may take any measures necessary to verify the information provided under the first paragraph.

2012, c. 26, s. 3.

82.4. The Chief Electoral Officer shall pay, in the manner and at the frequency the Chief Electoral Officer determines, \$2.50 for each dollar contributed to an independent Member or independent candidate, up to an annual amount of \$800 paid in contributions, to each Member or candidate.

2012, c. 26, s. 3.

83. The sums provided for in sections 82 to 82.2 and 82.4 are used to defray expenses related in particular to day-to-day operations, the propagation of a political program, the coordination of the political activities of the members or supporters of a party and election expenses. They are also used to reimburse the principal of loans.

1989, c. 1, s. 83; 2012, c. 26, s. 4.

84. The sums provided for in sections 82 to 82.2 and 82.4 are paid by cheque made to the order of the official representative of the party, the independent Member or the independent candidate. These sums may also be paid by means of a transfer of funds to an account held by the official representative.

1989, c. 1, s. 84; 2008, c. 22, s. 19; 2012, c. 26, s. 5.

85. *(Repealed).*

1989, c. 1, s. 85; 2021, c. 37, s. 19.

86. Not later than 1 April each year, the Chief Electoral Officer shall publish, in the *Gazette officielle du Québec*, a summary statement of every amount paid to the official representative of a political party, an independent Member or an independent candidate under this division.

1989, c. 1, s. 86; 2008, c. 22, s. 20; 2012, c. 26, s. 6.

DIVISION II

CONTRIBUTIONS

87. Only an elector may make a contribution.

He shall do so only in favour of an authorized entity and only in accordance with this division.

1989, c. 1, s. 87.

88. Sums of money donated to an authorized entity and services rendered and goods furnished to it free of charge for political purposes are contributions.

The following are not contributions:

(1) volunteer work performed personally and voluntarily, the result of such work and the use of a personal vehicle for that purpose, provided they are performed or provided without compensation and for no consideration;

(2) *(subparagraph repealed)*;

(3) amounts paid to an authorized entity under any legislative provision;

(4) a loan granted for political purposes by an elector, in accordance with sections 105 and 105.1, or a bank, authorized trust company or financial services cooperative at the current market rate of interest at the time it is granted;

(4.1) a suretyship contracted by an elector in accordance with sections 105 and 105.1;

(5) an annual amount of not over \$25 paid by a natural person as dues of membership in a political party;

(5.1) an entrance fee for a fundraising activity, where the fee does not exceed the real cost of the activity, up to one admission per person, in accordance with the Chief Electoral Officer's directives;

(6) an entrance fee for a political activity, including the entrance fee of the participant's minor children, where the fee does not exceed the real cost of this activity by more than 5%, up to one admission per person. The sums that exceed the real cost of the activity by more than 5% must be remitted to the Chief Electoral Officer, within 30 days of the Chief Electoral Officer's request, who then remits the sums to the Minister of Finance;

(6.1) ancillary revenue collected at a political or fundraising activity in accordance with the Chief Electoral Officer's directives;

(7) air time on the radio or television or space in a newspaper, periodical or other printed matter made available free of charge outside an election period by any radio, television or cable broadcaster or any owner of a newspaper, periodical or other printed matter to authorized political parties, provided he offers such service equitably as to quality and quantity to the parties represented in the National Assembly and to the parties which received at least 3% of the valid votes in the last general election;

(8) transfers of funds between

(a) the various authorized party authorities;

(b) an authorized party and any of its authorized party authorities; or

(c) an authorized party, any of its authorized party authorities and the official agent of an official candidate of the party;

(9) the payment to the official representative of the party by a leadership candidate of the cost of goods and services furnished in accordance with section 417 referred to in section 127.11;

(10) *(subparagraph repealed)*.

A political activity is an activity held by an authorized entity that is not aimed at raising funds for the entity.

1989, c. 1, s. 88; 1992, c. 38, s. 16; 1999, c. 40, s. 116; 2000, c. 29, s. 646; 2008, c. 22, s. 21; 2010, c. 32, s. 2; 2011, c. 38, s. 2; 2012, c. 26, s. 7; 2016, c. 18, s. 4; 2018, c. 23, s. 762; 2021, c. 37, s. 20.

89. Every sum of money, except sums spent in accordance with paragraphs 5, 6, 7 and 7.1 of section 404, disbursed by a candidate for payment by him or through his official agent of an election expense is deemed to be a contribution.

1989, c. 1, s. 89; 1992, c. 38, s. 17.

90. Every contribution must be made by the elector himself out of his own property. Contributions must be made voluntarily, without compensation and for no consideration, and may not be reimbursed in any way.

1989, c. 1, s. 90; 2010, c. 32, s. 3.

91. Except for a contribution described in section 127.7, the total of contributions for the benefit of each party, independent Member and independent candidate by the same elector during the same calendar year shall not exceed the amount of \$100. In the case of a party, the amount may be paid in whole or in part for the benefit of one or another of its party authorities.

In addition to the contributions referred to in the first paragraph, an elector from an electoral division in which an election is held may make, for that election, contributions for a total amount not exceeding \$100 for the benefit of each of the parties, independent Members and independent candidates.

The contributions referred to in the second paragraph may be made,

(1) for a general election to be held under the second paragraph of section 129, during the entire calendar year in which the election is held;

(2) for a general election to be held under the first paragraph of section 129.2, during the entire calendar year in which the election is held and the entire calendar year preceding that year;

(3) for a general election to be held under the first paragraph of section 131, as of the day following the issue of the order instituting the election and up to the 90th day after polling day; and

(4) for a by-election, as of the date on which the seat becomes vacant up to the 30th day after polling day.

Goods and services furnished to an authorized entity are assessed, if they are furnished by a trader in the ordinary course of business of his enterprise, at the lowest price at which he offers his goods or services to the public at the time when they are furnished.

In the other cases, goods and services are assessed at the lowest market retail price in the region in which and at the time when they are offered to the public in the ordinary course of business.

1989, c. 1, s. 91; 1998, c. 52, s. 33; 1999, c. 40, s. 116; 2010, c. 32, s. 4; 2010, c. 35, s. 1; 2011, c. 38, s. 3; 2012, c. 26, s. 8; 2013, c. 13, s. 2.

92. Contributions shall not be solicited except under the responsibility of the official representative of an authorized entity, or except through persons designated in writing by the official representative.

Every person authorized to solicit contributions shall, on demand, produce a certificate signed by the official representative, attesting his authority.

1989, c. 1, s. 92.

93. A contribution shall be paid to no one except the Chief Electoral Officer for the benefit of an authorized entity.

However, a cash contribution of \$50 or less or a contribution described in the fourth or fifth paragraph of section 91 may be paid or made to the official representative of the authorized entity or the persons designated in writing by the official representative in accordance with section 92.

1989, c. 1, s. 93; 2010, c. 35, s. 2; 2012, c. 26, s. 9.

93.1. As soon as the Chief Electoral Officer receives a contribution, the Chief Electoral Officer shall inform the authorized entity for whose benefit the contribution has been paid.

Not later than 30 working days after a contribution is cashed, the Chief Electoral Officer shall post on the Chief Electoral Officer's website the name of the elector, the name of the municipality and the postal code of the elector's domicile, the amount paid and the name of the authorized party, the authorized independent Member or the authorized independent candidate for whose benefit the contribution was paid. However, for any contribution paid by a Member or by a member of a council of a municipality having exercised his right to refuse to allow the communication of information under section 659.0.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2), the Chief Electoral Officer shall post on the Chief Electoral Officer's website the name of the municipality and the postal code of the Member's electoral division office or the name of the municipality and the postal code of the city hall of the municipality of the council member

having exercised his right to refuse to allow the communication of information, as the case may be, instead of the name of the municipality and the postal code of the Member's or council member's domicile.

For that purpose, a Member

(1) who pays a contribution for the first time after being elected, or

(2) whose electoral division office address has changed since the payment of the Member's last contribution

must send, without delay, the address of the Member's electoral division office to the Chief Electoral Officer.

In addition, the Chief Electoral Officer shall replace, on the Chief Electoral Officer's website, the name of the municipality and the postal code of the domicile of the Member or of the member of a council of a municipality having exercised his right to refuse to allow the communication of information under section 659.0.1 of the Act respecting elections and referendums in municipalities by the name of the municipality and the postal code of the Member's electoral division office or of the council member's city hall, as the case may be, for any contribution paid before his election. For that purpose, the Member must send the address of the Member's electoral division office to the Chief Electoral Officer who, after receiving it, shall make the change without delay. This paragraph does not apply to a Member whose contributions paid before the Member's election have already been the subject of such a change on the Chief Electoral Officer's website.

2010, c. 35, s. 3; 2021, c. 37, s. 21; 2024, c. 24, s. 144.

94. The delegate of the official representative of an authorized party has, for the electoral division for which he is appointed, the powers conferred on the party's official representative by sections 92, 93 and 102.

1989, c. 1, s. 94; 2021, c. 37, s. 22.

95. Every contribution of money of more than \$50 is made by cheque or other order of payment signed by the elector and drawn on his account in a bank, authorized trust company or financial services cooperative having an office in Québec. However, such a contribution may also be made, in accordance with the directives of the Chief Electoral Officer, by means of a credit card or a debit card issued by a credit card company.

1989, c. 1, s. 95; 1992, c. 38, s. 18; 2001, c. 2, s. 4; 2000, c. 29, s. 647; 2010, c. 35, s. 4; 2012, c. 26, s. 10; 2018, c. 23, s. 762; 2021, c. 37, s. 23.

95.1. Every contribution must be accompanied with a contribution slip approved by the Chief Electoral Officer.

The contribution slip must include the contributor's given name and surname and domiciliary address, the amount of the contribution and a declaration signed by the elector that the contribution is being made out of the elector's own property, voluntarily, without compensation and for no consideration, and that it has not and will not be reimbursed in any way.

2010, c. 32, s. 5.

96. For every contribution paid in accordance with section 93, the Chief Electoral Officer shall issue a receipt annually to the contributor.

The receipt shall indicate the address of the elector's domicile.

1989, c. 1, s. 96; 2010, c. 35, s. 5.

97. The cheque or order of payment must be made to the order of the Chief Electoral Officer and specify the authorized entity for whose benefit it is made.

1989, c. 1, s. 97; 2010, c. 35, s. 6.

98. On being cashed, a contribution is deemed paid by the elector who made it and received by the authorized entity for which it is intended.

1989, c. 1, s. 98.

98.1. Despite section 98, a contribution made to the Chief Electoral Officer within 20 days following 31 December is deemed to have been made by the elector and received by the authorized entity for which it is intended before 1 January, if it is accompanied by a contribution slip and a cheque dated before 1 January.

2012, c. 26, s. 11.

99. The contributions cashed by the Chief Electoral Officer for the benefit of an authorized entity are deposited in a single account held by the official representative of the authorized party, authorized independent Member or authorized independent candidate, as applicable, at a Québec branch of a bank, authorized trust company or financial services cooperative.

The contributions paid for the benefit of a party authority may, however, be deposited in another single account held for that purpose by the official representative of the authorized party.

The contributions described in the second paragraph of section 93 and the funds collected in accordance with this division must be deposited at a Québec branch of a bank, authorized trust company or financial services cooperative.

Any contribution made by means of a cheque or order of payment without sufficient funds or any contribution made by means of a credit card and subsequently cancelled by the card issuer may be recovered by the Chief Electoral Officer out of the contributions deposited under the first paragraph.

1989, c. 1, s. 99; 2000, c. 29, s. 648; 2010, c. 35, s. 7; 2018, c. 23, s. 762; 2021, c. 37, s. 24.

100. If a contribution or part of a contribution was made contrary to this division, the authorized entity shall, as soon as the fact is known, remit such a contribution to the Chief Electoral Officer.

The sums remitted must be paid to the Minister of Finance.

The Chief Electoral Officer may, after notifying the official representative of the authorized entity of his intention, apply to the competent court for an order to comply with the first paragraph.

1989, c. 1, s. 100; 1992, c. 38, s. 19; 2008, c. 22, s. 22; 2010, c. 36, s. 2; 2010, c. 35, s. 8; 2012, c. 26, s. 12; 2016, c. 18, s. 5.

100.0.1. The Chief Electoral Officer may inform an authorized entity in writing that it is holding a contribution or part of a contribution made contrary to this division and whose prescription period has expired.

2016, c. 18, s. 6.

100.1. *(Repealed).*

2010, c. 32, s. 6; 2012, c. 26, s. 13.

101. Every year, the Chief Electoral Officer shall make available to the public, on the date and by any means he determines, a notice for the information of electors indicating, in particular,

- (1) the names of the authorized parties;
 - (1.1) the names of the authorized independent Members;
- (2) the name of each party's and each independent Member's official representative;
- (3) the rules governing contributions.

1989, c. 1, s. 101; 1998, c. 52, s. 34; 2001, c. 2, s. 5; 2008, c. 22, s. 23; 2021, c. 37, s. 25.

DIVISION III

EXPENSES AND LOANS OF AUTHORIZED ENTITIES

102. The expenses of an authorized entity may be incurred only by the official representative or by a person designated by him in writing.

Every person authorized to incur expenses shall, on demand, exhibit a certificate signed by the official representative and attesting his authority.

1989, c. 1, s. 102.

103. The official representative of an authorized entity or any person designated in writing by the official representative shall pay the accounts and invoices that are transmitted to him within six months of their receipt, unless he contests them.

1989, c. 1, s. 103; 1998, c. 52, s. 35; 2008, c. 22, s. 24.

104. Only the official representative of an authorized entity may contract a loan.

1989, c. 1, s. 104.

104.1. Any loan granted by an elector shall be made by cheque or other order of payment signed by the elector and drawn on the elector's account in a bank, authorized trust company or financial services cooperative having an office in Québec.

2016, c. 18, s. 7; 2018, c. 23, s. 762.

105. Every loan shall be evidenced in a writing setting out the name and address of the lender, the date, amount, term and rate of interest of the loan and the terms and conditions of repayment of the principal and payment of the interest.

Where an elector becomes surety for a loan, the deed of suretyship shall set out the name and domiciliary address of the elector and the amount for which he became surety.

The deed of loan or of suretyship shall also include a declaration by the elector stating that the loan is granted or the suretyship contracted out of the elector's own property, voluntarily, without compensation and for no consideration, and that it has not been nor will be reimbursed in any other way than as stipulated in the deed.

1989, c. 1, s. 105; 2016, c. 18, s. 8.

105.1. For the same elector, the total of the following amounts may not exceed \$25,000:

- (1) the outstanding principal of any loan granted for the benefit of one or more authorized entities; and

(2) any sum for which the elector remains surety in connection with loans contracted by one or more authorized entities.

2016, c. 18, s. 9.

106. The official representative shall, at least once a year, pay the interest due on the loans he has contracted.

Where the official representative is unable to remit the sums due to the lender because the latter cannot be found, the official representative shall remit them to the Chief Electoral Officer, who shall pay them over to the Minister of Finance.

1989, c. 1, s. 106; 1992, c. 38, s. 20; 2016, c. 18, s. 10.

DIVISION IV

AUDITORS

107. The official representative of every authorized party, with the written approval of the leader of the party, shall appoint an auditor from among the chartered professional accountants who hold a public accountancy permit referred to in the Chartered Professional Accountants Act (chapter C-48.1).

1989, c. 1, s. 107; 2021, c. 37, s. 27.

108. No person may be an auditor if

- (1) *(subparagraph repealed)*;
- (2) he is a Member of the National Assembly or of the Parliament of Canada;
- (3) he is an official agent or official representative;
- (4) he is a candidate in a current election;
- (5) he is the Chief Electoral Officer, a returning officer, an assistant returning officer or one of his assistants.

Nor may any partner or member of the staff or personnel of a person described in subparagraphs 2 to 5 of the first paragraph be an auditor.

1989, c. 1, s. 108; 2008, c. 22, s. 25.

109. The official representative shall, with the written approval of the leader of the party, replace the auditor appointed by him upon the latter's ceasing to hold office.

1989, c. 1, s. 109.

110. The auditor of an authorized party shall examine the financial report made pursuant to section 113 and make his report as auditor in accordance with the directive issued by the Chief Electoral Officer in that regard.

1989, c. 1, s. 110; 1992, c. 38, s. 21.

111. The auditor of a party shall have access to all the books, accounts and documents pertaining to the financial affairs of the party.

1989, c. 1, s. 111.

112. The Chief Electoral Officer shall reimburse the authorized parties one-half of the cost incurred for the audit of the financial report provided for in section 113 and one-half of the cost related to obtaining the required security standard certification, in keeping with security requirements, for the collection, processing and storage of bank data in connection with the payment of a contribution by means of a credit card, up to \$23,954.

Where the Chief Electoral Officer requires the audit of a balance sheet that accompanies a joint application for a merger or a financial report produced following a merger under section 56, he shall reimburse one-half of the cost incurred for the audit, up to \$23,954.

Where the Chief Electoral Officer requires the audit of a closing financial report, he shall appoint the auditor and directly discharge the cost of the audit.

The amounts provided for in the first and second paragraphs are adjusted on 1 January each year according to the change in the average Consumer Price Index for the preceding year, based on the index established for the whole of Québec by Statistics Canada. Those amounts are rounded down to the nearest dollar if they include a fraction that is less than \$0.50, or up to the nearest dollar if they include a fraction that is equal to or greater than \$0.50. The Chief Electoral Officer shall publish the results of the adjustment in the *Gazette officielle du Québec*.

1989, c. 1, s. 112; 1992, c. 38, s. 22; 2001, c. 2, s. 6; 2021, c. 37, s. 32.



See notice of indexation; (2025) 157 G.O. 1, 80. (Effect from 1 January 2025)

DIVISION V

FINANCIAL REPORTS

112.1. The Chief Electoral Officer shall have access to all books, accounts and documents pertaining to the financial affairs of the authorized entities.

At the request of the Chief Electoral Officer, an authorized entity must furnish any information required for the purposes of this division within 30 days.

2010, c. 35, s. 9.

113. The official representative of every authorized party must, not later than 30 April each year, submit to the Chief Electoral Officer a financial report for the preceding fiscal year in the form prescribed by the Chief Electoral Officer. The report must include a balance sheet, an income statement and a cash flow statement prepared in accordance with Canadian accounting standards for not-for-profit organizations.

For the purposes of this title, the fiscal year corresponds to the calendar year.

1989, c. 1, s. 113; 2001, c. 2, s. 7; 2010, c. 35, s. 10; 2021, c. 37, s. 33.

114. The income statement shall include a general statement of revenues and total expenditures and indicate, in addition,

- (1) *(paragraph repealed)*;
- (2) the total sum of amounts collected under subparagraph 5 of the second paragraph of section 88;
- (3) the total sum of amounts collected under subparagraph 6 of the second paragraph of section 88, and the nature, place and date of the activity;

(3.1) the total sum of amounts collected under subparagraph 6.1 of the second paragraph of section 88, how those amounts break down, and the nature, place and date of the activity;

(3.2) the total of the amounts paid to the official representative of the party for the goods and services furnished in accordance with section 417 referred to in section 127.11;

(4) *(paragraph repealed)*;

(5) the number of electors having paid a contribution and the total sum of contributions.

1989, c. 1, s. 114; 1992, c. 38, s. 23; 2010, c. 32, s. 7; 2010, c. 35, s. 11; 2011, c. 38, s. 4; 2012, c. 26, s. 14.

115. The financial report shall indicate, furthermore,

(1) the financial institutions where the amounts of money collected by the party are deposited and the account numbers used;

(2) the total value of services rendered and goods furnished free of charge;

(3) the name and full domiciliary address of each elector having paid one or more contributions and the total amount of those contributions;

(4) the name and full domiciliary address of each elector who became surety in accordance with subparagraph 4.1 of the second paragraph of section 88 and the amount for which he became surety;

(5) the total amount of the sums transferred or loaned between the party and party authorities or the official agent of an official candidate of the party or, during a referendum, the total sum of the amounts transferred or loaned to a national committee;

(5.1) the total amount of the remaining sums of money referred to in section 127.18;

(6) a detailed statement of all amounts borrowed in accordance with subparagraph 4 of the second paragraph of section 88, the date of each loan, the name and full address of the lender, the rate of interest charged, and the amount of the repayments in principal and of the payments of interest.

The information described in subparagraph 3 of the first paragraph shall be presented in alphabetical order of the names of the electors.

1989, c. 1, s. 115; 1992, c. 38, s. 24; 2010, c. 35, s. 12; 2011, c. 38, s. 5; 2016, c. 18, s. 11.

115.1. The financial report of an authorized party shall be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the party leader has been informed of the financing rules, that he has reminded the persons authorized to solicit contributions of their obligation to comply with those rules, that he has been informed of the party's solicitation practices and considers that they comply with the law, that he has read the report and that he has obtained any clarification he wished to receive regarding its content.

The report shall also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.

2016, c. 18, s. 12.

116. The annual financial report contemplated in section 113 is deemed submitted to the Chief Electoral Officer only if it is accompanied with the auditor's report provided for in section 110.

No auditor's report is required, however, in the case of a closing financial report, a balance sheet accompanying a joint application for a merger or a financial statement produced following a merger under section 56. The Chief Electoral Officer may nevertheless require them.

1989, c. 1, s. 116; 2021, c. 37, s. 34.

116.1. The annual financial report contemplated in section 113 must be accompanied by a list of the designations made under section 92 during the fiscal year covered by the report, drawn up in the form prescribed by the Chief Electoral Officer.

2016, c. 18, s. 13.

117. Not later than 1 April each year, the official representative of an authorized party authority or of an authorized independent Member shall file a financial report for the preceding fiscal year with the Chief Electoral Officer.

The financial report shall contain

- (1) an income statement made in accordance with section 114;
- (2) the information prescribed in section 115; and
- (3) the signature of the authorized independent Member, the Member or, failing that in the latter case, the highest ranking official designated in writing by the authorized party authority.

The report must be accompanied by a declaration by the person referred to in subparagraph 3 of the second paragraph that is made in accordance with section 115.1, applied with the necessary modifications, and by a declaration by the official representative that is made in the form prescribed by the Chief Electoral Officer. In addition, a list of the designations made under section 92 during the fiscal year covered by the report must accompany the report. This list must be drawn up in the form prescribed by the Chief Electoral Officer.

The official representative of an authorized independent candidate must file such a report if no election was held in the fiscal year during which the independent candidate was authorized.

1989, c. 1, s. 117; 1998, c. 52, s. 36; 2008, c. 22, s. 26; 2016, c. 18, s. 14.

118. The official representative of an authorized party, of an authorized party authority or of an authorized independent Member shall, for seven years from the date of submitting the financial report, keep sufficient vouchers to enable compliance with the provisions of sections 83 and 90, the second paragraph of section 93 and sections 95 and 95.1 to be verified. However, he shall remit them to the Chief Electoral Officer, at his request.

1989, c. 1, s. 118; 1998, c. 52, s. 37; 2001, c. 2, s. 8; 2008, c. 22, s. 27; 2010, c. 35, s. 13; 2012, c. 26, s. 15; 2016, c. 18, s. 45.

119. Where the time fixed in section 113 or 117 expires during an election period, the deadline is deferred for 60 days.

1989, c. 1, s. 119; 2001, c. 2, s. 9; 2011, c. 5, s. 4.

120. Where the time fixed in section 113 or 117 expires during the period in which a return of election expenses must be filed, the deadline is deferred for 120 days or to the 135th day after the polling date, whichever is later.

1989, c. 1, s. 120; 2001, c. 2, s. 10; 2011, c. 5, s. 5.

120.1. Where the time fixed in section 432 or 434 expires during the period for filing the financial report provided for in section 113 or 117, the deadline is deferred for 60 days in the case of the report provided for in section 113 and for 30 days in the case of the report provided for in section 117.

2011, c. 5, s. 6.

121. Sections 119, 120 and 120.1, adapted as required, apply at elections other than general elections with respect to authorized party authorities at the level of the electoral divisions where these elections are held and with respect to the authorized independent Members, if any, representing those electoral divisions.

1989, c. 1, s. 121; 1998, c. 52, s. 38; 2008, c. 22, s. 28; 2011, c. 5, s. 7.

122. The official representative of an authorized independent candidate who was not elected shall, within 90 days after polling day, file a financial report with the Chief Electoral Officer.

The report shall contain an income statement prepared in accordance with section 114, the information prescribed in section 115 and the candidate's signature. The report must be accompanied with the contribution slips that have not yet been sent to the Chief Electoral Officer, as well as a list of the designations made under section 92 during the fiscal year covered by the report, drawn up in the form prescribed by the Chief Electoral Officer. The report must also be accompanied by a declaration by the candidate that is made in accordance with section 115.1, applied with the necessary modifications, and by a declaration by the official representative that is made in the form prescribed by the Chief Electoral Officer.

The financial report shall be filed in the form prescribed by the Chief Electoral Officer and at the same time as the return of election expenses provided for in section 432.

1989, c. 1, s. 122; 1998, c. 52, s. 39; 2001, c. 2, s. 11; 2008, c. 22, s. 29; 2011, c. 5, s. 8; 2016, c. 18, s. 15.

123. Where the official representative of an independent candidate who was not elected, after filing the report and return contemplated in sections 122 and 432, has debts resulting from election expenses or holds sums or property from the election fund of the candidate, he shall file a financial report with the Chief Electoral Officer.

The financial report must be filed in accordance with the second paragraph of section 122, accompanied with the same documents, not later than 1 April of the year following each fiscal year during which the candidate remained authorized.

1989, c. 1, s. 123; 1998, c. 52, s. 40; 2001, c. 2, s. 12.

124. On 31 December of the year following the year of the election, any sums remaining from the electoral fund of an independent candidate who was not elected shall be remitted to the Chief Electoral Officer, who shall remit them to the Minister of Finance.

1989, c. 1, s. 124; 1998, c. 52, s. 41.

125. Every independent candidate who was not elected and who, on 31 December of the year following the year of the election in which he was a candidate, has not discharged all the debts resulting from his election expenses, becomes disqualified for the next general election and any by-election.

1989, c. 1, s. 125; 1998, c. 52, s. 42.

126. The information contained in the reports, returns and documents prescribed under this Title is public information, except

(1) the address of a signatory member referred to in the first paragraph of section 47 as well as the number and expiration date of his membership card;

(2) the addresses, email addresses and telephone numbers referred to in paragraphs 3 to 5 of section 48, subparagraphs 3 and 4 of the first paragraph of section 52, subparagraphs 1, 4 and 5 of the first paragraph of section 59 and sections 65 and 127.2;

(3) the lists of members of an authorized party referred to in sections 51.2 and 82.3;

(4) a list of the designations made under section 92;

(5) the information included in the contribution slip referred to in section 95.1, except the contributor's given name and surname and domiciliary address and the amount of the contribution;

(6) a Member's domiciliary address; and

(7) the domiciliary address of a member of a council of a municipality having exercised his right to refuse to allow the communication of information under section 659.0.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2).

Notwithstanding section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person may have access to the documents prescribed by this division before the date of expiry of the period prescribed for their filing. If the documents are filed after the date fixed, they shall be accessible upon their date of filing.

Any person may examine the reports, returns and documents at the information centre of the Chief Electoral Officer during regular working hours, and make copies of them.

1989, c. 1, s. 126; 1992, c. 38, s. 25; 2010, c. 32, s. 8; 2010, c. 35, s. 14; 2011, c. 5, s. 9; 2016, c. 18, s. 16; 2021, c. 37, s. 35; 2024, c. 24, s. 145.

127. If the financial report of an authorized entity is not filed within the fixed time, the leader of the party in the House or, if he is not a Member, the leader of the party in the House or, as the case may be, the independent Member, becomes, 10 days after the expiry of the prescribed time, disqualified to sit and to vote in the National Assembly until the financial report is filed.

If there is no leader of the party in the House, the Member designated by the leader of the party loses the right to sit and to vote, in accordance with the first paragraph.

Sections 442 to 444 and 448, adapted as required, apply to this division.

1989, c. 1, s. 127; 1998, c. 52, s. 43; 2010, c. 36, s. 3.

CHAPTER III

FINANCING OF A POLITICAL PARTY LEADERSHIP CAMPAIGN

2011, c. 38, s. 6.

DIVISION I

REQUIRED INFORMATION AND REGISTER

2011, c. 38, s. 6.

127.1. When an authorized political party decides to call a leadership campaign, the leader or interim leader of the party, or the person designated in writing by the leader or interim leader, as applicable, shall file with the Chief Electoral Officer a declaration stating the name of the person designated to oversee the

leadership vote, the date on which the party leadership campaign is to begin, the final date for entering the race, the date of the leadership vote and the maximum amount of authorized expenses per candidate.

2011, c. 38, s. 6.

127.2. The leader or interim leader of the party, or the person designated in writing by the leader or interim leader, as applicable, shall communicate in writing to the Chief Electoral Officer the given name, surname, email address and domiciliary address of every leadership candidate and the date on which the candidate entered the race.

The leader, the interim leader or the designated person shall also communicate in writing to the Chief Electoral Officer the given name, surname, email address and domiciliary address of every financial representative of a leadership candidate and the name of the leadership candidate on whose behalf the financial representative is acting. A document containing the written consent of each financial representative must also be filed.

For the purposes of this chapter, a person who has stated his or her intention to run as a leadership candidate and the person's financial representative are presumed to have been, respectively, a candidate and the candidate's financial representative from the time the intention was stated, even if that time was before the date on which the leadership campaign began.

2011, c. 38, s. 6; 2021, c. 37, s. 36.

127.3. The Chief Electoral Officer shall keep a register of the leadership candidates, their financial representatives, any substitutes for those representatives, the person designated to oversee the leadership vote and the maximum amount of authorized expenses per candidate.

An entry shall also be made in the register to indicate whether or not the financial representatives have undergone the training required under the first paragraph of section 408.1.

The Chief Electoral Officer shall make this register available to the public on the Chief Electoral Officer's website.

2011, c. 38, s. 6; 2021, c. 37, s. 37.

DIVISION II

CONTRIBUTIONS, EXPENSES AND PAYMENT OF CLAIMS

2011, c. 38, s. 6.

127.4. Contributions may only be solicited under the responsibility of a leadership candidate's financial representative, who shall choose persons and authorize them in writing to solicit and collect contributions for the exclusive purposes of the candidate's campaign.

Any person authorized to solicit and collect contributions must, on request, produce a certificate of authorization signed by the candidate's financial representative.

2011, c. 38, s. 6.

127.5. A leadership candidate's financial representative shall open an account in a Québec branch of a bank, authorized trust company or financial services cooperative.

Only sums of money collected under this chapter for the candidate's leadership campaign and the loans contracted in accordance with the first paragraph of section 127.10 may be deposited into that account.

In no case may the financial representative or a deputy financial representative pay a leadership campaign expense of their candidate otherwise than out of that account.

2011, c. 38, s. 6; 2018, c. 23, s. 762.

127.6. The official representative or a deputy official representative of the party shall, for the purposes of the party leadership campaign, use an account referred to in the third paragraph of section 99 that is held by the official representative in the name of the party.

Loans contracted under the third paragraph of section 127.10 are paid into that account.

In no case may the official representative or a deputy official representative of the party pay a leadership campaign expense otherwise than out of that account.

2011, c. 38, s. 6.

127.7. Only an elector may make a contribution in support of one or more leadership candidates.

Contributions must be paid to the candidate's financial representative or to a person authorized by the financial representative in accordance with section 127.4. However, an elector may make a contribution to the Chief Electoral Officer by means of a credit card.

The total amount of an elector's contributions may not exceed \$500 during a given leadership campaign.

2011, c. 38, s. 6; 2012, c. 26, s. 16.

127.8. Section 88 except the reference to section 105.1 in subparagraphs 4 and 4.1 and subparagraphs 5 and 8 of the second paragraph, sections 89 and 90, the fourth and fifth paragraphs of section 91, sections 95 and 95.1, the last paragraph of section 96 and sections 98 and 100 apply, with the necessary modifications, to the contributions referred to in this chapter.

The Chief Electoral Officer shall issue a receipt to a contributor annually for any contributions paid in accordance with section 127.7. All cheques or orders of payment must be made to the order of the candidate.

2011, c. 38, s. 6; 2012, c. 26, s. 17; 2016, c. 18, s. 17.

127.9. On the seventh day after the date on which the leadership campaign begins and every seven days after that until the leadership vote, and every 30 days after the leadership vote, a candidate's financial representative must send the Chief Electoral Officer the contribution slips related to the contributions received by the financial representative.

Not later than five working days after receipt of the contribution slips referred to in the first paragraph, the Chief Electoral Officer shall post on the Chief Electoral Officer's website the name of each contributing elector, the name of the municipality and the postal code of the elector's domicile, the amount paid and the name of the candidate who received the contribution.

However, for any contribution paid by a Member or a member of a council of a municipality having exercised his right to refuse to allow the communication of information under section 659.0.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2), the Chief Electoral Officer shall post on the Chief Electoral Officer's website the name of the municipality and the postal code of the Member's electoral division office or the name of the municipality and the postal code of the city hall of the municipality of the council member having exercised his right to refuse to allow the communication of information, as the case may be, instead of the name of the municipality and the postal code of the Member's or council member's domicile.

For that purpose, a Member

(1) who pays a contribution for the first time after being elected, or

(2) whose electoral division office address has changed since the payment of the Member's last contribution

must send, without delay, the address of the Member's electoral division office to the Chief Electoral Officer.

In addition, the Chief Electoral Officer shall replace, on the Chief Electoral Officer's website, the name of the municipality and the postal code of the domicile of the Member or of the member of a council of a municipality having exercised his right to refuse to allow the communication of information under section 659.0.1 of the Act respecting elections and referendums in municipalities by the name of the municipality and the postal code of the Member's electoral division office or of the council member's city hall, as the case may be, for any contribution paid before his election. For that purpose, the Member must send the address of the Member's electoral division office to the Chief Electoral Officer who, after receiving it, shall make the change without delay. This paragraph does not apply to a Member whose contributions paid before the Member's election have already been the subject of such a change on the Chief Electoral Officer's website.

2011, c. 38, s. 6; 2021, c. 37, s. 38; 2024, c. 24, s. 146.

127.10. A leadership candidate's financial representative may contract a loan, in accordance with section 105, to fund the candidate's leadership campaign expenses.

Any such loan must first be authorized in writing by the candidate concerned. The authorization must include the information listed in section 105.

The official representative of the party may contract a loan, in accordance with section 105, to fund the leadership campaign expenses of the party.

2011, c. 38, s. 6.

127.11. For the purposes of this chapter, leadership campaign expenses are the expenses incurred for the purposes of the campaign by

(1) the financial representative or any deputy or substitute financial representative of a leadership candidate, on behalf of that candidate; or

(2) the official representative or any deputy or substitute official representative of the party, on behalf of the party.

Sections 401 to 404, 406 to 413, 415 to 417, 421, 423, 424, 430 and 431 apply, with the necessary modifications. For the purposes of those sections, a leadership candidate's financial representative is the candidate's official agent, the official representative of the party is the official agent of the party and the person designated to oversee the leadership vote is the returning officer.

2011, c. 38, s. 6.

127.12. Any person to whom an amount is due for an expense incurred under this chapter by a leadership candidate's financial representative must present a claim to the financial representative within 60 days after the leadership vote.

If the financial representative has died or resigned, or is unable to act, and has not been replaced, the claim must be presented within the same time to the candidate.

Failure to present the claim within the time prescribed in the first paragraph entails prescription of the claim.

2011, c. 38, s. 6.

127.13. Any person to whom an amount is due for an expense incurred under this chapter by the official representative of the party must present a claim to the official representative within 60 days after the leadership vote.

If the official representative has died or resigned, or is unable to act, and has not been replaced, the claim must be presented within the same time to the party leader or interim leader.

Failure to present a claim within the time prescribed in the first paragraph entails prescription of the claim.

2011, c. 38, s. 6.

127.14. Subject to section 127.15, a leadership candidate's financial representative must, within 12 months after the leadership vote, pay all claims received in accordance with the first paragraph of section 127.12, except any claim he or she contests, and all loans contracted.

2011, c. 38, s. 6.

127.15. A leadership candidate's financial representative who, because of a lack of funds in the account referred to in section 127.5, is unable to pay all claims received and loans contracted may continue to collect contributions during the 12-month period following the leadership vote for the sole purpose of paying the outstanding claims and loans.

If there remains an unpaid balance on a claim or loan at the expiry of that period, the Chief Electoral Officer may authorize the financial representative to continue collecting contributions during an additional period of 12 months for the purpose of paying that balance. That 12-month period may be renewed once, with the authorization of the Chief Electoral Officer.

Contributions collected under the first and second paragraphs are deemed to have been collected for the purposes of the leadership campaign of the candidate concerned.

Any unpaid balance on a claim or loan at the expiry of the 36-month period following the leadership vote is deemed to be a contribution for which the candidate alone is accountable. Sections 100 and 567 do not apply to such a contribution.

2011, c. 38, s. 6.

DIVISION III

RETURNS

2011, c. 38, s. 6.

127.16. Within 90 days after the leadership vote, the financial representative of each leadership candidate must, whether the candidate remained in the race, withdrew, was excluded or died, file a return of the candidate's leadership campaign income and expenses with the official representative of the party in the form prescribed by the Chief Electoral Officer.

All relevant vouchers and, if applicable, the written authorizations referred to in the second paragraph of section 127.10, and the deeds of appointment of any deputy financial representatives appointed under section 406 and any amendment to those deeds, must be filed with the return. The vouchers must be kept by the official representative of the party for a period of seven years, and be filed with the Chief Electoral Officer at the latter's request.

2011, c. 38, s. 6; 2016, c. 18, s. 45.

127.16.1. The return of leadership campaign income and expenses shall be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the candidate has been informed of the rules regarding financing and campaign expenses, that he has reminded the persons authorized to solicit contributions and those authorized to incur or authorize expenses of their obligation to comply with those rules, that he has been informed of the solicitation practices and considers that they comply with the law, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return shall also be accompanied by a declaration by the financial representative in the form prescribed by the Chief Electoral Officer.

2016, c. 18, s. 18.

127.17. If a leadership candidate's financial representative has not, as of the filing date of the return referred to in section 127.16, paid all claims received and loans contracted, the financial representative must, every three months after that date and until full payment of the claims and loans or until the expiry of the applicable time limit under sections 127.14 and 127.15, file a complementary return with the official representative of the party in the form prescribed by the Chief Electoral Officer. Section 127.16.1 applies, with the necessary modifications, to the latter return.

All relevant vouchers and, if applicable, the written authorizations referred to in the second paragraph of section 127.10 must be filed with the complementary return. The vouchers must be kept by the official representative of the party for a period of seven years, and be filed with the Chief Electoral Officer at the latter's request.

On receipt of a complementary return, the official representative must forward it to the Chief Electoral Officer.

2011, c. 38, s. 6; 2016, c. 18, ss. 19 and 45.

127.18. A leadership candidate's financial representative must send to the Chief Electoral Officer, along with the return required under section 127.16 or the last complementary return required under section 127.17, any sum of money remaining after the payment of all claims and loans.

The Chief Electoral Officer must remit that sum to the Minister of Finance.

2011, c. 38, s. 6; 2012, c. 26, s. 18.

127.19. Within 120 days after the leadership vote, the official representative of the party must file a return of the leadership campaign expenses of the party with the Chief Electoral Officer in the form prescribed by the Chief Electoral Officer.

The official representative shall file with the return all the returns received from the financial representatives of leadership candidates under section 127.16.

All relevant vouchers relating to the return and, if applicable, the deeds of appointment of any deputy official representatives appointed under section 406 and any amendment to those deeds must be kept by the official representative of the party for a period of seven years, and be filed with the Chief Electoral Officer at the latter's request.

2011, c. 38, s. 6; 2016, c. 18, s. 45.

127.19.1. The return of leadership campaign expenses shall be signed by the person holding the office of leader of the party or interim leader on the day of the vote and accompanied by a declaration by that person in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the person has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return shall also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.

2016, c. 18, s. 20.

127.20. If an error is found in a return filed under this chapter, the financial representative or the official representative concerned may correct the error at any time within the period prescribed for filing the return.

After the date prescribed for filing the return, the financial representative or the official representative concerned must obtain leave from the Chief Electoral Officer to correct the error on establishing that it was made through inadvertence.

2011, c. 38, s. 6.

127.21. If a leadership candidate or the party leader or interim leader shows to the Chief Electoral Officer that the absence, death, illness, misconduct or physical disability of the candidate's financial representative or the official representative of the party, a case of irresistible force or any other reasonable cause has prevented the preparation and filing of a return required under this chapter, the Chief Electoral Officer may grant an extension of not more than 30 days for the preparation and filing of the return.

2011, c. 38, s. 6; 2021, c. 37, s. 39.

TITLE III.1

PROTECTION OF THE PERSONAL INFORMATION OF ELECTORS

2021, c. 25, s. 86.

127.22. Subject to any provision that is inconsistent with this Act, the Act respecting the protection of personal information in the private sector (chapter P-39.1), except sections 4, 5, 12, 23 and 27 to 60, applies to the personal information of electors held by a political party, an independent Member or an independent candidate.

Every political party shall designate, from among its officers, the person who is to exercise the function of person in charge of the protection of personal information.

For the purposes of the Act respecting the protection of personal information in the private sector and of this Title, the party authority is considered to form an integral part of a political party.

2021, c. 25, s. 86.

127.23. A political party, an independent Member and an independent candidate may collect only the personal information of electors that is necessary for election or political financing purposes, or for the purposes of a political activity within the meaning of section 88, in accordance with this Act. They may use such personal information only for those same purposes.

In addition, they may not collect or use personal information without the consent of the person concerned.

2021, c. 25, s. 86.

TITLE IV

ELECTION PERIOD

CHAPTER I

ORDER OF ELECTION

128. The holding of an election is instituted by an order of the Government addressed to the Chief Electoral Officer. The order enjoins him to hold an election on the date fixed therein and indicates each electoral division in which an election must be held.

The Chief Electoral Officer shall send a copy of the order to the returning officer of each electoral division in which an election must be held, and the returning officer shall comply with it.

1989, c. 1, s. 128.

129. At a general election, the polling day is the same for all electoral divisions.

For the purposes of the second paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), the general election following the end of a Legislature shall be held on the first Monday of October of the fourth calendar year following the year that includes the polling day of the last general election.

Nothing in this section affects the power of the Lieutenant-Governor to dissolve the National Assembly before the end of a Legislature.

1989, c. 1, s. 129; 2013, c. 13, s. 3; 2021, c. 37, s. 40.

129.1. If, 15 days before the end of the Legislature provided for in the second paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), the Chief Electoral Officer notes that the election period for the general election provided for in section 129 would overlap the election period for the next federal or municipal general election, the Chief Electoral Officer shall publish the dates of the election periods and the dates of the overlap in the *Gazette officielle du Québec*.

However, if the application of the third paragraph of section 6 of the Act respecting the National Assembly would extend the term of the Legislature beyond five years, the Chief Electoral Officer shall not make the publication provided for in the first paragraph.

2013, c. 13, s. 4.

129.2. If two election periods overlap and the dates of the overlap are published in the *Gazette officielle du Québec* in accordance with the first paragraph of section 129.1, the general election shall be held, in accordance with the third paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), on the first Monday of April of the fifth calendar year following the year that includes the polling day of the last general election.

The Chief Electoral Officer shall publish the date of the general election determined under the first paragraph in the *Gazette officielle du Québec*. The Chief Electoral Officer shall also make any advertisement necessary and provide all relevant information in order to inform the public of that date.

2013, c. 13, s. 4; 2021, c. 37, s. 41.

130. Where the seat of a Member in the National Assembly becomes vacant, the order instituting the holding of a by-election must be issued not later than six months after it becomes vacant.

However, the Government is not required to make such an order if the vacancy occurs six months or less before the date of the next general election fixed under the second paragraph of section 129, or after that date if the general election is to be held on the date fixed under the first paragraph of section 129.2.

Once the order instituting the holding of a general election is issued, any order instituting the holding of a by-election ceases to have effect.

1989, c. 1, s. 130; 1998, c. 52, s. 44; 1999, c. 40, s. 116; 2013, c. 13, s. 5.

131. Except in the case of a general election whose date is fixed under the second paragraph of section 129 or the first paragraph of section 129.2, the polling shall take place on the fifth Monday following the issue of the order instituting the election if the order is issued on a Monday, Tuesday or Wednesday, or on the sixth Monday if the order is issued on another day.

If polling day falls on a holiday, the poll shall be held on the following day.

1989, c. 1, s. 131; 1995, c. 23, s. 13; 2013, c. 13, s. 6.

132. The returning officer shall establish a main office in an easily accessible place in the electoral division, and, after being authorized by the Chief Electoral Officer, branch offices as needed. The addresses of these offices are communicated to the Chief Electoral Officer, to each party authority at the electoral division level and to the public.

These offices must be open every day, from 9:00 a.m. to 9:00 p.m. Monday to Friday and from 9:00 a.m. to 5:00 p.m. Saturday and Sunday. They must be handicapped-accessible and laid out in accordance with the standards prescribed by the Chief Electoral Officer.

The main office must be in operation as soon as the order instituting the election is issued. The branch offices must be in operation at the time determined by the Chief Electoral Officer but not later than the 21st day before polling day.

1989, c. 1, s. 132; 1995, c. 23, s. 14; 2006, c. 17, s. 9; 2011, c. 5, s. 10.

133. The Chief Electoral Officer shall make an election calendar available to the public by any means he determines.

1989, c. 1, s. 133; 2021, c. 37, s. 42.

134. The Chief Electoral Officer must, during the election period, send a document to every dwelling informing citizens on such matters as voting procedures, the list of electors and its revision, and the rules relating to the financing of political parties and independent candidates as well as those relating to the control of election expenses. In addition, during that period, the Chief Electoral Officer may inform citizens on the above matters by any other means he determines.

1989, c. 1, s. 134; 1995, c. 23, s. 15; 2021, c. 37, s. 43.

135. The Chief Electoral Officer must, during the election period, send a document to every dwelling informing the electors of the place, date and hours of the polling, the number of their polling station, and the particulars that will be contained in the ballot paper. The document may be accompanied by information on the matters listed in section 134.

1989, c. 1, s. 135; 2021, c. 37, s. 44.

135.1. The owner, manager, operator, superintendent, caretaker or person in charge of a residential building, a private seniors' residence within the meaning of the Act respecting the governance of the health and social services system (chapter G-1.021) or the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2), or a lodging facility operated by an organization for the purpose of

ensuring the safety of individuals and their children must allow and facilitate access to the building, residence or facility by persons in charge of distributing notices or documents from the Chief Electoral Officer or the returning officer.

The same rule applies to a person in authority at a vocational training centre or a post-secondary educational institution referred to in section 301.23, in a palliative care hospice governed by the Act respecting end-of-life care (chapter S-32.0001), in an addiction resource governed by a regulation made under section 558 of the Act respecting the governance of the health and social services system or under section 346.0.21 of the Act respecting health services and social services for the Inuit and Naskapi, in an institution that operates a hospital centre, a residential and long-term care centre or a rehabilitation centre governed by the Act respecting the governance of the health and social services system or the Act respecting health services and social services for the Inuit and Naskapi or a hospital centre or a reception centre within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5), with regard to any facility maintained by the institution.

2001, c. 72, s. 7; 2006, c. 17, s. 10; 2011, c. 27, s. 38; 2013, c. 5, s. 1; 2021, c. 37, s. 45; 2023, c. 34, s. 1009.

CHAPTER II

ELECTION OFFICERS

136. Returning officers and their aides, assistant returning officers and their assistants, polling officers, enumerators, revisors, revising officers and secretaries of a board of revisors are election officers.

Persons who exercise the function of returning officer or assistant returning officer are chosen from among the qualified electors. The other election officers are chosen from among persons who are at least 16 years of age and meet the criteria set out in subparagraphs 2 to 5 of the first paragraph of section 1.

Apart from the returning officer, who shall make an oath in accordance with section 509, the election officers shall make the oath provided in Schedule II before the returning officer or the person designated by him.

Election officers shall comply with the directives of the Chief Electoral Officer.

1989, c. 1, s. 136; 1995, c. 23, s. 16; 2021, c. 37, s. 46.

137. The tariff of remuneration and expenses of election officers shall be fixed by government regulation.

The Chief Electoral Officer may, in an election period, increase the amounts fixed by the tariff. The additional expenses resulting from the increase shall not exceed the amount established by government regulation.

1989, c. 1, s. 137; 2001, c. 2, s. 13.

138. No elector convicted or held to be guilty of a corrupt electoral practice may become an election officer for five years from the date of the judgment.

1989, c. 1, s. 138; 1992, c. 61, s. 283.

139. No election officer may engage in partisan work on the days prescribed by this Act for the carrying out of his duties.

1989, c. 1, s. 139; 2001, c. 72, s. 8; 2021, c. 37, s. 47.

140. In carrying out their duties of office, all election officers except the officer in charge of information and order may administer the oaths provided for in this Act, and they shall do so without charge.

1989, c. 1, s. 140.

141. The returning officer may dismiss any election officer who neglects to perform his duties, engages in partisan work or is not qualified to hold the office. However, before dismissing a revisor, the returning officer shall consult the Chief Electoral Officer.

An enumerator who is dismissed is not entitled to any remuneration.

1989, c. 1, s. 141.

142. An election officer who ceases to perform his duties of office shall, so far as possible, be replaced in the same manner as he was appointed.

1989, c. 1, s. 142.

143. An election officer who no longer holds office shall return all the official documents in his possession to the Chief Electoral Officer, in the case of the returning officer, or to the returning officer in the case of any other officer.

1989, c. 1, s. 143.

144. Every employer shall, upon written request, grant leave without pay to an employee who is an election officer to enable him to perform his duties.

Sections 250 to 255 apply to such an employer.

1989, c. 1, s. 144.

CHAPTER III

LIST OF ELECTORS

DIVISION I

PRODUCTION AND TRANSMISSION

1995, c. 23, s. 17.

145. Upon the issue of an order instituting an election and as soon as the requests for changes to the permanent list of electors received by the Chief Electoral Officer before the issue of the order have been processed, the Chief Electoral Officer shall produce the list of electors and the list of electors entitled to exercise their right to vote outside Québec.

The Chief Electoral Officer shall transmit to each returning officer the list of electors for his electoral division and the list of electors entitled to exercise their right to vote outside Québec for the division.

The Chief Electoral Officer shall also transmit to each returning officer the information relating to the electors in whose respect he is unable to update the entries on the permanent list of electors, so that the information may be verified by the competent board of revisors.

Moreover, the Chief Electoral Officer shall transmit to each returning officer a list of the addresses for which no electors' names are entered on the list of electors for the electoral division.

1989, c. 1, s. 145; 1995, c. 23, s. 17; 1997, c. 8, s. 10.

146. Not later than the twenty-seventh day preceding polling day, the returning officer shall transmit to each candidate the list of electors for the division, the list of electors entitled to exercise their right to vote outside Québec and a list of the addresses for which no electors' names are entered.

The lists are sent in electronic form; candidates may obtain a paper copy on request. A candidate receives the lists after undertaking in writing to take appropriate measures to protect the confidentiality of the lists and to ensure that they are used solely for the purposes provided for by this Act.

The Chief Electoral Officer shall transmit the lists in computer form to the authorized parties represented in the National Assembly, to any other authorized party having so requested and to any authorized independent Member.

1989, c. 1, s. 146; 1995, c. 23, s. 17; 1997, c. 8, s. 11; 2001, c. 72, s. 9; 2006, c. 17, s. 11; 2008, c. 22, s. 30; 2021, c. 25, s. 87.

147. Not later than the sixteenth day preceding polling day, the Chief Electoral Officer shall transmit to each returning officer a list of the electors of his division who have become entitled to vote outside Québec since the issue of the order instituting the election.

The list shall be transmitted to the parties and persons referred to in section 146, in the manner prescribed therein.

1989, c. 1, s. 147; 1995, c. 23, s. 17; 1998, c. 52, s. 45; 2001, c. 72, s. 10; 2021, c. 37, s. 48.

148. Any list transmitted under this Title by the Chief Electoral Officer or the returning officer to an authorized party or a candidate shall not include the name, address, date of birth or sex of an elector who was a Member at the time of the end or the dissolution of the last Legislature or of an elector who is a member of a council of a municipality having exercised his right to refuse to allow the communication of information under section 659.0.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2).

1989, c. 1, s. 148; 1995, c. 23, s. 17; 2024, c. 24, s. 147.

149. *(Replaced).*

1989, c. 1, s. 149; 1995, c. 23, s. 17.

150. *(Replaced).*

1989, c. 1, s. 150; 1995, c. 23, s. 17.

151. *(Replaced).*

1989, c. 1, s. 151; 1992, c. 38, s. 26; 1995, c. 23, s. 17.

152. *(Replaced).*

1989, c. 1, s. 152; 1995, c. 23, s. 17.

153. *(Replaced).*

1989, c. 1, s. 153; 1995, c. 23, s. 17.

154. *(Replaced).*

1989, c. 1, s. 154; 1995, c. 23, s. 17.

155. *(Replaced).*

1989, c. 1, s. 155; 1995, c. 23, s. 17.

156. *(Replaced).*

1989, c. 1, s. 156; 1992, c. 38, s. 27; 1995, c. 23, s. 17.

157. *(Replaced).*

1989, c. 1, s. 157; 1995, c. 23, s. 17.

158. *(Replaced).*

1989, c. 1, s. 158; 1995, c. 23, s. 17.

159. *(Replaced).*

1989, c. 1, s. 159; 1995, c. 23, s. 17.

160. *(Replaced).*

1989, c. 1, s. 160; 1995, c. 23, s. 17.

161. *(Replaced).*

1989, c. 1, s. 161; 1995, c. 23, s. 17.

162. *(Replaced).*

1989, c. 1, s. 162; 1992, c. 21, s. 158; 1995, c. 23, s. 17.

163. *(Replaced).*

1989, c. 1, s. 163; 1992, c. 21, s. 159; 1995, c. 23, s. 17.

DIVISION II

Replaced, 1995, c. 23, s. 17.

1995, c. 23, s. 17.

164. *(Replaced).*

1989, c. 1, s. 164; 1995, c. 23, s. 17.

165. *(Replaced).*

1989, c. 1, s. 165; 1995, c. 23, s. 17.

166. *(Replaced).*

1989, c. 1, s. 166; 1995, c. 23, s. 17.

167. *(Replaced).*

1989, c. 1, s. 167; 1995, c. 23, s. 17.

168. *(Replaced).*

1989, c. 1, s. 168; 1995, c. 23, s. 17.

169. *(Replaced).*

1989, c. 1, s. 169; 1995, c. 23, s. 17.

DIVISION III

Replaced, 1995, c. 23, s. 17.

1995, c. 23, s. 17.

170. *(Replaced).*

1989, c. 1, s. 170; 1995, c. 23, s. 17.

171. *(Replaced).*

1989, c. 1, s. 171; 1995, c. 23, s. 17.

172. *(Replaced).*

1989, c. 1, s. 172; 1995, c. 23, s. 17.

173. *(Replaced).*

1989, c. 1, s. 173; 1995, c. 23, s. 17.

174. *(Replaced).*

1989, c. 1, s. 174; 1995, c. 23, s. 17.

175. *(Replaced).*

1989, c. 1, s. 175; 1995, c. 23, s. 17.

176. *(Replaced).*

1989, c. 1, s. 176; 1992, c. 38, s. 28; 1995, c. 23, s. 17.

177. *(Replaced).*

1989, c. 1, s. 177; 1995, c. 23, s. 17.

178. *(Replaced).*

1989, c. 1, s. 178; 1995, c. 23, s. 17.

DIVISION IV

REVISION

1995, c. 23, s. 18; 2006, c. 17, s. 12.

§ 1. — *Establishment of boards of revisors*

1995, c. 23, s. 18; 2006, c. 17, s. 12.

179. The returning officer for an electoral division establishes one or more boards of revisors, mobile boards of revisors and special boards of revisors, as needed.

The Chief Electoral Officer establishes a board of revisors for electors having the right to vote outside Québec.

1989, c. 1, s. 179; 1995, c. 23, s. 18; 2006, c. 17, s. 12.

§ 2. — *Boards of revisors and mobile boards of revisors*

2006, c. 17, s. 12.

180. A board of revisors must sit at the returning officer's main office and the additional boards of revisors, at the returning officer's branch offices or at any other place determined by the returning officer after being authorized by the Chief Electoral Officer. Those offices and places must be accessible to handicapped persons.

Not later than the twenty-eighth day before polling day, the returning officer determines the places where boards of revisors will sit.

A mobile board of revisors sits in a residential facility maintained by an institution that operates a residential and long-term care centre or in a private seniors' residence governed by the Act respecting the governance of the health and social services system (chapter G-1.021) or the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2).

A residential facility must meet the criteria set by the Chief Electoral Officer and the institution or the operator of the residence must allow a mobile board of revisors to be set up free of charge in the residential facility.

The returning officer informs the Chief Electoral Officer, the authorized parties represented in the National Assembly, any other party having so requested, any authorized independent Member and each candidate of the places where a board of revisors will sit.

1989, c. 1, s. 180; 1995, c. 23, s. 18; 2006, c. 17, s. 12; 2008, c. 22, s. 31; 2011, c. 27, s. 38; 2013, c. 5, s. 2; 2023, c. 34, s. 1010.

181. Each board of revisors is composed of three revisors, including a chair.

1989, c. 1, s. 181; 1995, c. 23, s. 18; 2006, c. 17, s. 12.

182. Not later than the twenty-sixth day before polling day, the Chief Electoral Officer appoints revisors to each board of revisors.

The chair is appointed in accordance with section 185.

The second revisor is appointed on the recommendation of the authorized party that ranked first in the last election or the independent Member elected as such if the Member's nomination paper has been filed.

The third revisor is appointed on the recommendation of the authorized party that ranked second in the last election.

1989, c. 1, s. 182; 1995, c. 23, s. 18; 2006, c. 17, s. 12.

182.1. *(Replaced).*

2001, c. 72, s. 11; 2006, c. 17, s. 12.

183. In a new electoral division, an electoral division whose boundaries have changed since the last election, an electoral division in which no authorized party ranked second in the last election or an electoral division represented by an independent Member whose nomination paper has not been received, the Chief

Electoral Officer decides which parties or candidates are entitled to recommend the appointment of the second and third revisors, according to criteria prescribed by regulation.

1989, c. 1, s. 183; 1995, c. 23, s. 18; 2006, c. 17, s. 12.

184. The recommendations are made by the person designated in writing for that purpose by the leader or chief executive officer of the party.

Recommendations must be received by the returning officer not later than the twenty-seventh day before polling day.

The returning officer may refuse a recommendation on reasonable grounds. In that case, the returning officer requests a new recommendation.

If no recommendation has been received or if the person recommended is not a qualified elector, the returning officer makes the appointment without further formality.

1989, c. 1, s. 184; 1995, c. 23, s. 18; 2006, c. 17, s. 12.

185. Not later than the 28th day before polling day, the returning officer sends the name of the revisor the returning officer intends to appoint as chair of each board of revisors for approval to the person designated for that purpose by each authorized party represented in the National Assembly.

The designated person must send a notice of approval or disapproval to the returning officer not later than the twenty-seventh day before polling day. In the case of disapproval, the Chief Electoral Officer appoints the revisor who is to act as chair of the board of revisors.

If no notice has been received, the returning officer makes the appointment without further formality.

1989, c. 1, s. 185; 1992, c. 38, s. 29; 1995, c. 23, s. 18; 2006, c. 17, s. 12; 2008, c. 22, s. 32.

186. The revisor recommended by the authorized party that ranked first in the last election or by the independent Member elected as such acts as vice-chair of the board of revisors.

1989, c. 1, s. 186; 1995, c. 23, s. 18; 2006, c. 17, s. 12.

187. The returning officer posts the list of revisors appointed to a board of revisors at the returning officer's office and sends it to the Chief Electoral Officer, the authorized parties represented in the National Assembly, any other authorized party having so requested, any authorized independent Member and each candidate.

1989, c. 1, s. 187; 1995, c. 23, s. 18; 1998, c. 52, s. 46; 2006, c. 17, s. 12; 2008, c. 22, s. 33.

188. The returning officer appoints a secretary to each board of revisors.

The returning officer appoints a sufficient number of teams of two revising officers. Sections 182 to 184 apply to the appointment of revising officers, with the necessary modifications.

The returning officer appoints the necessary additional personnel needed by the boards of revisors to perform their functions.

1989, c. 1, s. 188; 1995, c. 23, s. 18; 1998, c. 52, s. 47; 2006, c. 17, s. 12.

189. The function of the secretary of a board of revisors is to assist the board in the performance of its work.

1989, c. 1, s. 189; 1992, c. 38, s. 30; 1995, c. 23, s. 18; 2006, c. 17, s. 12.

190. The functions of the revising officers include notifying hearing notices and summonses and, at the request of a board of revisors, gathering information relevant to a decision to be made.

1989, c. 1, s. 190; 1995, c. 23, s. 18; 2006, c. 17, s. 12; I.N. 2016-01-01 (NCCP).

191. The revising officers work together; in no case may they act individually. If they disagree, the matter is submitted to the board of revisors, which makes a decision immediately; the revising officers are bound by the decision.

1989, c. 1, s. 191; 1992, c. 38, s. 31; 1992, c. 21, s. 160; 1995, c. 23, s. 18; 2006, c. 17, s. 12.

192. Not later than the day before the day the work of a board of revisors is to begin, the returning officer sends the revisors

- (1) the directives of the Chief Electoral Officer concerning the revision;
- (2) the list of electors containing the information they need to perform their functions; and
- (3) the requests for verification received under the third paragraph of section 145.

The returning officer also submits to a mobile board of revisors the cases of electors who are registered on the list of electors of a place described in section 180 or a facility maintained by an institution that operates a hospital centre or a rehabilitation centre governed by the Act respecting the governance of the health and social services system (chapter G-1.021) or the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2) and who, according to the information provided by the president and executive director, executive director, owner, manager, operator or person in charge of that place, have moved or died. The board of revisors has, in respect of such cases, the same powers and duties as for the processing of any request submitted by an elector.

If the revision follows an enumeration, the returning officer also sends the revisors the reports made by the enumerators under section 40.29, the list prepared under section 40.30, the requests for verification received from the Chief Electoral Officer under section 40.36 and a copy of the enumeration slips for which the enumerators were unable to obtain a date of birth.

1989, c. 1, s. 192; 1995, c. 23, s. 18; 2006, c. 17, s. 12; 2023, c. 34, s. 1011.

193. A board of revisors referred to in the first paragraph of section 180 sits from 9:00 a.m. to 9:00 p.m. Monday to Friday, and from 9:00 a.m. to 5:00 p.m. Saturday and Sunday, from the 21st to the 12th day before polling day.

Requests must be filed with or received by a board of revisors not later than the 14th day before polling day.

1989, c. 1, s. 193; 1995, c. 23, s. 18; 2006, c. 17, s. 12, s. 38; 2006, c. 17, s. 38; 2013, c. 5, s. 14.

194. A mobile board of revisors sits on the days and during the hours determined by the returning officer for the period referred to in section 193.

A mobile board of revisors may visit the room or apartment of an elector who is unable to move about and who is domiciled in a residential facility where the board sits, provided a request to that effect was addressed to the returning officer not later than the 14th day before polling day.

A mobile board of revisors may also, under the same conditions as those set out in the second paragraph, visit an elector who is domiciled or lodged in a place referred to in section 135.1 where a mobile board of revisors has not been set up to allow the elector to submit a request for revision of the list of electors.

Despite the second paragraph, a mobile board of revisors present in a facility referred to in the second or third paragraph may, on request, visit the room or apartment of an elector who is unable to move about.

1989, c. 1, s. 194; 1992, c. 38, s. 32; 1995, c. 23, s. 18; 1997, c. 8, s. 12; 2006, c. 17, s. 12, s. 38; 2006, c. 17, s. 38; 2013, c. 5, s. 14.

195. After consulting with the returning officer, the chair of a board of revisors may extend the hours of the board if the number of requests warrants it.

1989, c. 1, s. 195; 1995, c. 23, s. 18; 1998, c. 52, s. 48; 2006, c. 17, s. 12.

196. Two revisors constitute a quorum.

Questions submitted to the board of revisors are decided by a majority vote.

In the case of a tie vote, the chair, or in the absence of the chair, the vice-chair has a casting vote.

1989, c. 1, s. 196; 1995, c. 23, s. 18; 2006, c. 17, s. 12.

196.1. The owner, manager, operator, superintendent, caretaker or person in charge of a place described in section 135.1 must facilitate access by the electors domiciled or lodged in such a place to the mobile board of revisors assigned to that place, and cooperate with the revisors to facilitate the exercise of their functions.

2008, c. 22, s. 34.

§ 3. — *Revision process*

1995, c. 23, s. 18; 2006, c. 17, s. 13.

197. The Chief Electoral Officer sends to each address, during the election period, a notice containing the information relating to the electors registered on the list of electors for that address, except their date of birth and sex, or a notice indicating that no elector is registered for that address.

The notice must inform electors that any request regarding the revision of the list of electors must be submitted to a board of revisors in the electoral division of their domicile, set out when and where the boards of revisors will sit and explain the revision process.

Information regarding mobile boards of revisors is provided to the electors concerned by the returning officer.

1989, c. 1, s. 197; 1995, c. 23, s. 18; 2001, c. 72, s. 12; 2006, c. 17, s. 13; 2021, c. 37, s. 51.

198. The Chief Electoral Officer informs, by any means he determines, each elector having requested a change to the permanent list of electors after the order instituting the election was issued that a request must be submitted to a board of revisors in the electoral division of his or her domicile for the change to be made to the list of electors to be used for the upcoming poll.

1989, c. 1, s. 198; 1995, c. 23, s. 18; 2001, c. 72, s. 12; 2006, c. 17, s. 13; 2021, c. 37, s. 52.

198.1. *(Replaced).*

1997, c. 8, s. 13; 2006, c. 17, s. 13.

198.2. *(Replaced).*

1997, c. 8, s. 13; 2006, c. 17, s. 13.

199. An elector who finds that he or she is not registered on the list of electors for the polling subdivision in which the elector is domiciled on the 14th day before polling day must submit a request for registration to a board of revisors in order to vote.

The elector may request that the registration be effective for the purposes of the upcoming poll only.

1989, c. 1, s. 199; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

200. An elector who is aware that he or she is registered on the list of electors for a polling subdivision other than the one in which the elector is domiciled on the 14th day before polling day must submit a request for registration to a board of revisors in order to vote.

If the request is granted, the elector is registered on the list of electors for the polling subdivision in which the elector is domiciled after being removed from the other list.

1989, c. 1, s. 200; 1995, c. 23, s. 18; 1997, c. 8, s. 14; 2006, c. 17, s. 13.

201. An elector who finds an error in the information relating to him or her must submit a request for a correction to a board of revisors.

1989, c. 1, s. 201; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

202. A person who finds that he or she is registered on the list of electors for a polling subdivision although the person is not entitled to be so registered must submit a request for removal to a board of revisors.

1989, c. 1, s. 202; 1995, c. 23, s. 18; 2013, c. 5, s. 3; 2006, c. 17, s. 13.

203. An elector who does not wish to be registered on the list of electors may submit a request for removal to a board of revisors. The elector may at the same time request removal from the permanent list of electors.

1989, c. 1, s. 203; 1992, c. 38, s. 33; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

204. An elector who is the spouse or a relative of or lives with an elector may submit a request concerning the elector on the latter's behalf.

In this section, "relative" means the elector's father, mother or parent, grandfather, grandmother, stepfather, stepmother, father-in-law, mother-in-law, brother, sister, brother-in-law, sister-in-law, son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, grandson or granddaughter.

1989, c. 1, s. 204; 1995, c. 23, s. 18; 2006, c. 17, s. 13; 2022, c. 22, s. 232.

205. A person who finds that another person not entitled to be registered on the list of electors for a polling subdivision in his or her electoral division is so registered may submit a request for removal of that other person to a board of revisors.

The person declares that, to his or her knowledge, the other person is not entitled to be registered on the list of electors for that polling subdivision, for the reasons put forward to the board.

1989, c. 1, s. 205; 1995, c. 23, s. 18; 2002, c. 6, s. 138; 2006, c. 17, s. 13.

206. All requests submitted to a board of revisors must be made on the form prescribed by the Chief Electoral Officer and supported by a declaration attesting to the accuracy of the facts put forward. The form may be obtained in person, by phone or by mail from a returning officer's office or on the Chief Electoral Officer's website.

A board of revisors may accept a request sent by mail or using a means of transmission determined by the Chief Electoral Officer and adapted to the latter's technological environment.

A board of revisors may require from a person submitting a request any evidence needed to make a decision.

Requests for registration must be submitted with the document or documents determined by regulation of the Chief Electoral Officer in support of the information contained in the request.

The second paragraph does not apply to a request submitted to a special board of revisors.

1989, c. 1, s. 206; 1995, c. 23, s. 18; 2013, c. 5, s. 4; 2006, c. 17, s. 13; 2011, c. 5, s. 34; 2021, c. 37, s. 53.

207. A board of revisors examines requests that are submitted in person immediately and, whenever it can make an immediate decision, it informs the elector of the decision. Whenever the board of revisors makes a decision in the absence of the elector concerned or of the person having made the request, it must immediately notify the elector of the decision. The decision is notified in the manner determined by the Chief Electoral Officer.

A board of revisors also examines all requests submitted to it under this Act.

1989, c. 1, s. 207; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

208. If electors were not registered on the right list of electors because their domiciliary address was not matched with the right polling subdivision, the Chief Electoral Officer or, on the Chief Electoral Officer's request, a board of revisors makes the necessary corrections.

The Chief Electoral Officer informs the electors concerned and the authorized parties of any corrections made under the first paragraph.

1989, c. 1, s. 208; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

209. In examining the cases submitted to it, a board of revisors or any revisor duly authorized by a board of revisors may make inquiries and summon witnesses.

A summons is notified to a witness by the revising officers or, if it cannot be notified to the witness, is left at the person's address.

A certificate of notification is drawn up by the revising officers on the prescribed form and returned to the board of revisors.

1989, c. 1, s. 209; 1992, c. 38, s. 34; 1995, c. 23, s. 18; 1997, c. 8, s. 15; 1998, c. 52, s. 49; 2001, c. 72, s. 14; 2006, c. 17, s. 13; I.N. 2016-01-01 (NCCP).

210. Before removing or refusing to register a person, a board of revisors must inform the person by means of a written notice stating the grounds for the removal or refusal and must give the person the opportunity to submit observations in person or in writing within the time it specifies, except where the person is present, in a case described in the second paragraph of section 192, where the request is submitted under section 205 by a person domiciled at the address appearing on the list opposite the name of the person or where the board is satisfied, on the basis of the evidence presented, that the person whose removal is requested is disqualified from voting as a result of a judgment rendered under article 288 of the Civil Code or is deceased.

The notice must be of at least one clear day and be notified in the manner determined by the Chief Electoral Officer at the address appearing on the list of electors or at any other place the board of revisors has reason to believe the person may be reached.

1989, c. 1, s. 210; 1995, c. 23, s. 23; 2006, c. 17, s. 13; 2008, c. 22, s. 85; 2011, c. 5, s. 34; 2020, c. 11, s. 167.

211. Despite section 210, a board of revisors is not required to inform a person by means of a written notice before removing or refusing to register the person if the revising officers met the person and the person confirmed that he or she was not a qualified elector or if the request for removal is made under section 233.4.

1989, c. 1, s. 211; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

212. The person who is the subject of a request and the witnesses summoned by a board of revisors have the right to be assisted by an advocate.

1989, c. 1, s. 212; 1995, c. 23, s. 18; 2008, c. 22, s. 35; 2011, c. 5, s. 11; 2006, c. 17, s. 13.

212.1. *(Replaced).*

1998, c. 52, s. 50; 2006, c. 17, s. 13.

213. Before registering an elector on the list of electors, a board of revisors must make sure that the elector is not already registered.

If the elector is already registered, the board of revisors first removes the elector, in which case it is not necessary to send the notice referred to in section 210.

1989, c. 1, s. 213; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

214. If, on examining a request for removal, a board of revisors concludes that the person concerned is entitled to be registered on the list of electors for another polling subdivision, it must register the person on that list after removing the person from the other list.

1989, c. 1, s. 214; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

215. When a board of revisors must decide whether a person is a Canadian citizen, the burden of proof is on that person.

1989, c. 1, s. 215; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

216. A board of revisors, on its own initiative or on request, may review or revoke a decision to remove or refuse to register a person

(1) when a new fact is discovered which, had it been known in time, could have warranted a different decision; or

(2) when the person concerned was unable to submit observations for reasons considered sufficient.

After a board of revisors has completed its work, its powers under this section may be exercised by a special board of revisors.

1989, c. 1, s. 216; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

216.1. *(Replaced).*

1998, c. 52, s. 51; 2006, c. 17, s. 13.

217. The changes made as a result of the revision process are incorporated into the list of electors by the person designated by the returning officer.

1989, c. 1, s. 217; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

218. Not later than the ninth day before polling day, the returning officer sends each candidate the revised list of electors. The list must clearly show the changes made as a result of the revision process.

At the latest before the opening of the advance polling stations, the returning officer sends each candidate a list of the electors removed from the list of electors by a special board of revisors.

The returning officer also sends each candidate a list of electors who have acquired the right to vote outside Québec since the order instituting the election was issued.

The lists are sent in electronic form; candidates may obtain a paper copy on request.

The Chief Electoral Officer sends the lists in electronic form to the authorized parties represented in the National Assembly and to any other authorized party having so requested.

1989, c. 1, s. 218; 1995, c. 23, s. 18; 1997, c. 8, s. 16; 2001, c. 2, s. 15; 2001, c. 72, s. 15; 2006, c. 17, s. 13; 2011, c. 5, s. 34.

219. Despite paragraph 2 of section 53 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), personal information relating to a person who is the subject of a request for revision of the list of electors made in accordance with this division is not public information.

1989, c. 1, s. 219; 1995, c. 23, s. 18; 2006, c. 17, s. 13.

§ 4. — *Special boards of revisors*

1995, c. 23, s. 18; 2006, c. 17, s. 14.

220. A special board of revisors must sit at the returning officer's main office, and any other special boards of revisors, at one of the returning officer's branch offices or at any other place determined by the returning officer.

1989, c. 1, s. 220; 1995, c. 23, s. 18; 2006, c. 17, s. 14.

221. The returning officer may appoint a team of two revising officers to assist a special board of revisors.

1989, c. 1, s. 221; 1995, c. 23, s. 18; 2006, c. 17, s. 14.

222. A special board of revisors sits from 9:00 a.m. to 9:00 p.m. Monday to Friday, and from 9:00 a.m. to 5:00 p.m. Saturday and Sunday, from the 13th to the fourth day before polling day.

Requests must be filed with or received by a special board of revisors not later than 2:00 p.m. on the fourth day before polling day.

1989, c. 1, s. 222; 1995, c. 23, s. 18; 2006, c. 17, s. 14, s. 38; 2006, c. 17, s. 38; 2013, c. 5, s. 14.

223. Only the elector concerned may file a request with a special board of revisors. However, a special board of revisors may receive a request for removal concerning a deceased elector.

1989, c. 1, s. 223; 1995, c. 23, s. 18; 2006, c. 17, s. 14.

224. Subject to section 216, a person who was refused registration or was removed from the list by a board of revisors or a mobile board of revisors may not request registration during the special revision process.

1989, c. 1, s. 224; 1995, c. 23, s. 18; 2006, c. 17, s. 14.

225. An elector who is registered by a special board of revisors may not vote in the advance poll.

1989, c. 1, s. 225; 1995, c. 23, s. 18; 2006, c. 17, s. 14.

226. The changes made by a special board of revisors are incorporated into the list of electors by the person designated by the returning officer.

1989, c. 1, s. 226; 1995, c. 23, s. 18; 2006, c. 17, s. 14, s. 37; 2006, c. 17, s. 37.

227. Not later than the third day before polling day, the returning officer sends each candidate the revised list of electors showing the changes made by a special board of revisors and including particulars about voting in the advance poll, and at the returning officer's office.

The list is sent in electronic form; candidates may obtain a paper copy on request.

The Chief Electoral Officer sends the list in electronic form to the authorized parties represented in the National Assembly and to any other authorized party having so requested.

1989, c. 1, s. 227; 1992, c. 38, s. 35; 1995, c. 23, s. 19; 2006, c. 17, s. 14, s. 37; 2006, c. 17, s. 37.

228. Unless otherwise provided, subdivisions 2 and 3 apply to special boards of revisors, with the necessary modifications.

1989, c. 1, s. 228; 1992, c. 38, s. 36; 1995, c. 23, s. 19; 2006, c. 17, s. 14.

§ 5. — *Board of revisors for electors outside Québec*

2006, c. 17, s. 14.

229. The Chief Electoral Officer establishes a board of revisors at the Chief Electoral Officer's office to receive requests for revision concerning electors who have the right to vote outside Québec.

1989, c. 1, s. 229; 1995, c. 23, s. 19; 2001, c. 2, s. 16; 2006, c. 17, s. 14.

230. Sections 181, 182, 184 to 186, 188, 189 and 196 apply to the establishment and operation of the board of revisors, with the necessary modifications.

However, no team of revising officers is assigned to the board of revisors.

1989, c. 1, s. 230; 1992, c. 38, s. 37; 1995, c. 23, s. 19; 1998, c. 52, s. 52; 2006, c. 17, s. 14.

231. The board of revisors sits from the 21st to the fourth day before polling day, on the days and during the hours determined by the Chief Electoral Officer.

However, requests for removal must be submitted by electors not later than the 14th day before polling day.

1989, c. 1, s. 231; 1995, c. 23, s. 19; 1998, c. 52, s. 53; 2006, c. 17, s. 14, s. 38; 2006, c. 17, s. 38; 2013, c. 5, s. 14.

231.1. *(Replaced).*

1995, c. 23, s. 19; 2006, c. 17, s. 14.

231.2. *(Replaced).*

1995, c. 23, s. 19; 2006, c. 17, s. 14.

231.2.1. *(Replaced).*

2001, c. 2, s. 17; 2001, c. 72, s. 16; 2006, c. 17, s. 14.

231.3. *(Replaced).*

1995, c. 23, s. 19; 2006, c. 17, s. 14.

231.4. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.5. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.6. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.7. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.8. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.9. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.10. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.11. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.12. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.13. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

231.14. *(Replaced).*

1998, c. 52, s. 54; 2006, c. 17, s. 14.

232. An elector who finds that a person not entitled to be registered on the list of electors having the right to vote outside Québec for the elector's electoral division is so registered may submit a request for removal of that person to a board of revisors in the electoral division.

The elector declares that, to his or her knowledge, the person is not entitled to be registered on the list of electors having the right to vote outside Québec, for the reasons put forward to the board.

1989, c. 1, s. 232; 1992, c. 38, s. 38; 2006, c. 17, s. 14.

233. The board of revisors sends the request for removal to the board of revisors for electors outside Québec, which makes the relevant inquiries with the assistance, if necessary, of the revising officers assigned to the boards of revisors in the different electoral divisions concerned.

1989, c. 1, s. 233; 1995, c. 23, s. 20; 2006, c. 17, s. 14.

233.1. Before removing a person from the list, the board of revisors must try to contact the person so that he or she may submit observations.

2006, c. 17, s. 14.

233.2. If, on examining a request for removal, the board of revisors concludes that the person is entitled to be registered on the list of electors for the polling subdivision in which the person is domiciled, the board of revisors registers the person on that list after removing the person from the list of electors having the right to vote outside Québec.

2006, c. 17, s. 14.

233.3. If the board of revisors concludes that a person must be removed from the list, it notifies the person of its decision in writing.

The board of revisors sends the decision to the Chief Electoral Officer, who forwards it to the personnel assigned to the handling of ballot papers for electors voting outside Québec.

2006, c. 17, s. 14.

233.4. If the Chief Electoral Officer finds that an elector has acquired the right to vote outside Québec since the order instituting the election was issued and that the elector is registered on the list of electors for the polling subdivision in which the elector is domiciled, the Chief Electoral Officer directs the returning officer concerned to remove the elector from that list.

2006, c. 17, s. 14.

233.5. An elector having the right to vote outside Québec who wishes to vote in the polling subdivision in which the elector is domiciled on the 14th day before polling day must submit a request for registration to a board of revisors. If the request is granted, the elector is registered on the list of electors for the polling subdivision in which the elector is domiciled after being removed from the list of electors having the right to vote outside Québec.

The board of revisors sends the decision to remove the elector from the list to the Chief Electoral Officer, who forwards the decision to the personnel assigned to the handling of ballot papers for electors voting outside Québec.

2006, c. 17, s. 14, s. 38; 2006, c. 17, s. 38; 2013, c. 5, s. 14; 2021, c. 37, s. 58.

233.6. On completing its work, the board of revisors sends the returning officer of each electoral division concerned an abstract of the changes it has made to the list of electors having the right to vote outside Québec for the electoral division.

The returning officers send this abstract to each candidate.

2006, c. 17, s. 14.

§ 6. — *Sending of the revised list of electors*

2006, c. 17, s. 14.

233.7. For the purpose of updating the permanent list of electors, the returning officer sends the Chief Electoral Officer the revised list of electors, which must specify, if that is the case, that the registration or removal of an elector is effective for the upcoming election only.

2006, c. 17, s. 14.

CHAPTER IV

CANDIDATES

234. Any elector may be elected to the National Assembly.

1989, c. 1, s. 234.

235. Notwithstanding the preceding section, the following persons are not qualified to be elected:

- (1) judges of the courts of justice;
- (2) the Chief Electoral Officer, commissioners of the Commission de la représentation and returning officers;
- (3) the official agent of a candidate or of a political party;
- (4) Members of the Parliament of Canada;
- (5) a person convicted of an indictable offence punishable by two years of imprisonment or more, for the term of the sentence pronounced.

The following persons, also, are not qualified to be elected for the period fixed in this Act:

- (1) a candidate at a previous election whose official agent has not produced a return of election expenses or the statement provided for in section 432;
- (2) an independent candidate contemplated in section 125;
- (3) a person contemplated in sections 127 and 442;
- (4) a person convicted of a corrupt electoral or referendum practice.

1989, c. 1, s. 235; 1990, c. 4, s. 964; 1997, c. 8, s. 17.

236. No person may be a candidate for election in more than one electoral division at the same time.

1989, c. 1, s. 236.

DIVISION I

NOMINATION PAPERS

237. A person wishing to be a candidate shall, at any time between 2:00 p.m. on the second day following the day of issue of the order and 2:00 p.m. on the sixteenth day preceding polling day, file a nomination paper at the main office of the returning officer or using a means of transmission determined by the Chief Electoral Officer and adapted to the latter's technological environment.

The person who has offered himself as a candidate using a means of transmission adapted to the Chief Electoral Officer's technological environment must keep the original of his nomination paper for one year after filing it.

1989, c. 1, s. 237; 2001, c. 72, s. 17; 2021, c. 37, s. 59.

238. A person wishing to be a candidate may designate one or more persons to act in his name as his mandatary.

1989, c. 1, s. 238; 2001, c. 72, s. 18.

239. A nomination paper shall be in the form prescribed by the Chief Electoral Officer and signed by the person wishing to be a candidate. The person shall indicate his surname and given name, the address of his domicile, his date of birth, his occupation and his affiliation with an authorized party or, if he so wishes, the mention "independent". In addition, the nomination paper shall bear the name and signature of his official agent and, if he decides to appoint one or more mandataries, the name and signature of his mandatary or mandataries.

The nomination paper filed by an independent candidate who wishes to be authorized must include the candidate's telephone number and the information required under subparagraphs 3, 4 and 5 of the first paragraph of section 59.

1989, c. 1, s. 239; 2001, c. 72, s. 19; 2008, c. 22, s. 36; 2021, c. 37, s. 60.

240. Every candidate may offer himself as a candidate under his ordinary surname and given name provided that it is the name by which he is commonly known in political, professional or social life and that he is acting in good faith.

1989, c. 1, s. 240.

241. A person offering himself as a candidate shall attach to his nomination paper

- (1) his act of birth or any other identification paper determined by directive of the Chief Electoral Officer;
- (2) a letter from the leader of an authorized party recognizing him as a candidate of that party;
- (3) a photograph in accordance with the standards determined by directive of the Chief Electoral Officer and bearing the person's signature on the back.

Subparagraph 2 of the first paragraph does not apply to a person offering himself as a candidate who is the leader of an authorized party.

1989, c. 1, s. 241; 1995, c. 23, s. 21; 2011, c. 5, s. 12; 2021, c. 37, s. 61.

242. A nomination paper shall bear the signatures and addresses of at least 100 electors whose names are entered on the list of electors for the electoral division for which the nomination paper is filed.

Only the person offering himself as a candidate and his mandatary or mandataries are authorized to collect the signatures.

1989, c. 1, s. 242; 1998, c. 52, s. 55; 2001, c. 72, s. 20.

243. Each person who collects supporting signatures shall declare under oath, before a commissioner for oaths, any person authorized to administer oaths under section 219 of the Courts of Justice Act (chapter T-16) or the returning officer, that the persons who signed the nomination paper did so in his presence and that, to his knowledge, they are electors of that electoral division.

In addition, each person who collects supporting signatures shall certify, on each page of the nomination paper that bears such signatures, that he collected them personally.

1989, c. 1, s. 243; 2021, c. 37, s. 62.

244. The penalties applicable to a person supporting a nomination who is not an elector or who is not domiciled in the electoral division or who signs for another person must be set forth on the form itself.

1989, c. 1, s. 244.

245. The returning officer shall verify whether the nomination paper appears to meet the requirements of this division and whether all the required documents are attached to it. The returning officer shall verify whether the names of the electors supporting the nomination are entered on the list of electors for the electoral division and whether the name of the candidate is entered on the list of electors. Where the name of the candidate is not entered on the list of electors, the returning officer may enter it. In such a case, the returning officer has the same powers and duties as those entrusted to a board of revisors for the processing of a request for registration.

Following such verifications, the returning officer shall issue a notice of conformity and a receipt, which constitutes proof of the nomination.

1989, c. 1, s. 245; 1998, c. 52, s. 56; 2021, c. 37, s. 63.

245.1. A new nomination paper must be filed where the candidate of an authorized party ceases to be recognized as the candidate of that party, where a candidate wishes to change his affiliation with an authorized party or where an independent candidate wishes to become the recognized candidate of an authorized party.

1995, c. 23, s. 22.

246. Notwithstanding the first paragraph of section 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), the returning officer, during the election period, may allow an elector to examine, at the main office of the returning officer, any nomination paper received as well as all the information contained in the accompanying documents that concerns the qualification of the person offering himself as a candidate. That information is determined by directive of the Chief Electoral Officer.

With the exception of the name of the municipality, the candidate's address is not accessible.

Notwithstanding the second paragraph of section 10 of the said Act, only a candidate may obtain a copy of a nomination paper.

1989, c. 1, s. 246; 2021, c. 37, s. 64; 2024, c. 24, s. 148.

247. If the returning officer has received only one nomination paper at the end of the period for filing nomination papers, he shall declare the candidate elected and immediately inform the Chief Electoral Officer.

1989, c. 1, s. 247.

DIVISION II

LEAVE OF CANDIDATES AND OFFICIAL AGENTS

248. Every employer shall, upon written request, grant a leave without pay to an employee who is a candidate or intends to become one. The request may be made at any time from the date of the order instituting the election.

The employee's leave begins on the day requested by the employee and ends on the thirtieth day following the expiry of the period for filing nomination papers if he is not a candidate, or if he is, on the thirtieth day following the declaration of election.

The employee may terminate his leave at any time.

1989, c. 1, s. 248.

249. Every employer shall, upon written request, grant a leave without pay to an employee who acts as the official agent of a candidate. The request may be made at any time from the receipt by the returning officer of the nomination paper of the candidate for whom the employee acts as official agent.

Every employer shall, upon written request, grant a leave without pay to an employee who acts as the official agent of an authorized party. The request may be made at any time from the date of the order instituting the election.

The employee's leave begins on the day requested by the employee and ends on the one hundred and twentieth day following polling day.

The employee may terminate his leave at any time.

1989, c. 1, s. 249; 2001, c. 2, s. 19.

250. A leave may be full time or part time, according to the employee's request. Where an employee requests part-time leave, he shall specify the days and hours of his leave.

1989, c. 1, s. 250.

251. Notwithstanding any agreement or Act inconsistent herewith, an employee is entitled, throughout his leave as a candidate or official agent, to all the benefits attached to his employment, except his remuneration.

1989, c. 1, s. 251.

252. An employee who makes a written request to that effect at the beginning of his leave may, while on leave, continue to contribute to all the plans in which he participates, provided he pays the totality of the premiums, including the employer's contribution.

1989, c. 1, s. 252.

253. At the expiry of the leave, the employer shall reinstate the employee, with the conditions of employment prevailing before the beginning of the leave or conditions more favourable to the employee, as provided in the collective agreement or, failing that, the agreement between the employer and the employee, taking into account the benefits to which he continued to be entitled during his leave.

1989, c. 1, s. 253.

254. No employer may, by reason of a leave, dismiss, lay off, suspend, demote or transfer an employee or give him less favourable conditions of employment than he is entitled to or diminish any benefit attached to his employment and to which he is entitled.

Nor shall he subtract the duration of the leave from the period of vacation of the employee.

1989, c. 1, s. 254.

255. An employee believing himself to be the victim of a contravention of a provision of this division may file a complaint with the Administrative Labour Tribunal. The provisions applicable to a remedy relating to the exercise by an employee of a right under the Labour Code (chapter C-27) apply in such a case, with the necessary modifications.

An employee governed by a collective agreement or the association certified to represent him may elect to invoke the grievance settlement and arbitration procedure instead of filing a complaint with the Administrative Labour Tribunal. Sections 17, 100 to 100.10 and 139 to 140.1 of the Labour Code then apply, adapted as required.

Where a complaint is filed with the Administrative Labour Tribunal and at the same time the grievance settlement and arbitration procedure is invoked, the arbitrator must refuse to hear the grievance.

1989, c. 1, s. 255; 2001, c. 26, s. 106; 2015, c. 15, s. 156.

DIVISION III

WITHDRAWAL OR DEATH OF A CANDIDATE

256. A candidate may withdraw if he files a declaration to that effect with the returning officer, signed by himself and by two electors of the electoral division in which he is a candidate.

The candidate of an authorized party may not withdraw unless he files with the returning officer proof that the leader of the party or one of the officers referred to in paragraph 5 of section 48 was duly informed in writing of the candidate's intention at least 48 hours before the filing of the declaration under the first paragraph.

1989, c. 1, s. 256; 2001, c. 2, s. 20.

257. The name of the candidate shall not appear on the ballot paper if the declaration of withdrawal is filed with the returning officer within three days after the expiry of the period for filing nomination papers.

Notwithstanding the foregoing, if the declaration is filed more than three days after the expiry of that period and it is impossible to print new ballot papers, the deputy returning officer shall strike the name of the candidate from every ballot paper.

1989, c. 1, s. 257.

258. If the candidate withdraws after the publication of the notice of a poll and there remains but one candidate, the returning officer shall declare the latter candidate elected and immediately inform the Chief Electoral Officer.

1989, c. 1, s. 258.

259. Where the candidate of an authorized party dies between the twenty-first day preceding polling day and that of the close of the poll, polling day shall be postponed unless the leader of the party informs the Chief Electoral Officer in writing, within 48 hours after the day of the death of the candidate, that the leader does not intend to endorse any other person as a candidate.

If the polling day is postponed, nomination papers must be filed not later than the second Monday after the day of the death of the candidate if that day is a Monday, Tuesday or Wednesday, or the third Monday after the day of the death of the candidate if that day is another day. The poll shall take place on the second subsequent Monday.

The returning officer shall, after informing the Chief Electoral Officer, immediately make available to the public, in the manner determined by directive of the Chief Electoral Officer, a notice informing the electors of the new period for filing nomination papers and of the new polling date.

If the polling day is not postponed, sections 257 and 258 apply with the necessary modifications.

The death of an independent candidate does not entail the postponement of the polling day and sections 257 and 258 apply with the necessary modifications.

1989, c. 1, s. 259; 2001, c. 2, s. 21; 2021, c. 37, s. 65.

CHAPTER IV.1

ELECTION POSTERS AND BILLBOARDS

1998, c. 52, s. 57.

259.1. Notwithstanding any inconsistent legislative or regulatory provision, election posters and billboards shall not be subject, during an election period, to any restriction or condition except as provided by this Act.

1998, c. 52, s. 57.

259.2. Election posters and billboards may be placed on any property, other than buildings, of the Government, public bodies, state enterprises, municipalities and school service centres.

Election posters may also be placed on public utility poles.

1998, c. 52, s. 57; 2020, c. 1, s. 312.

259.3. Election posters and billboards must be placed so as not to hinder vehicular or pedestrian traffic, interfere visually with road signs or compromise road safety or public security.

1998, c. 52, s. 57.

259.4. No election poster or billboard may be placed on a classified heritage immovable, on a classified heritage site within the meaning of the Cultural Heritage Act (chapter P-9.002) or in an area declared a national heritage site under that Act.

1998, c. 52, s. 57; 2011, c. 21, s. 228.

259.5. No election poster or billboard may be placed on a monument, a sculpture, a tree, a fire hydrant, a bridge, a viaduct or an electrical tower.

No election poster or billboard may be placed on a bus shelter or on a public bench, unless space is provided for that purpose, in which case the applicable rules must be complied with.

No election poster or billboard may be placed on the right of way of a road if the right of way is contiguous to a residential immovable.

1998, c. 52, s. 57; 2001, c. 72, s. 21.

259.6. Posters and billboards and their supports must be made of good quality materials and must be safe and be kept in good repair.

Posters and billboards must be affixed in such a manner that they can be easily removed.

1998, c. 52, s. 57.

259.7. Election posters placed on public utility poles must meet the following conditions:

- (1) the highest part of the poster must not be more than five metres above ground;
- (2) the poster must not have any metal or wood frame;

(3) the poster must not be affixed with nails or metal fasteners or by means of a device that may damage or leave permanent marks on the pole;

(4) the poster must not obstruct any identification plate on the pole.

Moreover, no banner, streamer or flag may be affixed to a public utility pole.

Workers who maintain public utility poles may, if they consider it necessary for the purposes of the work to be done and, except in an emergency, after advising the candidate or, where applicable, the authorized party, remove any election poster from a pole.

1998, c. 52, s. 57; 1999, c. 15, s. 8; 2001, c. 72, s. 22.

259.8. All election posters and billboards must be removed not later than 15 days after polling day, failing which they may be removed by the local municipality or by the owner of the property or poles, at the expense of the party or candidate concerned or, where applicable, of the private intervenor within the meaning of Division V of Chapter VI, following the expiry of a five-day notice to that effect transmitted to the party, candidate or private intervenor.

The notice shall indicate the places where posters or billboards are to be removed. If posters or billboards had to be removed by the municipality or by the owner at the expense of the party, candidate or private intervenor, the bill shall indicate the place and date of removal.

1998, c. 52, s. 57.

259.9. The party, candidate or private intervenor shall ensure that the provisions of this chapter are complied with.

1998, c. 52, s. 57.

CHAPTER V

POLL

DIVISION I

NOTICE OF A POLL

260. At the end of the period for filing nomination papers, the returning officer, if he has received more than one nomination paper, shall make a notice of a poll available to the public by any means he determines.

The notice of a poll shall set forth the surname and given name of each candidate, his political affiliation, if any, the name of his municipality and the surname and given name of his official agent and of his mandatary, if any.

1989, c. 1, s. 260; 2021, c. 37, s. 66; 2024, c. 24, s. 149.

261. The notice of a poll shall be posted up in the office of the returning officer and a copy shall be transmitted to each candidate or his mandatary.

1989, c. 1, s. 261.

DIVISION I.1

ALTERNATIVE VOTING PROCEDURES

2006, c. 17, s. 15.

262. Electors vote on polling day in accordance with Division III. Alternatively, they may vote, in accordance with Divisions II to II.3, in one of the following manners:

(1) at the returning officer's main office or branch offices;

(2) by mail, in the case of electors outside Québec and of electors who are inmates or are detained in a place of temporary detention or held in a youth custody facility under the Youth Criminal Justice Act (S.C. 2002, c. 1);

(3) in an advance poll; or

(4) on the campus of a vocational training centre or a post-secondary educational institution that meets the criteria determined by a directive of the Chief Electoral Officer.

Electors vote for a candidate in the electoral division of their domicile.

1989, c. 1, s. 262; 1992, c. 38, s. 39; 2006, c. 17, s. 15; 2008, c. 22, s. 37; 2013, c. 5, s. 5.

262.1. *(Replaced).*

2001, c. 72, s. 23; 2006, c. 17, s. 15.

DIVISION II

VOTING AT THE RETURNING OFFICER'S MAIN OFFICE OR AT ONE OF THE RETURNING OFFICER'S BRANCH OFFICES

2006, c. 17, s. 15.

§ 1. — *Voting by electors in the electoral division of their domicile*

2006, c. 17, s. 15.

263. Electors may vote at the returning officer's main office or at one of the returning officer's branch offices in the electoral division of their domicile, on the tenth, ninth, sixth, fifth and fourth days before polling day. On the tenth, sixth and fifth days before polling day, voting begins at 9:30 a.m. and ends at 8:00 p.m. and on the ninth day before polling day, voting ends at 4:00 p.m. On the last day, voting ends at 2:00 p.m.

1989, c. 1, s. 263; 1999, c. 15, s. 9; 2001, c. 2, s. 22; 2006, c. 17, s. 15; 2008, c. 22, s. 38; 2021, c. 37, s. 67.

264. Unless otherwise provided, sections 307, 312.1, 320 to 327, 329 to 332, 334 and 335.1 to 340 apply, with the necessary modifications, to voting by electors in the electoral division of their domicile.

1989, c. 1, s. 264; 1992, c. 38, s. 40; 2001, c. 2, s. 23; 2006, c. 17, s. 15; 2011, c. 5, s. 35.

265. The members of the special board of revisors act as members of the identity verification panel. The chair of the special board of revisors acts as chair of the panel.

1989, c. 1, s. 265; 1992, c. 38, s. 41; 2006, c. 17, s. 15; 2011, c. 5, s. 35.

266. When the elector is admitted to vote, the person assigned to voting at the returning officer's office gives the elector a ballot paper, after initialling it in the space reserved for that purpose and removing it from the counterfoil. After voting, the elector places the ballot paper in a ballot box provided for that purpose.

Sections 342 to 354 apply, with the necessary modifications. However, the prohibition to engage in partisan publicity provided in section 352 does not apply to an office used by a candidate for election purposes that is situated near the main office or a branch office of a returning officer.

1989, c. 1, s. 266; 2001, c. 72, s. 24; 2006, c. 17, s. 15; 2011, c. 5, s. 35.

267. At the end of each voting day at the returning officer's office, the person assigned to voting seals the ballot box and the various envelopes used and puts the polling materials away in a safe place. When the voting resumes, the person takes out the polling materials and removes the seals.

After each day, the returning officer sends the candidates the list of the electors who have voted.

At the end of the period referred to in section 263, the person assigned to voting at the returning officer's office follows the procedures set out in sections 301.3 and 301.4, with the necessary modifications.

1989, c. 1, s. 267; 1992, c. 38, s. 42; 2001, c. 72, s. 24; 2006, c. 17, s. 15.

268. The votes are counted in the electoral district.

1989, c. 1, s. 268; 2006, c. 17, s. 15.

§ 2. — Voting by electors outside their electoral division

2006, c. 17, s. 15.

269. Electors may vote at the returning officer's main office or at one of the returning officer's branch offices in an electoral division other than that in which they are domiciled.

1989, c. 1, s. 269; 2006, c. 17, s. 15; 2008, c. 22, s. 39; 2011, c. 5, s. 35; 2013, c. 5, s. 6; 2021, c. 37, s. 69.

270. Unless otherwise provided, sections 265, 307, 312.1, 325 to 327, 329 to 332, 334 and 335.1 to 340 apply, with the necessary modifications, to voting by electors outside their electoral division.

1989, c. 1, s. 270; 2006, c. 17, s. 15; 2011, c. 5, s. 35; 2013, c. 5, s. 7.

271. *(Repealed).*

1989, c. 1, s. 271; 2001, c. 72, s. 25; 2006, c. 17, s. 15; 2008, c. 22, s. 40; 2011, c. 5, s. 35.

272. If the elector is not registered on the list of electors or is registered on the list of electors for a polling subdivision other than that in which the elector is domiciled, the board of revisors registers the elector on the list of electors for the polling subdivision in which the elector is domiciled after removing the elector from the other list of electors, if applicable.

1989, c. 1, s. 272; 2001, c. 2, s. 24; 2006, c. 17, s. 15; 2011, c. 5, s. 35; 2021, c. 37, s. 70.

273. *(Repealed).*

1989, c. 1, s. 273; 2006, c. 17, s. 15; 2011, c. 5, s. 35.

274. The elector may vote on the tenth, ninth, sixth, fifth and fourth days before polling day. On the tenth, sixth and fifth days before polling day, voting begins at 9:30 a.m. and ends at 8:00 p.m. and on the ninth day before polling day, voting ends at 4:00 p.m. On the last day before polling day, voting ends at 2:00 p.m.

1989, c. 1, s. 274; 1995, c. 23, s. 23; 2001, c. 2, s. 25; 2006, c. 17, s. 15; 2008, c. 22, s. 41; 2021, c. 37, s. 71.

275. Electors registered to vote outside their electoral division receive a ballot paper printed according to the model provided in Schedule IV, a list of the candidates for the electoral division of their domicile and the parties the candidates represent, if applicable, and an envelope bearing the name of their electoral division.

1989, c. 1, s. 275; 1992, c. 38, s. 43; 2006, c. 17, s. 15.

276. Electors cast their vote by writing the given name and family name of the candidate of their choice on the ballot paper. They may add the name of the political party or the word “Independent”, if applicable.

Sections 342, 344 to 347 and sections 349 to 354 apply, with the necessary modifications. However, the prohibition to engage in partisan publicity provided in section 352 does not apply to an office used by a candidate for election purposes that is situated near the main office or a branch office of a returning officer.

1989, c. 1, s. 276; 2006, c. 17, s. 15; 2011, c. 5, s. 35.

277. Electors place the ballot paper in the unidentified envelope provided, seal the envelope and place it in the ballot box provided for that purpose.

1989, c. 1, s. 277; 1992, c. 38, s. 44; 2006, c. 17, s. 15.

278. *(Repealed).*

1989, c. 1, s. 278; 1992, c. 38, s. 45; 2006, c. 17, s. 15; 2011, c. 5, s. 35.

279. At the end of each voting day at the returning officer’s office, the person assigned to voting seals the ballot box and the various envelopes used and puts the polling materials away in a safe place. When voting resumes, the person takes out the polling materials and removes the seals.

Each voting day, the returning officer sends the candidates the list of the electors who have voted outside their electoral division.

At the end of the period referred to in section 274, the person assigned to voting at the returning officer’s office follows the procedures set out in sections 301.3 and 301.4, with the necessary modifications.

1989, c. 1, s. 279; 1992, c. 38, s. 46; 2006, c. 17, s. 15.

280. At the end of the period prescribed for voting by electors outside their electoral division, the returning officer sends the Chief Electoral Officer, in the manner determined by the Chief Electoral Officer, the ballot box or boxes containing the ballot papers of electors who voted outside their electoral division.

As soon as the ballot boxes are received, the Chief Electoral Officer divides the envelopes containing the ballot papers according to electoral divisions.

1989, c. 1, s. 280; 1992, c. 38, s. 47; 2006, c. 17, s. 15.

280.1. Despite section 269, election officers who wish to vote may do so at the main office or at one of the branch offices of the returning officer in the electoral division where they are working on polling day.

The electors described in the first paragraph must, at the time of voting, provide a sworn written statement attesting that they are election officers and that they have not already voted in the current election. The statement must also include the information prescribed by the Chief Electoral Officer.

2013, c. 5, s. 8.

DIVISION II.1

VOTING BY MAIL

2006, c. 17, s. 15.

§ 1. — *Voting by electors outside Québec*

2006, c. 17, s. 15.

281. Electors registered to vote outside Québec are deemed to be domiciled at the address of their domicile in Québec.

1989, c. 1, s. 281; 2006, c. 17, s. 15.

282. Electors who leave Québec temporarily after being domiciled in Québec for 12 months may vote outside Québec for two years after the date of departure.

The two-year limit does not apply to

- (1) an elector posted outside Québec to a position with the government of Québec or Canada;
- (2) an elector posted outside Québec to a position with an international organization of which Québec or Canada is a member and to which it pays a contribution; or
- (3) an elector who is the spouse or a dependent of an elector referred to in subparagraph 1 or 2.

1989, c. 1, s. 282; 2006, c. 17, s. 15.

283. An elector who wishes to vote outside Québec must file a signed request stating his or her

- (1) name, sex and date of birth;
- (2) domiciliary address in Québec or last domiciliary address in Québec;
- (3) date of departure from Québec;
- (4) projected date of return to Québec; and
- (5) postal address outside Québec.

A declaration that the elector intends to return to Québec and a photocopy of the document or documents determined by regulation of the Chief Electoral Officer must be filed with the request in support of the information it contains.

In the case of an elector described in the second paragraph of section 282, proof of the posting outside Québec must also be filed with the request.

The request referred to in this section may be filed using a means of transmission determined by the Chief Electoral Officer and adapted to the latter's technological environment. That request must contain a declaration by the elector attesting that the elector is the elector identified in the request for registration to

vote outside Québec. The declaration replaces the signature required under the first paragraph. Moreover, one of the documents required under the second paragraph must bear the elector's signature.

1989, c. 1, s. 283; 2006, c. 17, s. 15; 2021, c. 37, s. 72.

284. The Chief Electoral Officer incorporates into the permanent list of electors the information that will allow electors registered to vote outside Québec to do so.

1989, c. 1, s. 284; 2006, c. 17, s. 15.

285. Electors who return to Québec must notify the Chief Electoral Officer.

1989, c. 1, s. 285; 2006, c. 17, s. 15.

286. The Chief Electoral Officer removes from the permanent list of electors the information allowing an elector to vote outside Québec if the elector notifies the Chief Electoral Officer that he or she has returned to Québec or if the elector has been outside Québec for more than two years, unless, in the latter case, the elector is an elector described in the second paragraph of section 282.

1989, c. 1, s. 286; 1992, c. 38, s. 48; 2006, c. 17, s. 15.

287. The Chief Electoral Officer sends each elector whose request for registration to vote outside Québec was filed in accordance with section 283 and received by the Chief Electoral Officer no later than the nineteenth day before polling day the required voting materials, a list of the places where the elector may consult the list of candidates and the address of the Chief Electoral Officer's website on which that list is posted.

The ballot paper must be printed according to the model without counterfoil or stub provided in Schedule IV.

1989, c. 1, s. 287; 1992, c. 38, s. 49; 2006, c. 17, s. 15; 2021, c. 37, s. 73.

288. Not later than the fourteenth day before polling day, the Chief Electoral Officer sends each elector the list of candidates for the elector's electoral division, and sends the list of candidates for each electoral division to the places determined by order of the Government.

1989, c. 1, s. 288; 1992, c. 38, s. 50; 2006, c. 17, s. 15.

288.1. The Chief Electoral Officer may, on an exceptional basis, ensure that the materials and information referred to in sections 287 and 288 are sent to an elector to whom those sections apply, in Québec, by any means he determines.

Any electors wishing to avail themselves of this section must apply to do so to the Chief Electoral Officer, in the form prescribed by the latter. In the application, electors must declare that

(1) to their knowledge, they will not be able to receive the required voting materials and information in time, or to send in their ballot papers before the close of polling stations on polling day; and

(2) if they exercise their right to vote, they will do so outside Québec.

2021, c. 37, s. 74.

289. Electors cast their vote by writing the given name and family name of the candidate of their choice on the ballot paper. They may add the name of the political party or the word "Independent", if applicable.

1989, c. 1, s. 289; 1992, c. 38, s. 51; 1994, c. 23, s. 16; 2006, c. 17, s. 15.

290. Electors place the ballot paper in an unidentified envelope, seal the envelope and place it in another envelope, bearing their signature, on which they write their name and last domiciliary address in Québec.

1989, c. 1, s. 290; 1992, c. 38, s. 52; 2006, c. 17, s. 15.

291. Electors send their ballot papers to the Chief Electoral Officer.

1989, c. 1, s. 291; 2006, c. 17, s. 15.

292. On receiving the envelope, the Chief Electoral Officer verifies the signature on it. If the signature matches the signature on the request filed under the first paragraph of section 283 or, in the case of a request referred to in the fourth paragraph of that section, on one of the documents accompanying the elector's request, the Chief Electoral Officer keeps the envelope without opening it.

If the signatures do not match, the envelope is rejected without being opened.

In addition, the Chief Electoral Officer verifies whether the ballot paper is from an elector removed from the list of electors by the board of revisors. If such is the case, the Chief Electoral Officer rejects the envelope without opening it.

1989, c. 1, s. 292; 1992, c. 21, s. 161; 2006, c. 17, s. 15; 2021, c. 37, s. 75.

293. Only ballot papers received at the Chief Electoral Officer's office before the polling stations' closing time on polling day are counted.

1989, c. 1, s. 293; 1995, c. 23, s. 24; 2002, c. 6, s. 139; 2006, c. 17, s. 15.

293.1. *(Replaced).*

1995, c. 23, s. 24; 2006, c. 17, s. 15.

293.2. *(Replaced).*

1995, c. 23, s. 24; 2006, c. 17, s. 15.

293.3. *(Replaced).*

1995, c. 23, s. 24; 2006, c. 17, s. 15.

293.4. *(Replaced).*

1995, c. 23, s. 24; 2006, c. 17, s. 15.

293.5. *(Replaced).*

1995, c. 23, s. 24; 1998, c. 52, s. 58; 2006, c. 17, s. 15.

§ 2. — *Voting by inmates*

2006, c. 17, s. 15.

294. Inmates are presumed to be domiciled at the address of their domicile on the date of imprisonment.

1989, c. 1, s. 294; 2006, c. 17, s. 15.

295. To vote, inmates must be registered on the list of electors for their correctional facility.

The revision process provided for in Division IV of Chapter III does not apply to inmates.

1989, c. 1, s. 295; 2006, c. 17, s. 15; 2002, c. 24, s. 209.

296. In a general election, the director of a correctional facility draws up a list of the inmates who are electors. The list must include the name, domiciliary address, sex and date of birth of each elector.

The director asks each elector whether he or she wishes to be registered on the list of electors, and if so, has the elector confirm and sign the relevant information appearing on the list drawn up under the first paragraph.

The director sends the list of electors for the correctional facility and the original of the electors' signatures to the Chief Electoral Officer not later than the sixteenth day before polling day.

1989, c. 1, s. 296; 1995, c. 23, s. 25; 2006, c. 17, s. 15; 2002, c. 24, s. 209.

297. In a by-election, an elector who is an inmate in a correctional facility must inform the director of his or her intention to vote.

The director must send the Chief Electoral Officer the information mentioned in section 296 regarding the elector not later than the sixteenth day before polling day.

1989, c. 1, s. 297; 2006, c. 17, s. 15; 2002, c. 24, s. 209.

298. Inmates vote on a ballot paper printed according to the model without counterfoil or stub provided in Schedule III.

Sections 290 to 293 apply, with the necessary modifications.

1989, c. 1, s. 298; 1995, c. 23, s. 26; 1998, c. 52, s. 59; 2006, c. 17, s. 15.

299. To encourage and facilitate voting by inmates, the Chief Electoral Officer may make any appropriate agreement with the authorities responsible for correctional facilities established under an Act of the Parliament of Canada or the Parliament of Québec.

1989, c. 1, s. 299; 2006, c. 17, s. 15; 2002, c. 24, s. 209.

299.1. Sections 294 to 299 apply, with the necessary modifications, to electors detained in a place of temporary detention or held in a youth custody facility under the Youth Criminal Justice Act (Statutes of Canada, 2002, chapter 1).

2008, c. 22, s. 42.

DIVISION II.2

ADVANCE POLLING

2006, c. 17, s. 15.

§ 1. — *General provisions*

2006, c. 17, s. 15.

300. Not later than the twenty-eighth day before polling day, the returning officer in an electoral division must set up as many advance polling stations as necessary and determine the corresponding polling subdivisions. The returning officer immediately informs each candidate and each authorized party authority at the division level.

Advance polling stations must be handicapped-accessible.

1989, c. 1, s. 300; 2006, c. 17, s. 15.

301. The Chief Electoral Officer sends to each address, during the election period, a notice informing electors of where and when advance polling will take place.

1989, c. 1, s. 301; 2006, c. 17, s. 15; 2021, c. 37, s. 76.

301.1. Unless inconsistent with this division, sections 305, 307 to 317, 320 to 329, 331, 332, 334 and 335.1 to 354 apply to advance polling, with the necessary modifications.

2006, c. 17, s. 15; 2021, c. 37, s. 77.

301.2. Advance polling stations are open from 9:30 a.m. to 8:00 p.m. on the eighth and seventh days before polling day.

2006, c. 17, s. 15.

301.3. After the advance polling station closes on the first day, the poll clerk records in the poll book the information referred to in section 362.

The deputy returning officer places in separate envelopes the ballot papers that are in the ballot box, the spoiled or cancelled ballot papers, the unused ballot papers, the forms and the list of electors; the deputy returning officer then seals the envelopes. The deputy returning officer places the envelopes, except the one containing the list of electors, and the poll book in the ballot box and seals it with a safety seal bearing a number.

The deputy returning officer, the poll clerk and the representatives who wish to do so initial the seals on the envelopes and on the ballot box.

The deputy returning officer then gives the ballot box, the envelope containing the list of electors and a list of the electors who have voted to the returning officer or the person designated by the returning officer.

2006, c. 17, s. 15.

301.4. At the beginning of the second day, in the presence of the poll clerk and the representatives in attendance, the poll book and the envelopes containing the forms, the unused ballot papers and the list of electors are returned to the deputy returning officer.

At the close of the advance polling station, the poll clerk records in the poll book the information referred to in section 362. The deputy returning officer then proceeds as in section 301.3.

2006, c. 17, s. 15.

301.5. At the end of each day, the returning officer sends the candidates a list of the electors who voted in the advance poll.

2006, c. 17, s. 15.

§ 2. — *Polling stations set up in residential facilities*

2006, c. 17, s. 15.

301.6. The returning officer sets up an advance polling station in every residential facility described in section 180.

2006, c. 17, s. 15.

301.7. The poll is held on the eighth and seventh days before polling day. The returning officer shall determine the day and hours for each residential facility.

2006, c. 17, s. 15; 2008, c. 22, s. 43.

301.8. An elector domiciled in a residential facility who wishes to vote in an advance poll must vote in the advance polling station set up in that facility.

An elector described in the first paragraph who is unable to move about may vote in his or her apartment or room provided a request to that effect is addressed to the returning officer not later than the 14th day before polling day and provided the elector is registered on the list of electors for the polling subdivision in which the residential facility is located.

An elector temporarily living in a residential facility may vote at the facility provided a request to that effect is addressed to the returning officer within the time prescribed in the second paragraph and provided the elector is registered on the list of electors for the polling subdivision in which the elector is domiciled. If the elector is not domiciled in the electoral division in which the facility is located, sections 269 to 280 apply, with the necessary modifications.

2006, c. 17, s. 15, s. 38; 2011, c. 5, s. 13; 2006, c. 17, s. 38; 2013, c. 5, s. 14.

301.9. The returning officer draws up a list of the electors who have made a request under the second paragraph of section 301.8 and sends a copy to the candidates.

2006, c. 17, s. 15.

301.10. A polling station set up in a residential facility is staffed by a deputy returning officer and a poll clerk appointed by the returning officer.

2006, c. 17, s. 15.

301.11. The deputy returning officer and the poll clerk act as members of the identity verification panel, and sections 335.1 to 335.4 apply with the necessary modifications.

2006, c. 17, s. 15.

301.12. At a suitable time, the deputy returning officer must temporarily stop receiving votes at the polling station and take all the necessary materials to the room or apartment of an elector on the list drawn up under section 301.9 who is unable to move about.

The representatives of the candidates are not admitted into the elector's room or apartment.

2006, c. 17, s. 15.

301.13. Despite the second paragraph of section 301.8, the officers staffing a polling station set up in a residential facility may, on request, go to the room or apartment of an elector who is registered on the list of electors for the polling subdivision in which the facility is located and is unable to move about.

2006, c. 17, s. 15; 2011, c. 5, s. 14.

301.14. The institution or the operator of a residential facility must facilitate access to the polling station in the facility and cooperate with the deputy returning officer and the poll clerk.

2006, c. 17, s. 15.

§ 3. — *Mobile advance polling stations*

2006, c. 17, s. 15.

301.15. This subdivision applies to electors domiciled or lodged

- (1) in a facility maintained by an institution that operates a hospital centre or a rehabilitation centre;
- (2) in a facility maintained by an institution that operates a residential and long-term care centre where no polling station has been set up;
- (3) in a private seniors' residence where no polling station has been set up;
- (4) in a palliative care hospice; or
- (5) in an addiction resource.

2006, c. 17, s. 15; 2021, c. 37, s. 78.

301.16. The returning officer sets up as many mobile polling stations as necessary.

The mobile advance poll is held on the tenth, ninth, sixth, fifth and fourth days before polling day. The returning officer shall determine the day and hours each polling station is to visit electors. On the last day, voting ends at 2:00 p.m.

2006, c. 17, s. 15; 2008, c. 22, s. 44; 2011, c. 5, s. 15.

301.17. An elector described in section 301.15 may vote at a mobile polling station if the elector

- (1) addressed a request to that effect to the returning officer not later than the 14th day before polling day;
- (2) is registered on the list of electors for the polling subdivision of the elector's domicile; and
- (3) is unable to move about.

2006, c. 17, s. 15, s. 38; 2011, c. 5, s. 16; 2006, c. 17, s. 38; 2013, c. 5, s. 14.

301.18. Sections 301.9 to 301.11, the second paragraph of section 301.12 and sections 301.13 and 301.14 apply to mobile advance polling stations, with the necessary modifications.

In the case of an elector who is not domiciled in the electoral division, sections 269 to 280 apply, with the necessary modifications.

2006, c. 17, s. 15.

§ 4. — *Voting by electors at their domiciles*

2006, c. 17, s. 15.

301.19. Electors who are unable to move about for health reasons may vote at a domiciliary polling station at their domicile if they

- (1) address a request to that effect to the returning officer not later than the 14th day before polling day; and
- (2) are registered on the list of electors for the polling subdivision at which they are domiciled;
- (3) *(subparagraph repealed)*.

Electors who have addressed a request referred to in the first paragraph must make an oath in the presence of the deputy returning officer of the polling station, in the form prescribed by the Chief Electoral Officer, attesting that they are unable to move about for health reasons.

Electors who act as informal caregivers of electors having the right to vote at their domicile may vote at that domicile. They must address a request to that effect to the returning officer within the time prescribed in subparagraph 1 of the first paragraph.

2006, c. 17, s. 15; 2011, c. 5, s. 17; 2021, c. 37, s. 79.

301.20. The returning officer sets up as many domiciliary polling stations as necessary.

2006, c. 17, s. 15.

301.21. Domiciliary polling stations may visit electors' domiciles during the period referred to in section 263.

2006, c. 17, s. 15.

301.22. Sections 301.9 to 301.11 and the second paragraph of section 301.12 apply, with the necessary modifications.

2006, c. 17, s. 15.

DIVISION II.3

ON-CAMPUS VOTING IN VOCATIONAL TRAINING CENTRES AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

2013, c. 5, s. 9.

301.23. For the purposes of this division:

(1) any vocational training centre described in the first paragraph of section 97 of the Education Act (chapter I-13.3) and any private educational institution described in paragraph 4 of section 1 of the Act respecting private education (chapter E-9.1) is deemed to be a vocational training centre; and

(2) any educational institution governed by the Act respecting the Barreau du Québec (chapter B-1), the General and Vocational Colleges Act (chapter C-29), the Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1), the Act respecting private education insofar as the institution is covered by subparagraph 7 or 8 of the first paragraph of section 1, the Act respecting educational institutions at the university level (chapter E-14.1), the Act respecting the Institut de technologie agroalimentaire du Québec (chapter I-13.012), the Act respecting the Institut de tourisme et d'hôtellerie du Québec (chapter I-13.02), the Police Act (chapter P-13.1) or the Fire Safety Act (chapter S-3.4) and their regulations is a post-secondary educational institution.

The Chief Electoral Officer may, by directives, add other vocational training centres or post-secondary educational institutions to those referred to in the first paragraph.

2013, c. 5, s. 9; 2021, c. 3, s. 70.

301.24. At a general election, the returning officer establishes polling stations on the campuses of vocational training centres and post-secondary educational institutions, in accordance with the directives of the Chief Electoral Officer.

However, the Chief Electoral Officer may decide, given the time of the year, that there will be no polling stations on the campuses of all or some of the centres or institutions.

Vocational training centres and post-secondary educational institutions must permit the use of their premises free of charge for the purpose of establishing polling stations.

2013, c. 5, s. 9.

301.25. Electors may vote at a polling station set up on the campus of a vocational training centre or a post-secondary educational institution.

2013, c. 5, s. 9; 2021, c. 37, s. 80.

301.26. The returning officer establishes a special board of revisors for each vocational training centre and post-secondary educational institution where a polling station is established, in accordance with the directives of the Chief Electoral Officer.

Vocational training centres and post-secondary educational institutions must permit the use of their premises free of charge for the purpose of establishing special boards of revisors.

2013, c. 5, s. 9.

301.27. Voting and the special revision process take place from 9:30 a.m. to 8:00 p.m. on the tenth, sixth, fifth and fourth day before polling day. On the last day, voting ends at 2 p.m.

However, the Chief Electoral Officer may authorize the returning officer, according to the circumstances, to determine the days and hours during which the voting and special revision process will take place on the campus of a vocational training centre or a post-secondary educational institution.

2013, c. 5, s. 9; 2021, c. 37, s. 82.

301.28. Unless otherwise provided and with the necessary modifications,

(1) sections 264 to 268 apply to voting by electors whose domicile is in the same electoral division as the vocational training centre or post-secondary educational institution;

(2) sections 270, 272, 275 to 277, 279 and 280 apply to voting by electors whose domicile is not in the same electoral division as the vocational training centre or post-secondary educational institution; and

(3) section 221, the second paragraph of section 222 and sections 223 to 228 apply to the special board of revisors.

2013, c. 5, s. 9.

DIVISION III

POLLING DAY

§ 1. — *Preparation for the poll*

Polling stations

302. The returning officer shall establish a polling station for each polling subdivision. According to the criteria determined by the Chief Electoral Officer, the returning officer may establish more than one polling station for a polling subdivision.

The returning officer shall establish more than one polling station in a polling subdivision that comprises more electors than the maximum number prescribed by directive of the Chief Electoral Officer, unless that figure is exceeded due to the number of electors registered on the list of electors of a residential facility described in section 180.

Where a polling subdivision is an unorganized territory, is established for the purpose of setting up a polling station in a residential facility in accordance with section 301.6 or contains fewer than 50 electors, the returning officer may establish a single polling station for that polling subdivision and the nearest polling subdivision.

He shall inform each candidate of the place where the polling station of each polling subdivision is situated not later than the 12th day before polling day.

1989, c. 1, s. 302; 1992, c. 38, s. 53; 1998, c. 52, s. 60; 2008, c. 22, s. 45; 2011, c. 5, s. 18; 2021, c. 37, s. 84.

303. The polling stations of an electoral precinct shall be grouped and situated in a place of convenient access, and shall be accessible to handicapped persons.

However, where a special circumstance or where the area of the electoral precinct justifies it, the returning officer may establish the polling stations in more than one place.

Furthermore, where the returning officer is unable to establish a polling station in a place accessible to handicapped persons, he must obtain the authorization of the Chief Electoral Officer before establishing the polling station in a place that is not accessible to the handicapped. The Chief Electoral Officer shall note, in the return published under section 381, the cases where such authorization was granted.

1989, c. 1, s. 303; 1992, c. 38, s. 54; 1995, c. 23, s. 27; 1998, c. 52, s. 61.

304. *(Repealed).*

1989, c. 1, s. 304; 1992, c. 21, s. 162; 2006, c. 17, s. 16.

305. The following shall allow the use of their premises free of charge for the establishment of polling stations:

(1) municipalities;

(2) school service centres;

(3) Santé Québec;

(4) public institutions governed by the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2) or the Act respecting health services and social services for Cree Native persons (chapter S-5); and

(5) private seniors' residences governed by the Act respecting the governance of the health and social services system (chapter G-1.021) or the Act respecting health services and social services for the Inuit and Naskapi.

Likewise, Santé Québec shall allow, free of charge, the use of the premises of the institutions referred to in Schedule II to the Act respecting the governance of the health and social services system.

1989, c. 1, s. 305; 1992, c. 21, s. 163, s. 375; 1994, c. 23, s. 23; 2006, c. 17, s. 17; 2011, c. 27, s. 38; 2020, c. 1, s. 312; 2023, c. 34, s. 1012.

306. Polling day is a holiday for pupils in every school of a school service centre or school board situated in an electoral division in which an election is held.

Every educational institution shall, on polling day, grant leave to those pupils and students who are electors.

1989, c. 1, s. 306; 2020, c. 1, s. 310.

307. The Chief Electoral Officer shall give such directives as he considers expedient to the returning officer on the manner of arranging and identifying a place where a polling station is established.

In particular, the returning officer shall ensure that places where polling stations are located are arranged in such a manner that electors appearing before the identity verification panel do not hinder or delay the polling proceedings.

1989, c. 1, s. 307; 1999, c. 15, s. 10.

Polling officers

308. Deputy returning officers, poll clerks, identity verification panel chairs and officers in charge of information and order are polling officers.

1989, c. 1, s. 308; 1992, c. 38, s. 55; 1995, c. 23, s. 28; 1999, c. 15, s. 11; 2001, c. 2, s. 26; 2011, c. 5, s. 19; 2021, c. 37, s. 85.

309. The returning officer shall appoint an officer in charge of information and order at every place where a polling station is located.

The officer in charge of information and order shall have the following duties in particular:

(1) to receive the electors and direct them towards the polling station corresponding to their polling subdivision;

(2) to ensure accessibility to the polling stations and facilitate circulation therein;

(3) to ensure that only one person at a time is admitted to a polling station;

(4) to ensure that only the electors present on the premises of a polling station at closing time are admitted to exercise their right to vote;

(5) to ensure that only persons authorized to be present on the premises of a polling station are present;

(6) to inform the returning officer of any situation requiring his intervention;

(7) to support and supervise the work of election officers; and

(8) to temporarily replace an election officer, in accordance with the directives of the Chief Electoral Officer.

1989, c. 1, s. 309; 2021, c. 37, s. 86.

310. In every polling station, the returning officer shall appoint, as deputy returning officer, the person recommended by the candidate of the authorized party whose candidate came first at the last election or by the independent Member elected as such if he is again a candidate.

He shall appoint, as poll clerk, the person recommended by the candidate of the authorized party whose candidate came second at the last election.

1989, c. 1, s. 310.

310.1. *(Repealed).*

2001, c. 2, s. 27; 2011, c. 5, s. 20; 2021, c. 37, s. 87.

311. In a new electoral division, in an electoral division whose boundaries have been changed since the last election or in an electoral division in which no candidate of an authorized party came second at the last

election or where persons who would have been entitled to recommend the person to be appointed as deputy returning officer or poll clerk are not candidates, the Chief Electoral Officer shall decide, in accordance with the criteria provided by regulation, which candidates are entitled to make the recommendations provided for in section 310.

1989, c. 1, s. 311; 2001, c. 2, s. 28; 2021, c. 37, s. 88.

312. The recommendations must be received by the returning officer not later than the 26th day before polling day.

The returning officer may, on reasonable grounds, refuse a recommendation. In such a case, he shall request a new recommendation.

Where no recommendation has been received, or where the person recommended is not qualified to hold the office, the returning officer shall make the appointment without any other formality.

1989, c. 1, s. 312; 1995, c. 23, s. 29; 2011, c. 5, s. 21; 2021, c. 37, s. 89.

312.1. The returning officer shall establish an identity verification panel for every place where a polling station is located. With the authorization of the Chief Electoral Officer, more than one panel may be established.

An identity verification panel is composed of three members, including a chairman, appointed by the returning officer. Sections 310, 311 and 312 apply with the necessary modifications to the appointment of the panel members other than the chairman.

If there are three or fewer polling stations on the premises, the returning officer may allow the deputy returning officer and the poll clerk to act as panel members. In such a case, sections 335.1 to 335.4 apply, with the necessary modifications.

The function of the panel members is to verify the identity of electors who have been unable to produce identification pursuant to the second paragraph of section 337. Decisions are made by a majority vote.

1999, c. 15, s. 12; 2008, c. 22, s. 46; 2011, c. 5, s. 22.

313. On the twelfth day before polling day, the returning officer shall post up in the returning officer's offices and transmit to each candidate the list of the identity verification panel members, deputy returning officers, poll clerks and officers assigned to the list of electors he has appointed.

He shall, without delay, inform the candidates of any changes to the list.

1989, c. 1, s. 313; 1999, c. 15, s. 13; 2001, c. 2, s. 29; 2006, c. 17, s. 18.

314. The deputy returning officer shall have the following duties in particular:

- (1) to see to the arrangement of the polling station;
- (2) to ensure that the polling is properly conducted and maintain order;
- (3) to facilitate the exercise of the right to vote and ensure the secrecy of the vote;
- (4) to proceed with the counting of the votes;
- (5) to transmit the results of the vote to the returning officer and give the ballot box to him.

1989, c. 1, s. 314.

315. The poll clerk shall have the following duties in particular:

- (1) to enter in the poll book the particulars relating to the conduct of the polling;
- (2) to assist the deputy returning officer;

(3) to furnish the information to the poll runners, in accordance with the directives of the Chief Electoral Officer, as to the electors who have exercised their right to vote.

1989, c. 1, s. 315; 2021, c. 37, s. 90.

315.1. *(Repealed).*

2001, c. 2, s. 30; 2011, c. 5, s. 23; 2021, c. 37, s. 91.

Representatives

316. A candidate may attend every operation related to the poll. He may also designate a person and give him a power of attorney to represent him before the deputy returning officer or the officer in charge of information and order, or before each of them.

1989, c. 1, s. 316.

317. The power of attorney shall be signed by the candidate or his mandatary and be presented to the deputy returning officer or to the officer in charge of information and order, as the case may be. It is valid for the duration of the polling and of the counting.

1989, c. 1, s. 317.

Poll runners

318. A candidate may also designate, on polling day, a person for each place where polling stations are established, and give him a power of attorney to collect a list of the persons who have already exercised their right to vote. That person may be the person he has designated as his representative before the officer in charge of information and order.

1989, c. 1, s. 318.

319. The power of attorney shall be signed by the candidate or his mandatary and be presented to the deputy returning officer or to the officer in charge of information and order, as the case may be. It is valid for the duration of the polling.

1989, c. 1, s. 319.

Ballot papers and ballot boxes

320. The returning officer shall cause ballot papers to be printed in accordance with the model provided in Schedule III and according to the directives of the Chief Electoral Officer.

The printer shall see that no ballot paper of the model ordered by the returning officer is furnished to any other person.

1989, c. 1, s. 320.

321. The paper necessary for the printing of the ballot papers shall be provided by the Chief Electoral Officer.

1989, c. 1, s. 321; 2021, c. 37, s. 92.

322. The printer and the paper maker shall comply with the standards prescribed by directive of the Chief Electoral Officer.

1989, c. 1, s. 322; 2021, c. 37, s. 93.

323. The ballot papers shall have a counterfoil and a stub both bearing the same number on the reverse. The ballot papers shall be numbered consecutively.

In addition, the ballot papers shall contain, on the reverse, a space reserved for the initials of the deputy returning officer, the name and address of the printer and the designation of the electoral division.

The photograph referred to in subparagraph 3 of the first paragraph of section 241 shall be reproduced in black and white on the stub of the ballot paper, opposite the name of the candidate.

1989, c. 1, s. 323; 2021, c. 37, s. 94.

324. The ballot papers must allow each candidate to be clearly identified.

The ballot papers shall contain, on the obverse, the given name and surname of each candidate in alphabetical order; the given names and surnames must be spelled as in the nomination paper. The denomination of the authorized party must appear under the name of the candidate of that party; the indication “independent” must be entered under the name of the independent candidate if he has indicated it in his nomination paper.

Where two or more candidates have the same surname and given name, the returning officer shall draw lots to determine the order in which the surname and given name of each those candidates are to appear on the ballot paper.

1989, c. 1, s. 324; 1999, c. 15, s. 14.

325. The Chief Electoral Officer shall cause ballot boxes to be made, in accordance with the standards fixed by him, in sufficient number for each electoral division.

The ballot boxes shall be made of durable material and be of uniform size and shape, and shall bear the official emblem of Québec.

1989, c. 1, s. 325.

326. Between the date of issue of the order instituting the election and that of publication of the notice contemplated in section 380, the returning officer shall have custody of the ballot boxes.

1989, c. 1, s. 326.

327. Not later than one hour before the opening of the polling station, the returning officer gives the deputy returning officer a ballot box, the directives concerning the work of the polling officers, a poll book, the required polling materials, the documents needed for the counting of votes and the list of electors for the polling subdivision identifying the changes made by the special board of revisors and including particulars about voting in the advance poll and at the returning officer’s office.

He shall also give to him a sealed envelope, bearing his initials on the seal, containing a number of ballot papers at least equal to the number of electors entered on the list, without splitting a ballot paper booklet, plus 25.

1989, c. 1, s. 327; 1992, c. 38, s. 56; 1995, c. 23, s. 30; 2006, c. 17, s. 19.

§ 2. — *The vote*

Preliminary formalities

328. The officer in charge of information and order, the deputy returning officer, the poll clerk, the officer assigned to the list of electors and the members of the identity verification panel shall be present at the polling station one hour before the opening of the poll.

The representatives of the candidates may be present from the same moment. They may attend any operation conducted there.

1989, c. 1, s. 328; 2001, c. 2, s. 31; 2011, c. 5, s. 24.

329. The deputy returning officer, in the presence of the poll clerk, shall open the ballot box and examine the documents found in it and the material required for the poll, complying with the directives issued by the Chief Electoral Officer.

1989, c. 1, s. 329.

330. (*Repealed*).

1989, c. 1, s. 330; 1992, c. 38, s. 57.

331. The place where the polling stations are located and the polling officers shall be identified in the manner determined by directive of the Chief Electoral Officer.

1989, c. 1, s. 331; 2021, c. 37, s. 96.

332. At the hour fixed for opening of the poll, the deputy returning officer and the poll clerk shall ascertain that there are no ballot papers enclosed in the ballot box, after which the ballot box shall be sealed and placed on the table of the polling station in full view of the polling officers.

1989, c. 1, s. 332.

Polling hours

333. The polling shall take place from 9:30 a.m. until 8:00 p.m.

1989, c. 1, s. 333; 1999, c. 15, s. 15; 2006, c. 17, s. 20.

334. During the hours of polling, the Chief Electoral Officer and the returning officer must be easily accessible to the candidates and their mandataries.

1989, c. 1, s. 334.

335. Every employer shall ensure that every employee who is qualified to vote has at least four consecutive hours free to vote while the polling stations are open, not counting the time normally allowed for meals.

If an employee does not have such a period outside working hours, the employer shall grant the employee, at the time of day determined by the employer, the leave of absence required so that the employee may have four consecutive hours to vote.

No deduction of wages or penalty may be imposed on the employee by the employer by reason of the leave of absence.

Section 123 of the Act respecting labour standards (chapter N-1.1) applies to an employee who believes that he has been wronged as a result of a contravention of this section.

1989, c. 1, s. 335; 1995, c. 23, s. 31; 1999, c. 15, s. 16.

Verification of identity of electors

335.1. The officer in charge of information and order shall ensure that electors arriving at a place where a polling station is located are informed of the obligation to produce identification in accordance with section 337 and are directed to the identity verification panel if they indicate that they do not have any of the documents prescribed by section 337 in their possession.

1999, c. 15, s. 17.

335.2. An elector who has been directed to the identity verification panel must, if he wishes to be admitted to vote,

(1) declare before the panel members that he is the elector whose name appears on the list of electors and is entitled to be entered on the list in respect of the address appearing opposite his name;

(2) sign the affidavit provided for that purpose in the register kept by the panel members;

(3) show his face and meet either of the following conditions:

(a) produce at least two documents providing evidence of his name, including one that bears his photograph, or failing that, at least two documents which together provide evidence of his name and date of birth and of the address appearing on the list opposite his name or his domiciliary address; or

(b) be accompanied by a person who

i. identifies himself in accordance with the first paragraph of section 337;

ii. attests to the identity and address of the elector;

iii. declares that he has not accompanied any other elector other than his spouse or relative within the meaning of section 204;

iv. produces a document referred to in the second paragraph of section 337 that bears his photograph; and

v. signs an affidavit for that purpose in the register kept by the panel members, which affidavit shall indicate his name, date of birth and address.

However, a document not bearing a photograph may be produced by a person accompanying an elector if that person resides in a location listed in Schedule I to the Regulation respecting the terms and conditions for the issuance of health insurance cards and the transmittal of statements of fees and claims (chapter A-29, r. 7.2) or in a locality referred to in section 7.8 of the Regulation respecting licences (chapter C-24.2, r. 34), is accompanying an elector who is entitled to vote in such a location or locality and meets the requirements determined by regulation.

Despite subparagraphs 2 and 3 of the first paragraph, an elector who is unable to show his face for reasons of physical health that are considered valid by the Chief Electoral Officer or any person designated by the Chief Electoral Officer for that purpose may obtain an authorization allowing him to be identified without showing his face, provided he first signs the affidavit for that purpose in the presence of the members of the verification panel.

The chairman of the verification panel shall give the elector the authorization described in the third paragraph.

1999, c. 15, s. 17; 2007, c. 29, s. 5; I.N. 2015-06-01; I.N. 2016-01-01 (NCCP).

335.3. No person may write down or otherwise record information contained in a document produced pursuant to section 335.2.

This section shall not operate to prevent the members of the identity verification panel from recording, at the request of the Chief Electoral Officer, for statistical purposes and without identifying electors, the type of document produced pursuant to section 335.2.

1999, c. 15, s. 17.

335.4. Where an elector meets the conditions imposed by section 335.2, the chairman of the identity verification panel shall give the elector a certificate attesting that he has validly established his identity.

1999, c. 15, s. 17.

Exercise of the right to vote

336. Not more than one elector may, at any time, be admitted to the polling station.

1989, c. 1, s. 336.

337. Each elector shall declare, to the deputy returning officer and the poll clerk, his name and address and, when so required, his date of birth.

In addition, each elector shall show his face and identify himself, notwithstanding any incompatible provision, by producing his health insurance card issued by the Régie de l'assurance maladie du Québec, driver's licence or probationary licence issued in plastic form by the Société de l'assurance automobile du Québec, Canadian passport or any other document that has been issued by the Government or a government department or body or recognized by the Government and is determined by regulation of the Government after consultation with the advisory committee.

Where an elector who has not been directed to the identity verification panel cannot produce identification in accordance with the second paragraph, the deputy returning officer shall invite the elector to submit his case to the members of the panel.

1989, c. 1, s. 337; 1995, c. 23, s. 32; 1999, c. 15, s. 18; 1999, c. 89, s. 53; 2007, c. 29, s. 6.

337.1. No person may write down or otherwise record information contained in a document produced by an elector pursuant to the second paragraph of section 337.

This section shall not operate to prevent polling officers from recording, at the request of the Chief Electoral Officer, for statistical purposes and without identifying electors, the type of document produced by electors.

1999, c. 15, s. 19.

338. The deputy returning officer shall admit an elector to vote if the elector has not already voted, if he is entered on the list of electors of the polling subdivision, if his name and address and, where applicable, his date of birth, correspond to those appearing on that list and if he has produced identification in accordance with section 335.2 or the second paragraph of section 337.

Any elector whose designation differs slightly from that appearing on the list of electors may nevertheless be admitted to vote on making the oath in the form prescribed by the Chief Electoral Officer; an indication thereof shall be entered in the poll book.

1989, c. 1, s. 338; 1995, c. 23, s. 33; 1999, c. 15, s. 20; 2021, c. 37, s. 97.

339. An elector under whose name another person has already voted may nevertheless be admitted to vote on making the oath in the form prescribed by the Chief Electoral Officer; an indication thereof shall be entered in the poll book.

1989, c. 1, s. 339; 2021, c. 37, s. 98.

340. The returning officer or his assistant may issue an authorization to vote, in the form prescribed by the Chief Electoral Officer, to any elector

(1) whose name does not appear on the copy of the list of electors used at the polling station but appears on the revised list of electors in the possession of the returning officer;

(2) whose name was not properly entered when a decision of a board of revisors was copied;

(3) whose registration was mistakenly removed from the list of electors because it was confused with that of another elector;

(4) whose registration on the list of electors was changed by the Chief Electoral Officer under section 208;

(5) who has left home for his or her safety or that of his or her children and wishes to vote in the polling subdivision where he or she is residing;

(6) who is an election officer in the electoral division of his or her domicile and whose name is entered on the list of electors of that electoral division but does not appear on the list of electors of any of the polling stations at the place where he or she is working on polling day;

(7) who is mobility impaired, if the voting place is not accessible on polling day;

(8) who is a candidate not domiciled in the electoral division in which he is running.

An elector who has obtained an authorization under this section shall present it to the deputy returning officer and declare under oath that he is indeed the person who obtained it; an indication thereof shall be entered in the poll book.

As regards the address, section 337 does not apply to the elector referred to in subparagraph 5 of the first paragraph.

1989, c. 1, s. 340; 1995, c. 23, s. 34; 2001, c. 72, s. 26; 2006, c. 17, s. 22; 2008, c. 22, s. 47; 2021, c. 37, s. 99.

341. The deputy returning officer shall give a ballot paper to the elector who is admitted to vote, after writing his initials in the space reserved for that purpose and detaching it from the counterfoil.

1989, c. 1, s. 341.

342. After receiving a ballot paper, the elector shall enter the polling booth, mark the ballot paper and fold it; he shall allow the initials of the deputy returning officer to be examined by the latter, the poll clerk and every representative of a candidate who wishes to do so; then, in full view of the persons present, the elector shall detach the stub and hand it to the deputy returning officer, who shall destroy it, and the elector himself shall place the ballot paper in the ballot box.

1989, c. 1, s. 342.

343. The elector shall mark the ballot paper in one of the circles with a pencil given to him by the deputy returning officer at the same time as the ballot paper.

1989, c. 1, s. 343; 1998, c. 52, s. 62; 2001, c. 2, s. 32.

344. As soon as an elector has voted, the poll clerk shall indicate it on the list of electors in the space reserved for that purpose.

1989, c. 1, s. 344.

345. The deputy returning officer shall cancel any ballot paper if the initials appearing on the back of it are not his own, and the poll clerk shall enter an indication thereof in the poll book.

1989, c. 1, s. 345.

346. Where a ballot paper has been inadvertently marked or spoiled, the deputy returning officer shall require the elector to mark each of the circles of the ballot paper. The deputy returning officer shall thereupon cancel the marked or spoiled ballot paper and give a new ballot paper to the elector.

1989, c. 1, s. 346; 1998, c. 52, s. 63.

347. An elector who declares that he or she is unable to mark a ballot paper may be assisted

- (1) by the elector's spouse or relative within the meaning of section 204;
- (2) by another person, in the presence of the deputy returning officer and the poll clerk assigned to the polling station, provided the person declares under oath not having assisted any other elector during the poll other than the person's spouse or relative within the meaning of section 204; or
- (3) by the deputy returning officer, in the presence of the poll clerk.

In all cases, this is recorded in the poll book.

1989, c. 1, s. 347; 1998, c. 52, s. 64; 2001, c. 2, s. 33; 2006, c. 17, s. 23, s. 37; 2006, c. 17, s. 37.

348. At the request of any visually handicapped person, the deputy returning officer shall provide that person with a template, in accordance with a model prescribed by directive of the Chief Electoral Officer, to enable him to vote without assistance. The deputy returning officer shall then indicate to him the order in which the candidates appear on the ballot paper and the indications entered under their names, where such is the case.

1989, c. 1, s. 348; 2021, c. 37, s. 100.

349. A deaf or mute elector may be assisted, for the purposes of communicating with the election officers and representatives, by a person capable of interpreting the sign language of the deaf.

1989, c. 1, s. 349.

350. Before the deputy returning officer remits a ballot paper, he, the poll clerk or the representative of a candidate may require a person to declare under oath, in the form prescribed by the Chief Electoral Officer, that

(1) he is a qualified elector;

(2) he was domiciled in that polling subdivision on the 14th day before polling day or, if he filed an application under section 3, that he had his main office in the polling subdivision on the date of the application;

(3) he has not already voted in the current election;

(4) he has received no benefit intended to engage his support in favour of a candidate;

(5) he has no ballot paper in his possession that may be used in the current election.

The poll clerk shall enter in the poll book the name of the person requiring the declaration and the reasons for the requirement.

1989, c. 1, s. 350; 1995, c. 23, s. 36; 1998, c. 52, s. 65; 2013, c. 5, s. 10; 2006, c. 17, s. 24; 2011, c. 5, s. 36; 2021, c. 37, s. 101.

351. In no case may a deputy returning officer give a ballot paper to a person who refuses to make the oath, and an indication thereof shall be entered in the poll book.

1989, c. 1, s. 351.

352. No person may, on the premises of a polling station, use any sign to indicate his political affiliation or support for or opposition to a party or candidate, or engage in any other form of partisan publicity.

The returning officer may cause any prohibited partisan publicity to be removed if, after being asked to remove it, the party or candidate promoted by the publicity refuses or neglects to do so.

The building in which the polling station is located and any neighbouring place where the sign or partisan publicity may be seen or heard by the electors are considered to be the premises of the polling station.

1989, c. 1, s. 352; 1995, c. 23, s. 37.

353. If it is not possible for the polling to begin at the prescribed time, or if it is interrupted by irresistible force or cannot be concluded for a lack of ballot papers, the Chief Electoral Officer may extend polling hours at the polling station concerned for as long as the Chief Electoral Officer determines.

1989, c. 1, s. 353; 2001, c. 2, s. 34; 2008, c. 22, s. 48.

354. Any electors on the premises of a polling station at the hour of closing of the poll who have not voted may exercise their right to vote. The deputy returning officer shall thereafter declare the polling closed.

For the purposes of the first paragraph, the premises of a polling station extend as far as the end of the waiting line of electors entitled to vote at the polling station, as it stands at the hour of closing of the poll.

1989, c. 1, s. 354.

Secrecy of voting

355. Voting is secret.

1989, c. 1, s. 355.

356. No elector may, on the premises of a polling station, indicate, in any manner, the name of the candidate in favour of whom he intends to vote or has voted.

1989, c. 1, s. 356.

357. No candidate, representative or election officer may, on the premises of a polling station, attempt to learn the name of the candidate in favour of whom an elector intends to vote or has voted.

1989, c. 1, s. 357.

358. No candidate, election officer or elector who has given assistance to another elector may disclose the name of the candidate for whom the elector has voted.

1989, c. 1, s. 358; 2001, c. 2, s. 35.

359. No person may be compelled to disclose for whom he has voted.

1989, c. 1, s. 359.

§ 3. — *Proceedings after the vote*

2006, c. 17, s. 25.

Place where votes are counted

360. Votes are counted at the Chief Electoral Officer's office, the returning officer's office or the polling station, depending on where the ballot papers are received.

Votes cast during the advance poll and votes cast by electors at the office of the returning officer for the electoral division of their domicile are counted at the place determined by the returning officer.

1989, c. 1, s. 360; 2006, c. 17, s. 25; 2011, c. 5, s. 25.

Counting of votes on ballot papers placed in a ballot box

361. After the close of the poll, the deputy returning officer, assisted by the poll clerk, counts the votes. The candidates and their representatives may be present.

Despite the first paragraph, the counting of the votes cast at the returning officer's main office or at one of the returning officer's branch offices, of the votes cast by mail, of the votes cast during the advance poll and of the votes cast on the campus of a vocational training centre or post-secondary educational institution may be held in accordance with the conditions prescribed by directive of the Chief Electoral Officer. Before counting the votes cast, the deputy returning officer and the poll clerk take the oath provided in Schedule II. The deputy returning officer and the poll clerk may be persons other than those appointed to act at the advance polling station. In that case, sections 312 and 313 do not apply.

1989, c. 1, s. 361; 2006, c. 17, s. 25; 2008, c. 22, s. 49; 2021, c. 37, s. 102.

362. Before the ballot box is opened, the poll clerk records in the poll book

- (1) the number of electors who voted;
- (2) the number of spoiled or cancelled ballot papers and the number of unused ballot papers; and

(3) the names of the polling officers and the representatives, specifying which are entitled to remuneration.

1989, c. 1, s. 362; 2006, c. 17, s. 25.

363. The deputy returning officer, the poll clerk and the representatives use the tally sheet provided by the Chief Electoral Officer for the counting of votes.

1989, c. 1, s. 363; 2006, c. 17, s. 25.

364. The deputy returning officer opens the ballot box, counts the votes by taking the ballot papers out of the ballot box one by one and allows each person present to examine them.

1989, c. 1, s. 364; 1998, c. 52, s. 66; 2001, c. 2, s. 36; 2006, c. 17, s. 25.

365. The deputy returning officer declares valid every ballot paper marked in a circle opposite the given name and family name of one of the candidates.

The deputy returning officer rejects a ballot paper if it

- (1) was not supplied by the deputy returning officer;
- (2) does not bear the deputy returning officer's initials;
- (3) is not marked;
- (4) is marked for more than one candidate;
- (5) is marked for a person who is not a candidate;
- (6) is marked outside the circles;
- (7) bears a fanciful or injurious marking;
- (8) bears a mark by which the elector can be identified; or
- (9) is marked otherwise than with the pencil given to the elector by the deputy returning officer.

No ballot paper may be rejected for the reason set out in subparagraph 2 of the second paragraph if the number of ballot papers in the ballot box corresponds to the number of ballot papers that were placed in it according to the list of electors or the poll book.

In full view of the persons present, the deputy returning officer initials the back of any ballot paper that is not initialled, and notes under the initials that they have been added as a correction. This is recorded in the poll book.

1989, c. 1, s. 365; 1998, c. 52, s. 67; 2006, c. 17, s. 25.

366. No ballot paper may be rejected for the sole reason that its stub has not been removed. The deputy returning officer removes the stub and destroys it.

No ballot paper may be rejected for the sole reason that the mark extends beyond the circle or that the circle is not completely filled in.

1989, c. 1, s. 366; 2006, c. 17, s. 25.

366.1. *(Replaced).*

1998, c. 52, s. 68; 2006, c. 17, s. 25.

367. The deputy returning officer considers any objection raised by a candidate or a candidate's representative as to the validity of a ballot paper and makes a decision immediately. The objection and the deputy returning officer's decision are recorded in the poll book.

1989, c. 1, s. 367; 2006, c. 17, s. 25.

368. The deputy returning officer draws up a statement of votes and signs it. The poll clerk and the representatives who wish to do so initial the statement.

The deputy returning officer records the reasons why ballot papers were rejected in the statistical report of rejected ballot papers.

1989, c. 1, s. 368; 2006, c. 17, s. 25.

369. After counting the ballot papers and drawing up the statement of votes, the deputy returning officer places in separate envelopes the ballot papers marked for each candidate, the rejected ballot papers, the spoiled or cancelled ballot papers, the unused ballot papers and the statement of votes. The deputy returning officer then seals the envelopes.

The deputy returning officer, the poll clerk and the representatives who wish to do so initial the seals.

The envelopes, the poll book and the list of electors are placed in the ballot box.

1989, c. 1, s. 369; 2006, c. 17, s. 25.

370. The deputy returning officer gives a copy of the statement of votes to the representative of each candidate and to the returning officer.

1989, c. 1, s. 370; 2006, c. 17, s. 25.

370.1. The deputy returning officer seals the ballot box, and the deputy returning officer, the poll clerk and the representatives who wish to do so initial the seals.

2006, c. 17, s. 25.

370.2. The deputy returning officer gives the ballot box to the returning officer or the person designated by the returning officer.

2006, c. 17, s. 25.

Counting of votes on ballot papers received in envelopes

370.3. The verification of envelopes preceding the counting of votes starts on the days and at the times determined by the Chief Electoral Officer; the verification cannot begin before the end of the special revision process.

2006, c. 17, s. 25.

370.4. The Chief Electoral Officer designates one or more persons to verify the envelopes.

2006, c. 17, s. 25.

370.5. A person designated to verify the envelopes must make sure that

- (1) the information on the outside envelope corresponds to that on the registration form;
- (2) the envelope is an envelope from the elector's electoral division;
- (3) only one ballot paper was given to the elector;
- (4) the envelope does not come from an elector removed from the list of electors by the board of revisors;
and
- (5) the number of envelopes corresponds with the entries in the poll book.

Once these verifications have been made, if everything is in compliance, the envelope containing the ballot paper is removed from the second envelope and placed in the ballot box.

2006, c. 17, s. 25.

370.6. If an irregularity is discovered during the verification, the envelope in question is not placed in the ballot box and the ballot paper is considered cancelled.

Ballot papers for which the inside envelope or the outside envelope is missing are also considered cancelled. However, no ballot paper referred to in section 277 that is in an envelope may be cancelled for the sole reason that the envelope is not sealed.

2006, c. 17, s. 25; 2021, c. 37, s. 104.

370.7. Whenever an envelope or a ballot paper is cancelled under section 370.6, reasons must be given.

2006, c. 17, s. 25.

370.8. The Chief Electoral Officer sets up as many stations as necessary to count the votes and appoints a deputy returning officer and a poll clerk for each of the stations.

The Chief Electoral Officer appoints as deputy returning officer the person recommended by the party that received the greatest number of votes in the last general election.

The Chief Electoral Officer appoints as poll clerk the person recommended by the party that received the second greatest number of votes in the last general election.

2006, c. 17, s. 25; 2008, c. 22, s. 50.

370.9. On polling day, the deputy returning officer, assisted by the poll clerk, counts the votes. The votes are counted at the place and time determined by the Chief Electoral Officer in accordance with sections 362 to 370.2, with the necessary modifications.

If the votes are counted at the office of the Chief Electoral Officer, each authorized party may designate a representative to attend.

No ballot paper may be rejected for the sole reason that one of the words it bears is misspelled if the elector's intention is clear or for the sole reason that it does not bear the election officer's initials, if the number of ballot papers in the ballot box corresponds to the number of ballot papers that were placed in it according to the list of electors or the register of votes counted, as the case may be.

2006, c. 17, s. 25; 2021, c. 37, s. 105.

370.10. The deputy returning officer, after counting the ballot papers for each electoral division, draws up a statement of votes for each electoral division and signs each of them. The poll clerk and the representatives who wish to do so initial the statements.

The deputy returning officer places in separate envelopes, for each electoral division, the ballot papers marked for each candidate and the rejected ballot papers. The deputy returning officer then seals the envelopes and places them in another sealed envelope bearing the name of the electoral division concerned.

The deputy returning officer, the poll clerk and the representatives who wish to do so initial the seals.

The envelope, the poll book and the statement of votes are placed in a ballot box bearing the name of the electoral division.

2006, c. 17, s. 25; 2008, c. 22, s. 51; 2021, c. 37, s. 106.

370.11. The deputy returning officer seals the ballot box, and the deputy returning officer, the poll clerk and the representatives who wish to do so initial the seals.

The deputy returning officer then gives the ballot box and the statement of votes to the Chief Electoral Officer or the person designated by the Chief Electoral Officer.

2006, c. 17, s. 25.

370.12. The Chief Electoral Officer immediately communicates the poll results to each returning officer concerned and sends the latter a copy of the corresponding statement of votes.

2006, c. 17, s. 25.

§ 4. — *Addition of votes*

371. The returning officer shall notify each candidate or his mandatary of the time when he is ready to proceed to the addition of the votes.

The addition, wherever possible, shall begin at 9:00 a.m. on the day following polling day; it shall take place at the main office of the returning officer, and any candidate, mandatary or elector may attend.

1989, c. 1, s. 371.

372. The returning officer shall proceed to the addition of the votes by using the statements of votes contained in the ballot boxes and compiling the votes cast in favour of each candidate in each polling subdivision of the electoral division.

He shall also use the copy of the statement of votes referred to in section 370.12 if he has received it at the time of the addition or, failing that, he shall use the results communicated in accordance with that section.

1989, c. 1, s. 372; 2006, c. 17, s. 26.

373. If a statement of votes has not been placed in the ballot box or if the returning officer has not received a ballot box, he shall adjourn the addition of the votes until he obtains that statement or ballot box.

1989, c. 1, s. 373.

374. Any person present may apply for a re-addition of the votes if he shows that the returning officer has improperly added the votes where the addition provided for in section 371 took place.

1989, c. 1, s. 374.

375. The returning officer shall declare elected the candidate who, when the addition is completed, has received the greatest number of votes.

He may then communicate the results of the addition to any person requesting them.

1989, c. 1, s. 375.

376. In the case of a tie-vote, the returning officer shall apply for a judicial recount in accordance with Division V of this chapter.

1989, c. 1, s. 376.

DIVISION IV

DECLARATION OF ELECTION AND PUBLICATION OF THE RESULTS

377. If no application for a judicial recount of the votes is filed within the time prescribed, the returning officer shall declare elected the candidate who has received the greatest number of votes. The returning officer shall send a copy of the declaration to each candidate.

The returning officer shall without delay transmit to the Chief Electoral Officer the declaration of election and the result of the addition of the votes.

1989, c. 1, s. 377.

378. The returning officer shall thereafter transmit to the Chief Electoral Officer a complete return of the election proceedings.

He shall also transmit to the Chief Electoral Officer all the ballot papers, the statements of votes, the lists of electors and the poll books.

1989, c. 1, s. 378.

379. The Chief Electoral Officer shall keep the documents transmitted to him by any returning officer for one year from their transmission or, if the election is contested, for one year from the decision on the contestation.

1989, c. 1, s. 379.

380. After transmitting a list of the candidates declared elected to the Secretary General of the National Assembly, the Chief Electoral Officer shall, as soon as possible, publish a notice in the *Gazette officielle du Québec* indicating the surname and given name of each elected candidate, his political affiliation, the name of his electoral division and the date of receipt of the list by the Secretary General.

The candidate declared elected shall become a Member of the National Assembly from the receipt, by the Secretary General of the National Assembly, of the list of the candidates declared elected.

1989, c. 1, s. 380.

381. The Chief Electoral Officer shall, by any means he determines and as soon as possible after the election, make accessible to the public a detailed return of the election, containing, in particular, the results for each polling station.

He shall transmit the return to the Secretary General of the National Assembly.

1989, c. 1, s. 381; 2021, c. 37, s. 107.

DIVISION V

JUDICIAL RECOUNT

382. Any person may apply for a judicial recount of the votes if he has reasonable grounds to believe that a deputy returning officer or the returning officer has unlawfully counted or rejected ballot papers or has drawn up an incorrect statement of votes.

1989, c. 1, s. 382.

383. Any candidate who came second, or his mandatary, may apply for a judicial recount where the majority is not over one-thousandth of the votes cast.

1989, c. 1, s. 383.

384. An application for a judicial recount is made by way of an application to a judge of the Court of Québec of the judicial district in which all or part of the electoral division where the election was held is situated.

1989, c. 1, s. 384; I.N. 2016-01-01 (NCCP).

385. Under pain of dismissal, the application must be served on the Chief Electoral Officer, on the returning officer and on the candidates concerned. The application must be presented within four days after the votes have been added up.

1989, c. 1, s. 385; I.N. 2016-01-01 (NCCP); 2021, c. 37, s. 108.

386. The recount shall begin within four days after the decision granting the application and be carried out as rapidly as possible.

1989, c. 1, s. 386; I.N. 2016-01-01 (NCCP); 2021, c. 37, s. 109.

387. The judge shall give at least one clear day's notice in writing to the Chief Electoral Officer and to the candidates of the day, time and place at which he will proceed to a recount of the votes.

The judge shall summon the returning officer and his assistant, and order the returning officer to bring the ballot boxes and the statement of the votes of his electoral division and, as the case may be, the copy of the statement of votes referred to in section 370.12. They must obey the summons.

If the judicial recount is in an electoral division in which mailed votes were counted, the Chief Electoral Officer brings every envelope referred to in section 370.10 that bears the name of that electoral division.

1989, c. 1, s. 387; 2006, c. 17, s. 27.

388. On the appointed day, the judge, in the presence of the returning officer and his assistant, shall examine the ballot papers and the other documents contained in the ballot box.

The persons contemplated in the first paragraph, those contemplated in section 387 and the mandataries of the candidates may examine the documents contained in the ballot box.

1989, c. 1, s. 388.

389. Sections 365, 366 and the last paragraph of section 370.9 apply to a decision on the validity of a ballot paper and the judge may for that purpose take the measures he considers appropriate.

1989, c. 1, s. 389; 2006, c. 17, s. 28.

390. If a ballot box or the required documents are missing, the judge shall take the appropriate measures to ascertain the result of the vote. For that purpose, he is vested with the powers and immunity of a commissioner appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

Every person testifying on that occasion before a judge has the same privileges and immunity as a witness before the Superior Court, and articles 282 to 285 of the Code of Civil Procedure (chapter C-25.01) apply, adapted as required.

1989, c. 1, s. 390; 1992, c. 61, s. 284; I.N. 2016-01-01 (NCCP).

391. While the recount is in progress, the judge has the custody of the ballot boxes and their contents, and of all the other documents that have been transmitted to him.

1989, c. 1, s. 391.

392. Upon the conclusion of the recount, the judge shall compile the votes cast in favour of each candidate, verify or rectify any statement of votes and certify the results of the poll.

The judge shall return the ballot boxes to the returning officer and all the other documents used for the recount to the Chief Electoral Officer.

1989, c. 1, s. 392.

393. The returning officer shall thereupon declare elected the candidate who received the greatest number of votes and section 377 applies, adapted as required.

1989, c. 1, s. 393.

394. In case of a tie-vote, a new election shall be held.

The returning officer, after informing the Chief Electoral Officer, shall immediately make available to the public, in the manner determined by directive of the Chief Electoral Officer, a notice informing the electors of the new period for filing nomination papers and the new polling date.

Nomination papers shall be filed not later than the second Monday following the day of the judge's decision, and the poll shall be held on the second subsequent Monday.

1989, c. 1, s. 394; 2021, c. 37, s. 110.

395. The judge shall award and fix the amount of the costs according to the tariff established by government regulation.

Where the election results remain unchanged, the costs of the candidate who received the greatest number of votes shall be borne by the person who applied for the recount.

In the case contemplated in section 383, the person who applied for the recount shall pay no costs.

1989, c. 1, s. 395.

396. Costs are recoverable in the same manner as costs awarded in ordinary cases before the Court of Québec.

1989, c. 1, s. 396.

397. Where a judge fails to comply with this division, the aggrieved party may, within four days thereafter, apply to a judge of the Court of Appeal, by filing an application in the office of the court, to issue an order enjoining the judge to comply and to proceed with and complete the recount.

1989, c. 1, s. 397; I.N. 2016-01-01 (NCCP).

398. If the application appears to be founded, the judge of the Court of Appeal shall issue an order appointing the time, within the eight following days and a place for the hearing of the application, and enjoining the interested parties to appear at such date and place.

The order and the application giving rise to it shall be notified in the manner determined by the judge.

1989, c. 1, s. 398; I.N. 2016-01-01 (NCCP).

399. At the appointed day and place, the judge of the Court of Appeal, or another judge of the same court, after hearing the parties present, shall issue such order as he considers justified by the facts; he may also award costs.

1989, c. 1, s. 399.

400. Costs are recoverable in the same manner as costs awarded in ordinary cases before the Court of Appeal.

1989, c. 1, s. 400.

CHAPTER VI

CONTROL OF ELECTION EXPENSES

DIVISION I

ELECTION EXPENSES

401. For the purposes of this chapter,

(1) the election period commences the day after the day of issue of the order instituting the election and ends on polling day at the hour of closing of the polling stations;

(2) the word “candidate” includes any person who becomes a candidate;

(3) the expression “official agent” includes any person who becomes an official agent.

In addition, for the purposes of sections 403, 415, 416, 417 and 421, the expression “election expenses” includes expenses referred to in paragraph 13 of section 404 and the expression “official agent” includes a private intervenor within the meaning of Division V if the private intervenor is an elector, and the representative of such an intervenor if the private intervenor is a group of electors.

1989, c. 1, s. 401; 1992, c. 38, s. 58; 1998, c. 52, s. 69; 2001, c. 2, s. 37.

402. The cost of any goods or services used for the following purposes during an election period is an election expense:

(1) to promote or oppose, directly or indirectly, the election of a candidate or the candidates of a party;

(2) to propagate or oppose the program or policies of a candidate or party;

(3) to approve or disapprove courses of action advocated or opposed by a candidate or party; or

(4) to approve or disapprove any act done or proposed by a party, a candidate or their supporters.

1989, c. 1, s. 402.

403. In the case of goods or services used both during and before an election period, the part of the cost thereof which constitutes an election expense shall be established according to a method based on the frequency of use during the election period compared to the frequency of use before and during the election period.

1989, c. 1, s. 403.

404. The following are not election expenses:

(1) the cost of publishing articles, editorials, news, interviews, columns or letters to the editor in a newspaper, periodical or other publication, provided that they are published without payment, reward or promise of payment or reward, that the newspaper, periodical or other publication is not established for the purposes or in view of the election and that the circulation and frequency of publication are as what obtains outside the election period;

(2) the cost at fair market value of producing, promoting and distributing a book that was planned to be put on sale at the prevailing market price regardless of the election order;

(3) the cost of broadcasting by a radio or television station of a program of public affairs, news or commentary, provided that the program is broadcast without payment, reward or promise of payment or reward;

(4) the necessary costs of holding a meeting in an electoral division for the selection of a candidate, including the cost of renting a hall, of convening the delegates and of the publicity made at the meeting; the costs cannot exceed \$4,000 nor include any other form of publicity;

(5) the reasonable costs incurred by a candidate for attending a meeting to select a candidate in an electoral division; the costs cannot include any publicity except that made by the candidate at the meeting;

(6) the reasonable expenses incurred by a candidate or any other person, out of his own money, for meals and lodging while traveling for election purposes, if the expenses are not reimbursed to him;

(7) the transportation costs of a candidate, if not subject to reimbursement;

(7.1) the other reasonable personal expenses incurred by a candidate, other than publicity expenses, if the expenses are not reimbursed to him;

(8) the transportation costs of any person other than a candidate, paid out of his own money, if the costs are not reimbursed to him;

(8.1) the cost of the food and beverages served at a political or fundraising activity where the cost is included in the entrance fee paid by participants;

(9) the reasonable expenses incurred for the publication of explanatory commentaries on this Act and the regulations thereunder, provided the commentaries are strictly objective and contain no publicity of such a nature as to favour or oppose a candidate or a party;

(10) the reasonable ordinary expenses incurred for the day-to-day operations of not more than two permanent offices of the party the addresses of which are entered in the register of the Chief Electoral Officer;

(11) interest accrued from the beginning of the election period to the day occurring 90 days after polling day, on any loan lawfully granted to an official representative for election expenses, unless the official agent has paid the interest and declared it as an election expense in his return of election expenses;

(12) the expenses incurred for the holding of meetings, the total of which does not exceed \$200 for the entire election period, including the renting of halls and the convening of participants, provided the meetings are not directly or indirectly organized on behalf of a candidate or party;

(13) the publicity expenses, the total of which does not exceed \$300 for the entire election period, incurred by an authorized private intervenor in accordance with Division V, without directly promoting or opposing a candidate or party, to publicize or obtain support for the intervenor's views on a matter of public interest or to advocate abstention or the spoiling of ballots;

(14) the remuneration paid to a representative referred to in section 316.

1989, c. 1, s. 404; 1992, c. 38, s. 59; 1998, c. 52, s. 70; 2001, c. 2, s. 38; 2021, c. 37, s. 111.

405. To incur election expenses, an authorized party shall have an official agent.

The official representative of a party shall be the official agent of the party unless another person is designated in writing for that purpose by the leader of the party.

A person designated as the official agent by the leader of a party shall confirm in writing that he accepts the office.

If the official agent dies, resigns or is unable to act, the leader of the party shall immediately appoint another such agent and notify the Chief Electoral Officer in writing of the appointment. The leader of the party may dismiss the official agent and immediately appoint another, notifying the Chief Electoral Officer in writing of the appointment.

The Chief Electoral Officer shall publish the name of the official agent of a party in the *Gazette officielle du Québec*.

1989, c. 1, s. 405; 2021, c. 37, s. 112.

406. The official agent of an authorized party may, with the approval of the leader of the party, appoint the required number of deputies and authorize them to incur or authorize election expenses up to the amount fixed by him in their deed of appointment. The leader of the party may dismiss a deputy. The leader of the party shall notify the Chief Electoral Officer in writing of the dismissal. Moreover, the amount fixed in the deed of appointment may be changed, in writing, at any time by the official agent before he files his return of election expenses.

Any deputy who resigns shall notify, in writing, the leader of the party and the Chief Electoral Officer of his resignation.

Within ten days of resigning or being dismissed, the deputy shall file with the official agent a return of election expenses, with vouchers, covering the period during which he was in office.

All election expenses incurred by a deputy of the official agent are deemed to have been incurred by the official agent up to the amount fixed in the deed of appointment.

Every deputy shall furnish to the official agent of the party an itemized statement of the expenses incurred or authorized by him.

1989, c. 1, s. 406; 2021, c. 37, s. 113.

407. An official agent may, in writing, authorize an advertising agency to incur or order election expenses up to the amount he fixes in the authorization. That amount may be changed by the official agent, in writing, at any time before he files his return of election expenses.

The advertising agency shall furnish to the official agent, within 60 days after polling day, an itemized statement of the expenses incurred or ordered, accompanied with the vouchers and advertising proof, including the invoices of subcontractors. The statement must be made in the form prescribed by the Chief Electoral Officer.

1989, c. 1, s. 407.

408. Every candidate shall have an official agent.

Section 406 applies to the official agent of a candidate, with the necessary modifications.

1989, c. 1, s. 408; 2011, c. 5, s. 26.

408.1. Within 10 days of being appointed, official agents and their deputies shall undergo training given by the Chief Electoral Officer on the control of election expenses.

Official agents and deputies shall also undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall, by directive, determine the other particulars regarding all such training.

2016, c. 18, s. 21.

409. Any official agent of a party who resigns shall notify, in writing, the leader of the party and the Chief Electoral Officer of his resignation. An official agent of a candidate who resigns shall notify, in writing, the candidate and the Chief Electoral Officer of his resignation.

Within ten days of resigning or being dismissed, the official agent shall file with the leader of the party or the candidate a return of election expenses, with vouchers, covering the period during which he was in office.

1989, c. 1, s. 409; 1992, c. 38, s. 60; 2008, c. 22, s. 52; 2021, c. 37, s. 114.

410. If the official agent designated in the nomination paper dies, resigns or is unable to act, the candidate shall forthwith appoint another such agent and notify the Chief Electoral Officer in writing of the appointment.

The candidate may also dismiss his official agent and appoint another in the same manner.

1989, c. 1, s. 410; 1999, c. 40, s. 116; 2008, c. 22, s. 53.

411. The Chief Electoral Officer shall inform the returning officer without delay of every appointment and replacement of an official agent.

If an official agent is replaced before polling day, the returning officer shall post up a notice of the replacement with a notice of the poll; he shall transmit a copy of the notice of replacement to each candidate or his mandatary.

1989, c. 1, s. 411; 2008, c. 22, s. 54.

412. No person contemplated in section 45 may be appointed as an official agent or deputy.

1989, c. 1, s. 412; 2021, c. 37, s. 115.

413. During an election period, only the official agent of a candidate or of an authorized party or his deputy may incur or authorize election expenses.

1989, c. 1, s. 413.

414. In no case may an official agent or his deputy pay the cost of any election expense otherwise than out of an election fund.

No sums of money other than those held in accordance with Title III by an authorized entity may be paid into the election fund put at the disposal of an official agent.

The official agent shall deposit the sums paid into the election fund put at his disposal in an account at a Québec branch of a bank, authorized trust company or financial services cooperative. The account shall be separate from that of the official representative.

Any election expense that has been paid by the official representative or his delegate in accordance with section 403, 419 or 420 is deemed to have been paid out of an election fund.

1989, c. 1, s. 414; 1992, c. 38, s. 61; 2001, c. 2, s. 39; 2000, c. 29, s. 649; 2018, c. 23, s. 762; 2021, c. 37, s. 116.

415. No goods or services whose cost is wholly or partly an election expense may be used during the election period except by the official agent of a candidate or party or with his authorization.

1989, c. 1, s. 415; 1998, c. 52, s. 71.

416. No person may accept or execute an order for election expenses not given or authorized by an official agent or in his name by his deputy or the advertising agency authorized by him.

1989, c. 1, s. 416.

417. No person may, for goods or services whose cost is wholly or partly an election expense, claim or receive a price different from the regular price for similar goods or services outside the election period nor may he accept a different remuneration or renounce payment.

A person may nevertheless personally and voluntarily, without compensation and for no consideration, do volunteer work and provide the use of his personal vehicle for that purpose.

1989, c. 1, s. 417; 2008, c. 22, s. 55; 2016, c. 18, s. 22.

418. *(Repealed).*

1989, c. 1, s. 418; 1992, c. 38, s. 62.

419. At a general election, the official agent of an authorized party, his deputy or the official representative of a party authority in an electoral division, if expressly authorized therefor by the official agent of the party, may, so long as no candidate of the party has filed his nomination paper in that electoral division and before the expiry of the period prescribed for the filing of nomination papers, authorize election expenses in the electoral division.

If, at the time of the polling, the party presents no candidate in the electoral division for which the expenses were authorized, the expenses are deemed to have been incurred by the party. In the opposite case, the expenses are deemed to have been incurred by the official agent of the candidate of the party and the person who authorized the expenses shall file an itemized statement thereof with him.

If the expenses incurred under this section include publicity, they shall be identified by the name and title of the official representative of the party authority, the official agent of the party or his deputy, or the official agent of the candidate and, where applicable, the name of the printer.

1989, c. 1, s. 419; 1992, c. 38, s. 63; 2001, c. 2, s. 40; 2008, c. 22, s. 56.

420. At a by-election, the official representative of the party authority at the level of the electoral division where the election is being held or, where the party has no authorized party authority, the party's official

representative may, so long as no candidate of the party has filed his nomination paper and before the expiry of the period prescribed for the filing of nomination papers, authorize election expenses.

If the party presents no candidate, the official representative shall include, in his annual financial report, all expenses he has so authorized. In the opposite case, the expenses are deemed to have been incurred by the official agent of the candidate of such party and the official representative shall file an itemized statement with him.

If the expenses incurred under this section include publicity, they shall be identified by the name and title of the official representative of the party authority, the official representative of the party or the official agent of the candidate, as applicable, and by the name of the printer, where that is the case.

1989, c. 1, s. 420; 1992, c. 38, s. 64; 2001, c. 2, s. 41; 2008, c. 22, s. 57; 2021, c. 37, s. 117.

421. Any writing, object or advertising material relating to an election must bear the name of the printer or manufacturer and the name and title of the official agent or deputy official agent who had it produced.

Any election advertisement published in a newspaper or other publication must mention the name and title of the official agent or deputy official agent who had it published.

In any election advertisement broadcast on radio or television or circulated by means of any other information medium or technology, the name and title of the official agent or deputy official agent must be mentioned at the beginning or at the end of the advertisement.

1989, c. 1, s. 421; 2008, c. 22, s. 58.

421.1. If, under section 401, a writing, an object, an advertising material or an advertisement must mention the name and title of a private intervenor within the meaning of Division V of this chapter or the name and title of the representative of such an intervenor, it must also mention the authorization number issued under section 457.6.

If the cost of a writing, object, advertising material or advertisement covered by section 421 exceeds \$300, only the name and title of the official agent or deputy official agent of a candidate or authorized party may be mentioned as the person who had the writing, object, material or advertisement produced, published or broadcast.

1998, c. 52, s. 72; 2008, c. 22, s. 59.

422. Where the official agents of several candidates of the same region jointly make or incur any publicity expenses contemplated in section 421, the advertisement shall bear the name and title of each official agent or, with his consent, the name and title of the official agent of the party and the name of the printer, where that is the case.

1989, c. 1, s. 422; 1992, c. 38, s. 65; 2008, c. 22, s. 60.

422.1. The official agent of a candidate may, in writing, authorize the official agent of the party to incur or order joint publicity expenses, up to the amount he fixes in the authorization, but not exceeding 30% of the limit determined in the second paragraph of section 426.

The official agent of the party shall furnish to the official agent of the candidate, within 60 days after polling day, an invoice showing the total publicity expenses incurred by him for the latter.

The official agent of the party shall furnish to the Chief Electoral Officer, within 90 days after polling day, a report of all publicity expenses, accompanied with the invoices and other vouchers. The report must be made in the form prescribed by the Chief Electoral Officer.

The expenses incurred under this section must be identified by the name and title of the official agent of the party or the official agent of the candidate.

1992, c. 38, s. 66; 2001, c. 2, s. 42.

423. During an election period, a radio, television or cable broadcaster and the owner of a newspaper, periodical or other publication may make air time on the radio or television or space in the newspaper, periodical or other publication available free of charge to the leaders of the parties and to candidates, provided he offers such service equitably as to quality and quantity to all the candidates of the same electoral division or to all the leaders of the parties represented in the National Assembly or which obtained at least 3% of the valid votes at the last general election.

1989, c. 1, s. 423.

424. No person may pay an election expense of \$200 or more without a voucher in the form of an itemized invoice.

The invoice must indicate the goods or services furnished and their rate or unit price.

1989, c. 1, s. 424; 1992, c. 38, s. 67; 2008, c. 22, s. 61.

425. Every person to whom an amount is due for an election expense shall present his claim to the official agent within 60 days after polling day. No election expense may be paid by the official agent if the claim is presented to him after the expiry of the prescribed time.

Where the official agent has died or resigned and has not been replaced, the claim shall be presented within the same time limit to the leader of the party or to the candidate himself, as the case may be.

After the expiry of the time prescribed in the first paragraph, the creditor has 120 days to file his claim with the Chief Electoral Officer, failing which his claim is prescribed.

1989, c. 1, s. 425.

426. Election expenses shall be limited so as never to exceed for a party, during a general election, \$0.86 per elector for all the electoral divisions in which such party has an official candidate.

The election expenses for each candidate shall be limited so as never to exceed \$0.93 per elector during a general election. However, in the electoral divisions of Duplessis, Rouyn-Noranda-Témiscamingue, René-Lévesque and Ungava, the maximum is increased by \$0.24 per elector, and in the electoral division of Îles-de-la-Madeleine, the maximum is increased by \$1.16 per elector.

During a by-election, the maximum limit of election expenses for each candidate is increased by \$0.86.

The amounts provided for in this section shall be adjusted on 1 April each year according to the change in the average Consumer Price Index for the preceding year, based on the index established for the whole of Québec by Statistics Canada. If the amount computed on the basis of the index includes a decimal, the decimal shall be rounded off to the higher digit where it is equal to or greater than 5 and, if not, to the lower digit. The Chief Electoral Officer shall publish the results of the adjustment in the *Gazette officielle du Québec*.

If the amounts set out in this section are adjusted during an election period, the adjusted amount applies for the entire election period.

1989, c. 1, s. 426; 1992, c. 38, s. 68; 2001, c. 2, s. 43; 2008, c. 22, s. 62; 2012, c. 26, s. 20.



See notice of indexation; (2025) 157 G.O. 1, 79.

427. For the purposes of sections 426, 457 and 457.1, the number of electors is the greater of the number of electors whose names are entered on the list of electors produced upon the issue of an order instituting an election and the number of electors whose names are entered on the list following revision.

Each returning officer shall transmit to the Chief Electoral Officer a certificate evidencing the number of electors whose names are entered on the list following revision and shall inform each candidate of that number.

At a general election, the Chief Electoral Officer shall transmit, to the leader of each authorized party, the total number of electors listed for all the electoral divisions.

1989, c. 1, s. 427; 1995, c. 23, s. 38.

428. The official agent of an authorized party cannot incur election expenses during a by-election.

1989, c. 1, s. 428.

429. In the seven days following the day on which the order is issued, no person, except the Chief Electoral Officer, may broadcast or cause to be broadcast by a radio or television station or by a cable distribution enterprise, publish or cause to be published in a newspaper or other periodical, or post or cause to be posted in a space leased for that purpose, publicity relating to the election.

However, the first paragraph shall not operate to prevent the announcement by any means referred to therein, once the order has been issued, of a meeting for the selection of a candidate provided that the announcement consists only of the date, time and place of the meeting, the name and visual identification of the party and the names of the persons nominated.

1989, c. 1, s. 429; 1992, c. 38, s. 69; 1995, c. 23, s. 39.

429.1. On polling day no person, except the Chief Electoral Officer, may broadcast or cause to be broadcast by a radio or television station or by a cable distribution enterprise, or publish or cause to be published in a newspaper or other periodical, publicity relating to the election.

1995, c. 23, s. 39.

430. Subject to sections 10 and 11 of the Public Service Act (chapter F-3.1.1), nothing in this division relates to the services rendered by a member of the public service.

1989, c. 1, s. 430.

431. This division does not apply to services rendered by a member of an office staff within the meaning of Division II.2 of the Executive Power Act (chapter E-18) nor to services rendered by a member of an office staff or of the staff of a Member within the meaning of Division III.1 of Chapter IV of the Act respecting the National Assembly (chapter A-23.1).

1989, c. 1, s. 431; 2008, c. 22, s. 63.

DIVISION II

RETURN OF ELECTION EXPENSES

432. The official agent of every candidate shall, within 90 days after polling day, deliver to the Chief Electoral Officer, a return of all his election expenses in the form prescribed by the Chief Electoral Officer.

The return must be accompanied with the invoices, receipts and other vouchers, or certified copies of those documents, a list thereof and a declaration in the prescribed form.

In the case of an independent candidate who was not elected, the return must be filed at the same time as the financial report contemplated in section 122.

If the official agent has appointed deputies under section 408, the return must be accompanied by the deeds of appointment, including any changes made to them.

In the case of a candidate who does not declare any election expenses, the return referred to in this section need not be delivered to the Chief Electoral Officer. A letter attesting that no election expenses have been incurred, signed by the candidate's official agent must instead be delivered to the Chief Electoral Officer.

This section does not apply to an independent candidate who is not authorized.

1989, c. 1, s. 432; 1998, c. 52, s. 73; 1999, c. 15, s. 21; 2008, c. 22, s. 64; 2011, c. 5, s. 27; 2021, c. 37, s. 118.

432.1. The return of election expenses of the official agent of a candidate shall be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the candidate has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

2016, c. 18, s. 23.

433. *(Repealed).*

1989, c. 1, s. 433; 1999, c. 15, s. 22.

434. The official agent of every authorized party shall, within 120 days after polling day, deliver to the Chief Electoral Officer a return of his election expenses in the prescribed form.

The return must be accompanied with the invoices, receipts and other vouchers, or certified copies of those documents, a list thereof and a declaration in the prescribed form.

Where the official agent has appointed deputies under section 406, the return must be accompanied with the deeds of appointment and any change made to them.

1989, c. 1, s. 434; 2008, c. 22, s. 65.

434.1. The return of election expenses of the official agent of an authorized party shall be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the party leader has been informed of the rules regarding election expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

2016, c. 18, s. 24.

435. The Chief Electoral Officer shall publish a summary of the returns of election expenses prescribed in sections 432 and 434 within 90 days after the expiry of the time prescribed for their filing.

1989, c. 1, s. 435; 2001, c. 2, s. 44.

436. The Chief Electoral Officer shall keep the returns, declarations, invoices, receipts and other vouchers provided for in sections 432 and 434 for a period of seven years from their receipt.

After the expiry of the period prescribed in the first paragraph, the Chief Electoral Officer shall deliver the invoices, receipts and other vouchers to the leader of the party or to the candidates if they so request; if not, he may destroy them.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to those documents before the expiry of the filing period. If they are filed after that period, they are accessible as soon as they are filed.

Any person may examine and copy the documents at the information centre of the Chief Electoral Officer during regular office hours.

1989, c. 1, s. 436; 2008, c. 22, s. 66; 2010, c. 35, s. 16; 2016, c. 18, s. 45.

437. In addition to election expenses, the official agent shall indicate in the returns prescribed in sections 432 and 434 the source of the sums paid into the election fund put at his disposal.

1989, c. 1, s. 437.

438. The returns prescribed in sections 432 and 434 must be accompanied with an itemized statement in the form prescribed by the Chief Electoral Officer, setting forth the names and addresses of the creditors who omitted to file their claims in the manner prescribed in the first paragraph of section 425 and, for each such claim, the amount of the debt and the date on which the goods and services were furnished.

The statement must be accompanied with a cheque drawn on the election fund, made to the order of the Chief Electoral Officer for the total amount of the claims contemplated in the first paragraph.

1989, c. 1, s. 438.

439. The sums remitted to the Chief Electoral Officer pursuant to section 438 shall be kept by him in a trust account and, if the creditors fail to file their claims with him within the time prescribed in the third paragraph of section 425, he shall remit the sums to the Minister of Finance.

1989, c. 1, s. 439.

440. Where a creditor files his claim with the Chief Electoral Officer within the time prescribed in the third paragraph of section 425 and the sums remitted to him by the official agent to discharge the claim are insufficient, the Chief Electoral Officer shall inform the official agent of that fact without delay; the official agent may contest that claim, in which case sections 445 and 446 apply.

If the claim is not contested by the official agent, the official representative of the authorized party authority at the level of the electoral division or of the party, as the case may be, shall forward to the Chief Electoral Officer the necessary additional sum to enable him to discharge the claim.

1989, c. 1, s. 440.

441. On filing the return prescribed in section 432 or 434, the official agent of an authorized party or of a candidate of an authorized party shall remit the sums or goods remaining in his election fund to the official representative of the party or of the party authority at the level of the electoral division, as the case may be. The official agent of an independent candidate who was elected shall remit such sums to the candidate's official representative.

The official agent of an independent candidate who was not elected shall remit the sums to the Chief Electoral Officer who must then remit them to the Minister of Finance.

1989, c. 1, s. 441; 1998, c. 52, s. 74; 2012, c. 26, s. 21.

442. If the return and the statement prescribed by section 432 or 434 are not filed within the time prescribed, the candidate, the party leader or, if the party leader is not a Member of the National Assembly, the leader of the party in the House, as the case may be, becomes, 10 days after the expiry of the period prescribed, disqualified from sitting or voting in the National Assembly until the return and statement have been filed.

If there is no leader of the party in the House, the Member designated by the leader of the party loses the right to sit and to vote, in accordance with the first paragraph.

However, a judge may, on an application made before the candidate, the party leader, the leader of the party in the House or the Member referred to in the second paragraph, as the case may be, is disqualified from sitting or voting, allow him to continue to sit or vote for an additional period of not more than 30 days.

1989, c. 1, s. 442; 2008, c. 22, s. 67; 2010, c. 36, s. 4; I.N. 2016-01-01 (NCCP).

443. Where an error is found in a declaration or return that has been filed, the official agent may correct it at any time within the period prescribed for filing such declaration or return.

After the period prescribed for filing the declaration or return, the candidate or party leader may obtain leave from the Chief Electoral Officer to correct the error on establishing that it was made through inadvertence. Any opposition to the application for leave shall be submitted to the Chief Electoral Officer.

If the Chief Electoral Officer considers that the opposition is not justified, he shall allow the correction procedure to continue; otherwise, he shall refer the parties to the court of competent jurisdiction.

1989, c. 1, s. 443; 1992, c. 38, s. 70.

444. If a candidate or party leader shows to the Chief Electoral Officer that the absence, death, illness, misconduct or physical disability of an official agent, a case of irresistible force or any other reasonable cause prevents the preparation and delivery of the return prescribed by section 432 or section 434, the Chief Electoral Officer may grant an extension of not more than 30 days for the preparation and delivery of that return.

1989, c. 1, s. 444; 2021, c. 37, s. 119.

445. Before filing the return and the declaration prescribed in sections 432 and 434, an official agent must have discharged all the claims received within the period of time prescribed in section 425.

However, the official agent shall mention, in his return, every undischarged claim and indicate whether he contests the claim or cannot discharge it owing to insufficient election funds.

No contested claim may be discharged by the official agent, by the leader of a party or by a candidate. Only the official representative may discharge it in execution of a judgment from a court of competent jurisdiction obtained by the creditor after a hearing and not following acquiescence in the demand or a settlement agreement.

The Chief Electoral Officer may allow the official representative of an authorized entity to discharge any claim that has not been discharged owing to insufficient election funds, and he may, if there is no objection from a party or candidate, allow him to discharge a contested claim if the refusal or nonpayment results from an error in good faith.

1989, c. 1, s. 445; 1992, c. 38, s. 71.

446. The Chief Electoral Officer may refer to a judge any claim contested by an official agent. The case is heard and decided by preference.

1989, c. 1, s. 446.

447. Every payment made by the official representative after the filing of the return of election expenses following a decision of the Chief Electoral Officer, a judgment rendered in respect of any expense contested pursuant to section 445, or on an application by the Chief Electoral Officer under section 440, entails an automatic correction of the return of election expenses.

1989, c. 1, s. 447.

448. The judge having jurisdiction to decide an application under sections 442, 443, 445 and 446 is, in the case of a candidate other than a party leader, a judge of the Court of Québec and, in the case of a party leader, the chief judge of that court.

No application under the first paragraph may be heard without a notice of at least three clear days to the Chief Electoral Officer and to each of the other candidates in the electoral division or, in the case of a party leader, to each of the other leaders of authorized parties.

1989, c. 1, s. 448; 2021, c. 37, s. 120.

DIVISION III

ADVANCE ON THE REIMBURSEMENT OF ELECTION EXPENSES

449. *(Repealed).*

1989, c. 1, s. 449; 2001, c. 2, s. 45.

450. *(Repealed).*

1989, c. 1, s. 450; 2001, c. 2, s. 45.

451. Where, on the receipt of the results of the addition of the votes, the Chief Electoral Officer is satisfied that a candidate is entitled to a reimbursement under section 457, he shall, without delay, pay an advance on the reimbursement equal to 35% of the maximum election expenses fixed in the second paragraph of section 426 and, if applicable, in the third paragraph of that section, for the electoral division concerned.

If no election expense was incurred or authorized on behalf of a candidate of an authorized party, that party's official agent must, on the attestation sent to the Chief Electoral Officer under the first paragraph of section 456.1, renounce the advance provided for in the first paragraph on behalf of the candidate concerned.

1989, c. 1, s. 451; 2001, c. 2, s. 46; 2011, c. 5, s. 28; 2021, c. 37, s. 121.

452. The payment is made jointly to the candidate and his official representative in the case of an authorized independent candidate, or in the case of the candidate of an authorized party, jointly to the candidate and the official representative of the party authority at the level of the electoral division concerned; failing such a party authority, the payment is made jointly to the candidate and the official representative of the party.

The payment may also be made by means of a transfer of funds to an account of the official representative.

1989, c. 1, s. 452; 2001, c. 72, s. 27.

453. On receipt of the return of election expenses of the official agent of the candidate to whom an advance on the reimbursement of election expense has been paid, the Chief Electoral Officer shall verify whether the amount of the advance exceeds 50% of the election expenses stated in the return.

If the advance exceeds 50% of the total of the expenses, the Chief Electoral Officer shall send, by registered mail, to the official representative to whom the advance was granted, a claim corresponding to the difference between the amounts.

The amount of the claim must be paid within 30 days of its receipt by the official representative.

1989, c. 1, s. 453; I.N. 2016-01-01 (NCCP).

454. If, after an audit of the return of election expenses of the official agent of the candidate to whom an advance was granted, the reimbursement to which the candidate is entitled under section 457 is greater than the advance he received, the Chief Electoral Officer shall draw, to the order jointly to the candidate and to the official representative to whom the advance was granted, a cheque for an amount corresponding to the difference between the amount of reimbursement to which the candidate is entitled and the amount of the advance paid.

The reimbursement may also be paid by means of a transfer of funds to an account held by the official representative.

1989, c. 1, s. 454; 2008, c. 22, s. 68.

455. If, after an audit of the return of election expenses, the reimbursement to which the candidate is entitled is less than the advance he received, the Chief Electoral Officer shall send, by registered mail, to the official representative to whom the advance was granted, a claim corresponding to the difference between the amounts, taking into account any sum received by the official representative following a claim pursuant to section 453.

The claim must be paid within 30 days of its receipt by the official representative.

1989, c. 1, s. 455; I.N. 2016-01-01 (NCCP).

456. *(Repealed).*

1989, c. 1, s. 456; 1995, c. 23, s. 40; 2001, c. 2, s. 47; 2008, c. 22, s. 69.

456.1. On receipt of an attestation from the official agent of an authorized party of the estimated amount of election expenses incurred, the Chief Electoral Officer shall, if the attestation is accepted by the Chief Electoral Officer, pay without delay to the party entitled to reimbursement under section 457.1 an advance equal to 35% of the lesser of the amount corresponding to the limit fixed for election expenses under the first paragraph of section 426 and the estimated amount of the expenses incurred by the party.

Any overpayment under the first paragraph must be reimbursed to the Chief Electoral Officer within the 30 days following a notice transmitted to the official representative by the Chief Electoral Officer. Any amount not so reimbursed may be recovered by the Chief Electoral Officer out of the allowance provided for in section 81, out of that provided for in section 82.1, out of the sums provided for in section 82.2, or otherwise.

2001, c. 2, s. 48; 2021, c. 37, s. 122.

DIVISION IV

REIMBURSEMENT OF ELECTION EXPENSES

457. The Chief Electoral Officer shall reimburse an amount equal to 50% of the election expenses incurred and paid in conformity with this Act, for each candidate

- (1) declared elected;
- (2) who obtained at least 15% of the valid votes;
- (3) *(subparagraph repealed)*;
- (4) *(subparagraph repealed)*;

(5) *(subparagraph repealed)*.

In the case of an independent candidate who was not elected, no reimbursement may exceed the sum of the amount of the debts resulting from the candidate's election expenses and the amount of the candidate's personal contribution.

The election expenses that may be reimbursed may in no case exceed the maximum amount fixed under the second paragraph of section 426 and, where applicable, under the third paragraph of that section.

1989, c. 1, s. 457; 1998, c. 52, s. 75; 2001, c. 2, s. 49; 2008, c. 22, s. 70.

457.1. The Chief Electoral Officer shall reimburse to each political party that obtained at least 1% of the valid votes an amount equal to 50% of the election expenses incurred and paid in conformity with this Act.

The election expenses that may be reimbursed may not exceed the limit fixed under the first paragraph of section 426.

1992, c. 38, s. 72; 1998, c. 52, s. 76.

DIVISION V

AUTHORIZATION AND EXPENSES OF PRIVATE INTERVENORS

1998, c. 52, s. 77; 2008, c. 22, s. 71.

457.2. No person may incur expenses described in paragraph 13 of section 404 unless the person has been issued an authorization in accordance with this division.

Only an elector or a group not endowed with legal personality and composed in the majority of natural persons who are qualified electors may apply for authorization as a private intervenor.

An authorized political party that presents no candidate at a general election or a by-election and wishes to intervene as private intervenor must notify the Chief Electoral Officer. It is deemed to hold an authorization from the Chief Electoral Officer as a private intervenor from the date of receipt of the notification and the Chief Electoral Officer shall issue an authorization number to it.

Sections 457.7 to 457.9 and 457.13 to 457.21 and the second paragraph of section 559 apply to the party, with the necessary modifications. For the purposes of those provisions, the leader of the party is deemed to be the elector representing the private intervenor referred to in the last paragraph of section 457.4.

An authorized political party that availed itself of sections 419 and 420 during an election period may not obtain the status of private intervenor during that period.

1998, c. 52, s. 77; 2004, c. 36, s. 3; 2008, c. 22, s. 72.

457.3. An elector who applies for authorization must

- (1) indicate his name, date of birth, domiciliary address and telephone number;
- (2) declare that he is a qualified elector;
- (3) declare that he does not intend to directly promote or oppose any candidate or party;

(4) state briefly the purpose of the application, specifying, where applicable, the matter of public interest on which he intends to express his views;

(5) declare that he is not a member of any party;

(6) declare that he is not acting directly or indirectly on behalf of any candidate or party;

(7) declare that, to his knowledge, he does not belong to a group that has obtained an authorization as a private intervenor for a similar purpose or whose application for authorization is pending.

The application for authorization must be supported by the elector's oath and include an undertaking by the elector to comply with all applicable legal provisions.

1998, c. 52, s. 77.

457.4. A group that applies for authorization must

(1) indicate its name, address, telephone number, date of formation and objects;

(2) indicate the name, domiciliary address and telephone number of its leaders;

(3) indicate the actual or approximate number of members of the group and declare that the majority of the members are qualified electors;

(4) indicate the name, date of birth, domiciliary address and telephone number of the elector who is to act as the representative of the group;

(5) declare that the group does not intend to directly promote or oppose any candidate or party;

(6) state briefly the purpose of the application, specifying, where applicable, the matter of public interest on which the group intends to express its views;

(7) declare that the group is not acting directly or indirectly on behalf of any candidate or party;

(8) declare that the representative of the group is not a member of any party;

(9) declare that, to the group's knowledge, no member of the group has obtained an authorization as a private intervenor for a similar purpose or made an application for authorization that is pending.

The application for authorization must be made by the elector designated in the application to act as the representative of the group, be supported by the representative's oath and include an undertaking by the representative to comply with all applicable legal provisions.

1998, c. 52, s. 77.

457.5. An application for authorization must be filed at the office of the returning officer of the electoral division of the applicant's domicile.

The application must be filed during the period extending from the twenty-seventh to the thirteenth day preceding polling day.

1998, c. 52, s. 77.

457.6. The returning officer shall, if the application is in conformity with the requirements of this division, issue the authorization and an authorization number without delay.

Before rejecting an application, the returning officer must allow the elector to present observations or make any necessary corrections. A decision to reject an application must be in writing and contain reasons.

1998, c. 52, s. 77.

457.7. Notwithstanding the first paragraph of section 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), the returning officer shall, during the election period, allow an elector to consult, in the returning officer's main office, any application for authorization which was granted.

However, notwithstanding the second paragraph of section 10 of that Act, only a candidate may obtain a copy of such an application.

1998, c. 52, s. 77.

457.8. Not later than the tenth day preceding polling day, the returning officer shall transmit to the authorized parties represented in the National Assembly, to any other party which so requests and to each candidate a list of the authorizations which have been granted.

The list shall indicate the name of each private intervenor, the name of the private intervenor's representative, if any, and the number and date of the authorization. The list shall also indicate if the private intervenor intends to express views on a matter of public interest or to advocate abstention or the spoiling of ballots.

1998, c. 52, s. 77.

457.9. An elector or a group of electors may only obtain one authorization during an election period. The authorization is only valid for that period.

The representative of a group of electors may only act for that group.

1998, c. 52, s. 77.

457.10. The representative of a group of electors who resigns shall notify the leader of the group and the returning officer in writing.

Within five days of resigning, the representative shall submit a report of the expenses incurred, with vouchers, to the leader of the group.

1998, c. 52, s. 77.

457.11. If the representative of a group of electors dies, resigns, is dismissed or is unable to act, the leader of the group shall appoint another representative and shall notify the returning officer in writing forthwith.

1998, c. 52, s. 77.

457.12. A private intervenor who is an elector or the representative of a private intervenor may not become a member of a party during the election period.

1998, c. 52, s. 77.

457.13. A private intervenor may not incur expenses that are not related to the purpose stated in the application for authorization or that directly promote or oppose a candidate or party.

1998, c. 52, s. 77.

457.14. A private intervenor may not incur an expense jointly with any person or incur an expense individually but in agreement, collusion or association with any person.

1998, c. 52, s. 77.

457.15. A private intervenor who is an elector must defray the cost of any expense out of his own funds.

A private intervenor that is a group of electors must defray the cost of any expense out of the funds of the members of the group who are electors.

A private intervenor must pay any expense by cheque or order of payment drawn on the private intervenor's account in a bank, authorized trust company or financial services cooperative having an office in Québec. The cheque or order of payment must be signed by the private intervenor if the private intervenor is an elector, or by the representative if the private intervenor is a group of electors.

1998, c. 52, s. 77; 2000, c. 29, s. 650; 2018, c. 23, s. 762.

457.16. In the case of a private intervenor that is a group of electors, only the representative may incur expenses on behalf of the private intervenor.

The representative of a private intervenor is bound by the provisions of sections 457.13 to 457.15 and must ensure that they are complied with.

1998, c. 52, s. 77.

457.17. A private intervenor who is an elector or the representative of a private intervenor may not pay an expense of \$25 or more without a voucher in the form of an itemized invoice.

The invoice must indicate the goods or services furnished and their rate or unit price.

1998, c. 52, s. 77.

457.18. A private intervenor who is an elector or the representative of a private intervenor shall, within 30 days after polling day, file with the Chief Electoral Officer a report of all the private intervenor's expenses, in the form prescribed by the Chief Electoral Officer.

The report must be accompanied with the invoices, receipts and other vouchers, or certified copies of those documents, a list thereof and a declaration in the prescribed form.

1998, c. 52, s. 77; 2008, c. 22, s. 73.

457.19. Sections 435, 436 and 444 apply to the report referred to in section 457.18, with the necessary modifications.

1998, c. 52, s. 77.

457.20. The Chief Electoral Officer may, on his own initiative or on an application, withdraw the authorization of a private intervenor

(1) if the Chief Electoral Officer ascertains that the application for authorization contains false or inaccurate information;

(2) if the Chief Electoral Officer ascertains that the private intervenor or, where applicable, the representative of the private intervenor no longer qualifies for such authorization;

(3) if the Chief Electoral Officer ascertains that the private intervenor or, where applicable, the representative of the private intervenor has contravened any applicable provision of this Act.

Before withdrawing the authorization, the Chief Electoral Officer must allow the private intervenor to present observations or make any necessary corrections. A decision to withdraw the authorization must be in writing and contain reasons.

1998, c. 52, s. 77.

457.21. Any person whose application for authorization is rejected or any private intervenor whose authorization is withdrawn may, by way of an application, contest the decision before a judge of the Court of Québec.

The application must be served beforehand on the returning officer or the Chief Electoral Officer, as the case may be.

The contestation shall be heard and decided by preference. The contestation does not suspend the execution of the decision, unless the court decides otherwise.

The decision of the judge is final.

1998, c. 52, s. 77; I.N. 2016-01-01 (NCCP); 2020, c. 12, s. 122.

TITLE V

CONTESTATION OF ELECTIONS

458. Any elector qualified to vote in an electoral division or any candidate in that division may contest the election held in the division if the election or the declaration pertaining to it is irregular, or if a corrupt electoral practice was used whereby it is alleged that the election of a Member is void.

1989, c. 1, s. 458.

459. An election is contested by way of an application to the Court of Québec of the judicial district in which the electoral division where the election was held is situated in whole or in part.

1989, c. 1, s. 459; I.N. 2016-01-01 (NCCP).

460. The application is presented within 30 days of the publication in the *Gazette officielle du Québec* of the notice contemplated in section 380 or within 30 days of a person's being found guilty of a corrupt electoral practice where such a practice was used after the declaration of election.

However, in the case of a corrupt electoral practice contemplated in paragraph 1 of section 559, the application is presented within 60 days following the sending of the return contemplated in section 432 of this Act or within 90 days following the sending of the return contemplated in section 434 of this Act, as the case may be.

1989, c. 1, s. 460; I.N. 2016-01-01 (NCCP).

461. The application must state the facts giving rise to it and the allegations must be supported by an affidavit.

The Chief Electoral Officer and the returning officer for the division where the election is contested shall be made parties to the case.

1989, c. 1, s. 461; I.N. 2016-01-01 (NCCP).

462. The application to contest the election shall be heard by three judges and the judgment shall be rendered by a majority of such judges.

If a judge who has heard the case dies before judgment or if he is unable, due to any circumstance, to participate in the judgment, and the other two judges are in agreement and are prepared to render judgment on the application, these two judges may render judgment.

1989, c. 1, s. 462; I.N. 2016-01-01 (NCCP).

463. The application shall be served on the parties and be accompanied with notice of not less than ten clear days of its date of presentation.

1989, c. 1, s. 463; I.N. 2016-01-01 (NCCP).

464. Proceedings are conducted in accordance with the rules of contentious proceedings in the Code of Civil Procedure (chapter C-25.01), but the application is heard and decided by preference.

1989, c. 1, s. 464; I.N. 2016-01-01 (NCCP).

465. The rules of proof are those in force in civil matters.

1989, c. 1, s. 465.

466. The vacancy of the seat of the defendant Member does not prevent the making of the application or interrupt the hearing.

Convocation or prorogation of the National Assembly or the end of the Legislature in accordance with section 6 of the Act respecting the National Assembly (chapter A-23.1) does not suspend proceedings.

1989, c. 1, s. 466; 2013, c. 13, s. 7; I.N. 2016-01-01 (NCCP).

467. The court shall decide whether

- (1) the election is void;
- (2) the Member whose election is contested was duly elected or declared elected; or
- (3) another person was elected, indicating who that other person is.

1989, c. 1, s. 467.

468. If the hearing establishes

(1) that a corrupt electoral practice was used by a candidate or, with his consent, by another person, the candidate shall be considered guilty of a corrupt electoral practice, and if he has been elected, his election is void;

(2) that a corrupt electoral practice was used by the representative, mandatary or official agent of a candidate, the election of that candidate is void.

The election of a candidate shall not be declared void pursuant to subparagraph 2 of the first paragraph if it is established that the deed is of minor gravity and could not have affected the result of the election, and if the candidate took reasonable precautions.

1989, c. 1, s. 468.

469. If the hearing establishes that a candidate, personally or through another person, committed an offence contemplated in section 557 or 558, the court shall subtract, from the number of votes which appear to have been given in favour of that candidate, one vote for each person who voted at that election and in respect of whom, according to the evidence, that candidate is guilty of that offence.

1989, c. 1, s. 469.

470. The election of a candidate shall not be declared void by reason of an offence against this Act, or the regulations hereunder, if it does not constitute a corrupt electoral practice and if the court comes to the conclusion that the offence could not have changed or significantly affected the result of the election.

1989, c. 1, s. 470.

471. No election may be declared void by reason of a failure to observe a formality prescribed for the procedure relating to the polling or to the counting of votes or by reason of the disqualification of an election officer if the election procedure has been conducted in accordance with the principles established under this Act and the inobservance or disqualification has not affected the result of the election.

1989, c. 1, s. 471.

472. No election may be declared void by reason of a failure to observe the prescribed time limits, unless the inobservance has affected the result of the election.

1989, c. 1, s. 472.

473. No election may be declared void by reason of the fact that a person who supports a nomination paper is not an elector or is not domiciled in the electoral division for which the nomination is filed.

1989, c. 1, s. 473.

474. Every person convicted of a corrupt electoral practice under this title is disqualified under section 568.

1989, c. 1, s. 474.

475. An appeal lies to the Court of Appeal from the final judgment rendered on the application.

The appeal must be brought within 15 days from the judgment.

No appeal lies from any judgment in the course of a proceeding.

1989, c. 1, s. 475; I.N. 2016-01-01 (NCCP).

476. The rules of contentious proceedings in the Code of Civil Procedure (chapter C-25.01) apply to the proceedings, but the appeal is heard by preference.

The judgment rendered by the Court of Appeal is final and no appeal lies from it.

1989, c. 1, s. 476; I.N. 2016-01-01 (NCCP).

477. Once the judgment acquires the status of *res judicata*, the Chief Electoral Officer shall transmit a certified copy of that decision to the President or to the Secretary General of the National Assembly, who shall immediately inform the Members.

Where the decision changes the results of the election, the Chief Electoral Officer shall proceed in accordance with section 380.

1989, c. 1, s. 477.

TITLE VI

ELECTORAL ORGANS

CHAPTER I

THE CHIEF ELECTORAL OFFICER

DIVISION I

APPOINTMENT

478. On a motion of the Prime Minister, the National Assembly, by a resolution approved by two-thirds of its Members, shall appoint a Chief Electoral Officer chosen from among the electors and fix his salary and other conditions of employment.

1989, c. 1, s. 478.

479. The term of office of the Chief Electoral Officer is seven years; notwithstanding the expiry of his term of office, the Chief Electoral Officer shall remain in office until he is reappointed or replaced.

1989, c. 1, s. 479.

480. The Chief Electoral Officer may resign at any time by giving notice in writing to the President of the National Assembly; he shall not be dismissed except by a resolution approved by two-thirds of the Members of the Assembly.

1989, c. 1, s. 480.

481. Before taking office, the Chief Electoral Officer shall make the oath provided in Schedule II before the President of the National Assembly.

1989, c. 1, s. 481.

482. The Chief Electoral Officer shall devote his time exclusively to the duties of his office.

1989, c. 1, s. 482.

483. If the Chief Electoral Officer becomes incapacitated or in case of vacancy, the Government may, after consulting the leaders of the authorized parties represented in the National Assembly, designate a person to perform the duties of the Chief Electoral Officer for a period not exceeding six months, with such salary as it may fix.

The designated person shall also act as chairman of the Commission de la représentation.

1989, c. 1, s. 483.

484. The Chief Electoral Officer may elect to contribute to a retirement plan if, before his appointment, he reaches an agreement on the terms of the plan with an authorized representative of the Government.

The order of the Government giving effect to the agreement contemplated in the first paragraph must be made within 90 days after the date of the Chief Electoral Officer's appointment and has effect from the date of his taking office.

1989, c. 1, s. 484.

DIVISION II

FUNCTIONS AND POWERS

§ 1. — *Role of the Chief Electoral Officer*

2016, c. 18, s. 25.

485. The function of the Chief Electoral Officer is, in particular, to see to the administration of this Act and the regulations.

He shall carry out every mandate which the National Assembly entrusts to him. The Government may consult him about any legislation pertaining to elections.

He may conduct an analysis and assessment of electoral procedures and conduct studies on the financing of political parties. After having sought the advice of the advisory committee, he may also carry out any other research he considers advisable.

The Chief Electoral Officer may, with the authorization of the Government, provide assistance and cooperation to other countries or to international organizations in election matters, in particular at the material, professional or technical level.

1989, c. 1, s. 485; 1992, c. 38, s. 73; 2016, c. 18, s. 26.

486. In respect of this Act and the regulations, the Chief Electoral Officer shall, in particular,

- (1) ensure the training of the election officers;
 - (1.1) ensure the updating of the information contained in the permanent list of electors;
- (2) supervise the progress of the enumeration, the revision and the voting;
- (3) issue directives for the administration of this Act or the regulations;
- (4) receive and process complaints.

He may also prescribe the text of any forms and documents which serve for the administration of this Act or the regulations.

1989, c. 1, s. 486; 1995, c. 23, s. 41; 2016, c. 18, s. 27.

487. In respect of the financing of political parties and the control of election expenses, the Chief Electoral Officer shall, in particular,

- (1) authorize parties, party authorities, independent Members and independent candidates;
- (2) verify that the parties, party authorities, independent Members and candidates are complying with the provisions of the Act;
- (3) receive, examine and, if necessary, audit financial reports and returns of election expenses;
 - (3.1) receive, and verify the compliance of, the contributions of electors and remit them to the authorized entity concerned;

(4) inquire into the legality of expenditures incurred by an authorized entity, and election contributions and expenses.

1989, c. 1, s. 487; 1998, c. 52, s. 78; 2010, c. 35, s. 17; 2011, c. 38, s. 7.

487.1. In respect of political party leadership campaigns, the Chief Electoral Officer shall, in particular,

- (1) verify that the party leadership candidates are complying with the law;
- (2) receive, examine and, if necessary, audit reports and returns from the candidates and the party; and
- (3) inquire into the legality of leadership campaign contributions and expenses.

2011, c. 38, s. 8.

488. In respect of public information, the Chief Electoral Officer shall, in particular,

(1) provide any person applying therefor with advice and information regarding the administration of this Act;

(2) give the public access to the information, reports, returns or documents relating to this Act, omitting, if the information is published on a website on the Internet, the addresses of the electors who have made a contribution; however, in such a case, a copy in paper form that contains the addresses of those electors must be available;

(2.1) make public the fact that he requested that an authorized entity remit to him a contribution or part of a contribution, pursuant to section 100, by publishing the request on his website 30 days after it was made, along with the name of the authorized entity, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;

(3) maintain a public centre for information on this Act;

(4) regularly hold information meetings and conferences for the benefit of the political parties and the public;

(5) at the request of a political party, furnish the information required for the training of the representatives of candidates, while allowing the other parties to delegate observers;

(6) make any public advertisements he considers necessary.

Despite subparagraph 2 of the first paragraph, the domiciliary address of a Member or of a member of a council of a municipality having exercised his right to refuse to allow the communication of information under section 659.0.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2) shall not be accessible.

1989, c. 1, s. 488; 2001, c. 2, s. 51; 2016, c. 18, s. 28; 2024, c. 24, s. 150.

488.1. The Chief Electoral Officer may, by regulation, determine the terms of the contracts the Chief Electoral Officer is authorized to conclude.

The regulation comes into force on the date of its approval by the Office of the National Assembly. The regulation shall be published in the *Gazette officielle du Québec*.

Where an election is ordered in conformity with this Act, the regulation referred to in the first paragraph and the Act respecting the Centre d'acquisitions gouvernementales (chapter C-7.01) do not apply to the Chief

Electoral Officer as regards the purchase or construction of property or the leasing and supply of goods and services necessary for the holding of the election.

1991, c. 73, s. 4; 1994, c. 18, s. 37; 2000, c. 8, s. 121; 2005, c. 7, s. 66; 2020, c. 2, s. 31.

488.2. The Public Administration Act (chapter A-6.01), except subparagraph 6 of the first paragraph and the second paragraph of section 9, sections 10 to 23, subparagraphs 1.1 and 3 of the second paragraph and the third paragraph of section 24, sections 25 to 28, the second paragraph of section 32, section 44, the fourth paragraph of section 45, sections 46 and 48 to 50, the third paragraph of section 57 and sections 64 to 66, 74 to 75, 77.3 and 78, applies to the Chief Electoral Officer. The report referred to in section 24 of the said Act shall be included in the annual report of the Chief Electoral Officer.

The strategic plan adopted by the Chief Electoral Officer pursuant to section 8 of the Public Administration Act shall be tabled in the National Assembly by the President of the National Assembly.

2000, c. 8, s. 121; 2006, c. 29, s. 35; 2011, c. 19, s. 32; 2016, c. 7, s. 4.

488.3. The provisions of the Financial Administration Act (chapter A-6.001) applicable to budget-funded bodies, except sections 30 and 31, apply to the management of the financial resources of the Commission de la représentation and of the Chief Electoral Officer.

2000, c. 15, s. 100.

489. The Chief Electoral Officer may recommend to the leaders of the authorized parties represented in the National Assembly the use of alternative voting procedures, new polling formalities or new rules concerning the counting and addition of votes in a by-election or a general election, in the latter case for all or only some of the electoral divisions.

The recommendation must specify the electoral divisions concerned. It must describe all the new measures proposed, stating the advantages and disadvantages of each and mentioning the provisions of this Act that the new measures replace.

If the recommendation is accepted by the leaders of the parties, it must be recorded in an agreement signed by them and the Chief Electoral Officer, which has force of law for the election concerned.

1989, c. 1, s. 489; 2006, c. 17, s. 29.

489.1. The Chief Electoral Officer, with the consent of the authorized parties represented in the National Assembly, may, if circumstances so require, in particular because of the area covered by the electoral division or because some electors live a great distance away, adapt the provisions concerning the enumeration of electors, the revision process, the filing of nomination papers, the advance poll, the establishment of an identity verification panel, the polling procedure or the counting of the votes.

1992, c. 38, s. 74; 1995, c. 23, s. 42; 2001, c. 2, s. 52; 2008, c. 22, s. 74.

490. If, during the election period or during an enumeration or revision period, it comes to the attention of the Chief Electoral Officer that, subsequent to an error, emergency or exceptional circumstance, a provision of this Act does not meet the demands of the resultant situation, he may adapt such provision in order to achieve its object. The Chief Electoral Officer may also, during those periods and for the same reasons, adapt a provision of an agreement that he has entered into with the leaders of the authorized parties represented in the National Assembly under section 489.

As well, the Chief Electoral Officer may postpone the election until the following Monday in the event of a major disaster or another serious and unforeseeable situation.

However, the Chief Electoral Officer shall first inform the authorized parties represented in the National Assembly of the decision he intends to make and shall use all necessary means to inform the other authorized parties, the candidates and the electors concerned of his decision.

Within 30 days following polling day or the end of the enumeration or revision, the Chief Electoral Officer shall transmit to the President or the Secretary General of the National Assembly a report of the decisions he has made pursuant to this section. The President shall table the report in the National Assembly within 30 days of having received it or, if the National Assembly is not sitting, within 30 days of resumption.

1989, c. 1, s. 490; 1995, c. 23, s. 43; 1999, c. 15, s. 23; 2013, c. 13, s. 8; 2021, c. 37, s. 123.

§ 2. — *Inspections*

2016, c. 18, s. 29.

490.1. The Chief Electoral Officer may carry out inspections to verify compliance with this Act or the regulations.

The provisions of this subdivision apply, with the necessary modifications, to inspections carried out for the purposes of Chapters XIII and XIV of Title I of the Act respecting elections and referendums in municipalities (chapter E-2.2), Chapter XI of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3), and the regulations concerning matters related to those provisions.

2016, c. 18, s. 29; 2020, c. 1, s. 313.

490.2. An inspector may

(1) enter, at any reasonable hour, premises where books, registers, accounts, records and other documents are or should be kept that are relevant for verifying compliance with this Act or the regulations, or where an activity is carried on in a field governed by this Act or the regulations;

(2) inspect the premises, take photographs and verify or examine anything that is relevant for the purposes of this Act or the regulations;

(3) use any computer, equipment or other thing that is on the premises in order to access data that is relevant to the inspection and contained in an electronic device, computer system or other medium or to audit, examine, process, copy or print out such data;

(4) require any information, the communication of any relevant document to examine it or make a copy of it, and the production of any book, register, account, record or other relevant document, in order to verify compliance with this Act or the regulations;

(5) use or cause to be used any copying equipment on the premises; and

(6) be accompanied by a person or persons of his or her choice when carrying out inspection duties.

A person having custody, possession or control of the documents or things referred to in this section shall, on request, communicate them to the inspector and facilitate their examination.

However, the inspector shall not enter a residence without the occupant's consent.

2016, c. 18, s. 29.

490.3. An inspector may, by a formal demand notified by registered mail or personal service, require that any person, whether subject to this Act or not, file by registered mail or personal service, within a reasonable

time specified in the demand, any information or documents useful for verifying compliance with this Act or the regulations.

The person to whom the demand is made shall comply with it within the specified time regardless of whether the person has already filed such information or documents pursuant to a similar demand or pursuant to an obligation under this Act or the regulations.

2016, c. 18, s. 29.

490.4. If a person does not provide access, assistance, information, documents or things as required under section 490.2 or 490.3, the Chief Electoral Officer may apply to a judge of the Court of Québec acting in chambers and that judge may order the person to provide such access, assistance, information, documents or things to the Chief Electoral Officer, or may make any order to remedy the failure that is the subject of the application, if the judge is satisfied

(1) that the person was required under section 490.2 or 490.3 to provide such access, assistance, information, documents or things and did not do so; and

(2) that the professional secrecy to which lawyers and notaries are bound cannot be invoked.

A notice must be served on the person concerned at least five days before the application is heard.

The order must be notified to the person concerned by registered mail or personal service, unless it is made from the bench in the person's presence.

The order may be appealed to the Court of Appeal, with leave of a judge of that court. However, an appeal does not suspend the enforcement of the order, unless the judge seized of the appeal decides otherwise. The judgment cannot be appealed.

2016, c. 18, s. 29.

§ 3. — *Inquiries*

2016, c. 18, s. 29.

491. The Chief Electoral Officer, of his own initiative or at the request of another person, may inquire into the administration of this Act or the regulations.

This subdivision applies, with the necessary modifications, to inquiries made for the purposes of the Act respecting elections and referendums in municipalities (chapter E-2.2), the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) and the regulations under those Acts.

1989, c. 1, s. 491; 2016, c. 18, s. 30; 2020, c. 1, s. 313.

492. The Chief Electoral Officer may refuse to make or to pursue an inquiry where the request is frivolous, vexatious or made in bad faith, or unnecessary in the circumstances.

1989, c. 1, s. 492; 2016, c. 18, s. 31.

493. Each time the Chief Electoral Officer refuses to make or to pursue an inquiry at the request of a person, he shall inform that person of his refusal and give the reasons therefor in writing.

1989, c. 1, s. 493.

493.1. In the course of an inquiry into an offence under this Act or the regulations, a judge of the Court of Québec may, on an *ex parte* application following an information laid in writing and under oath by the Chief Electoral Officer or a person he designates, order a person, other than the person under inquiry,

(1) to communicate information, or to produce documents, or copies of them certified by affidavit to be true copies; or

(2) to prepare and communicate a document that is based on existing documents or information.

The order shall require the documents or information to be communicated within the time, at the place and in the form specified and given to the person named in the order.

Before making an order, the judge must be satisfied that there are reasonable grounds to believe

(1) that an offence under this Act or the regulations is being or has been committed;

(2) that the documents or information will afford evidence respecting the commission of the offence; and

(3) that the person who is the subject of the order has possession or control of the documents or information.

The order may contain any terms and conditions that the judge considers appropriate, including terms and conditions to protect lawyers' and notaries' professional secrecy.

Where the judge who makes the order or any other judge having jurisdiction to make such an order is satisfied, on an *ex parte* application made on the basis of an affidavit submitted by the Chief Electoral Officer in support of the application or by any person he designates, that the interests of justice warrant the granting of the application, the judge may vary or revoke the order or set a new time limit.

Every copy of a document communicated under this section, on proof by affidavit that it is a true copy, is admissible in evidence in any proceeding and has the same probative force as the original document would have if it had been proved in the ordinary way.

2016, c. 18, s. 32.

494. In respect of his inquiries, the Chief Electoral Officer or any person designated by him is vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

Articles 282 to 285 of the Code of Civil Procedure (chapter C-25.01) apply to witnesses heard at an inquiry.

1989, c. 1, s. 494; 1999, c. 15, s. 24; I.N. 2016-01-01 (NCCP).

DIVISION III

THE PERSONNEL OF THE CHIEF ELECTORAL OFFICER

495. The personnel required by the Chief Electoral Officer shall be appointed in accordance with the Public Service Act (chapter F-3.1.1).

The powers conferred by the said Act on a deputy minister or on the Chief Electoral Officer of an agency are conferred on the Government which may delegate them wholly or in part to the Chief Electoral Officer.

1989, c. 1, s. 495; 2000, c. 8, s. 242.

495.1. Subject to the first paragraph of section 488.1, sections 489, 489.1, 490, 516, 525, 542 and 542.2 and the first paragraph of section 550, the Chief Electoral Officer may entrust the exercise of any power or function conferred on him by this Act or the regulations to a member of his personnel.

The Chief Electoral officer or a member of his personnel authorized under the first paragraph may also designate any person to make inquiries or carry out inspections with regard to any matter relating to the application of this Act or the regulations. In such a case, the designated person may exercise any inspection or inquiry powers or functions conferred on the Chief Electoral Officer. Such a person must, on request, identify himself and produce a document attesting his authority.

The first paragraph does not prevent the Chief Electoral Officer from entrusting to any person the functions referred to in the first paragraph of section 59, the third paragraph of section 335.2, section 370.4, the second paragraph of section 370.11, the first paragraph of section 494, or sections 499 and 509.

2016, c. 18, s. 33.

496. The Chief Electoral Officer may appoint two assistants to assist him in the carrying out of his duties. He shall determine the level of their position, and if, consequent upon such determination, the Public Service Act (chapter F-3.1.1) is not applicable to an assistant, it is hereby made applicable to him without any other formality.

1989, c. 1, s. 496; 2016, c. 18, s. 34.

497. The Chief Electoral Officer may retain, on a temporary basis, the services of any persons he considers necessary, and fix their remuneration and expenses.

1989, c. 1, s. 497.

498. The Chief Electoral Officer shall define the duties of the members of his personnel and direct their work.

No member of the personnel may engage in partisan work or act, except in connection with voting by mail, as an election officer.

1989, c. 1, s. 498; 2006, c. 17, s. 30.

499. Before taking office, the members of the personnel of the Chief Electoral Officer shall make the oath provided in Schedule II before the Chief Electoral Officer or the person he designates.

1989, c. 1, s. 499.

500. Documents and copies emanating from the Chief Electoral Officer or his personnel are authentic if they are signed by the Chief Electoral Officer or by a member of his personnel but, in the latter case, only to the extent determined by regulation.

1989, c. 1, s. 500.

501. No deed, document or writing binds the Chief Electoral Officer or may be attributed to him unless it is signed by him, by a member of his personnel or by the assistant to the chairman of the Commission de la représentation, if any, or by a returning officer and, in the last three cases, only to the extent determined by regulation.

1989, c. 1, s. 501; 1998, c. 52, s. 79; 2001, c. 2, s. 53.

501.1. The Chief Electoral Officer may, on the conditions he determines, allow his signature to be affixed by means of an automatic device to the documents he determines.

The Chief Electoral Officer may also allow a facsimile of his signature to be engraved, lithographed or printed on the documents he determines. The facsimile must be countersigned by a person authorized by the Chief Electoral Officer.

2001, c. 72, s. 28.

CHAPTER II

THE RETURNING OFFICER

502. The Chief Electoral Officer shall appoint a returning officer for each electoral division.

1989, c. 1, s. 502.

503. The appointment of a returning officer shall be made after a public competition among the qualified electors domiciled in the electoral division concerned or in an electoral division determined by a directive of the Chief Electoral Officer, provided, in the latter case, that the person is able to carry out his duties in a satisfactory manner as if he were domiciled in the electoral division for which he is appointed.

The competition shall be designed to allow impartial consideration of the merits of the candidates.

The selection shall be based on criteria of qualifications and competence and the appointment shall be made according to the criteria determined by the Chief Electoral Officer.

1989, c. 1, s. 503; 2011, c. 5, s. 29; 2021, c. 37, s. 124.

503.1. The Chief Electoral Officer may draw up a list of candidates who have been successful in the competition and have not obtained a position of returning officer.

The list of candidates may be used to fill a position in an electoral division for which no candidate has been selected following the competition or to fill a vacant position, or if a returning officer is absent or unable to act.

The list is valid until the next competition for a returning officer.

2021, c. 37, s. 125.

504. A notice of the competition shall be made available to the public by the Chief Electoral Officer so as to allow every qualified person a reasonable opportunity to apply.

1989, c. 1, s. 504; 2011, c. 5, s. 30; 2021, c. 37, s. 126.

505. The term of office of a returning officer is five years. That term may be renewed for a maximum of two periods of five years if the performance evaluation of the returning officer is positive. Notwithstanding the expiry of his term of office, he shall remain in office until he is reappointed or replaced.

1989, c. 1, s. 505; 2021, c. 37, s. 127.

506. If a returning officer is absent or incapacitated or if the office of returning officer is vacant, the Chief Electoral Officer may appoint a substitute for him. The substitute shall hold all the powers and duties of a returning officer.

Such an appointment ceases to have effect immediately upon the termination of the absence or incapacity or the appointment of a new returning officer.

1989, c. 1, s. 506.

507. The conditions of exercise of the duties of a returning officer shall be determined by regulation.

1989, c. 1, s. 507.

508. On the appointment of a returning officer, the Chief Electoral Officer shall publish a notice of it in the *Gazette officielle du Québec*.

1989, c. 1, s. 508.

509. Before taking office, a returning officer shall make the oath provided in Schedule II before the Chief Electoral Officer or the person designated by him.

1989, c. 1, s. 509.

510. On being appointed, the returning officer shall appoint an assistant returning officer, who shall not be his spouse nor be related or allied to him. If circumstances so require, in particular because of the area covered by the electoral division or because some electors live a great distance away, the Chief Electoral Officer may authorize the appointment of a second assistant returning officer.

If the returning officer considers it necessary, he may, with the consent of the Chief Electoral Officer, appoint one or more assistants to help the assistant returning officer in the exercise of his duties.

He may, in the same manner, appoint aides to assist him in the performance of his duties.

1989, c. 1, s. 510; 2008, c. 22, s. 75.

511. The assistant returning officer shall assist the returning officer in the exercise of his duties and replace him in case of his absence or while he is incapacitated, unless the Chief Electoral Officer exercises his powers under section 506.

1989, c. 1, s. 511.

512. The returning officer, under the authority of the Chief Electoral Officer, is responsible, in the electoral division to which he is appointed, for the administration of this Act and the training of election officers.

1989, c. 1, s. 512.

513. The Chief Electoral Officer may dismiss a returning officer who fails to perform his duties, engages in partisan work or is not qualified to hold the office or who does not comply with one of the requirements of the office.

1989, c. 1, s. 513.

CHAPTER III

ADVISORY COMMITTEE

514. An advisory committee is hereby established.

1989, c. 1, s. 514.

515. The committee shall be composed of the Chief Electoral Officer and of three representatives of each authorized party represented in the National Assembly.

The leader of each party shall designate the representatives of the party, at least one of whom shall be a Member of the National Assembly.

1989, c. 1, s. 515.

516. The committee shall be presided over by the Chief Electoral Officer, who shall direct its activities and coordinate its work.

1989, c. 1, s. 516.

517. The majority of the members of the committee, including the chairman, are a quorum.

1989, c. 1, s. 517.

518. The chairman and the members of the committee are not remunerated.

Notwithstanding the foregoing, those members who are not Members of the National Assembly are entitled to the reimbursement of reasonable expenses incurred by them in the performance of their duties.

1989, c. 1, s. 518.

519. At the request of the chairman or of one-third of its members, the committee may meet as often as necessary to carry out its duties and functions.

1989, c. 1, s. 519.

520. The function of the committee is to give advice on any question relating to this Act, except matters respecting electoral representation.

1989, c. 1, s. 520.

521. The committee may make the results of its work public.

1989, c. 1, s. 521.

522. The Chief Electoral Officer shall consult the committee periodically with regard to the administration of this Act.

1989, c. 1, s. 522.

523. Prior to issuing any directive relating to the authorization and financing of political parties and independent candidates, and to the control of election expenses, the Chief Electoral Officer shall submit it to the committee.

He shall do likewise with every directive he is authorized to issue, except during an election period or enumeration period.

1989, c. 1, s. 523.

CHAPTER IV

COMMISSION DE LA REPRÉSENTATION

DIVISION I

COMPOSITION OF THE COMMISSION

524. The “Commission de la représentation” is hereby established.

1989, c. 1, s. 524.

525. The Commission shall consist of the Chief Electoral Officer, who shall be its chairman, and of two commissioners chosen from among persons who are qualified electors.

1989, c. 1, s. 525.

526. On a motion of the Prime Minister, the National Assembly, by a resolution approved by two-thirds of its members, shall appoint the commissioners.

1989, c. 1, s. 526.

527. The commissioners are entitled, for each day of sittings held under this Act, to a payment equal to 1% of the minimum salary received annually by a Class 05 manager.

The Government shall determine the allowances to which the commissioners are entitled by using as a basis allowances granted to persons holding similar offices.

1989, c. 1, s. 527; 2008, c. 22, s. 76.

528. The commissioners shall be appointed for a term of office of five years.

At the expiry of their terms, they shall remain in office until they are reappointed or replaced.

1989, c. 1, s. 528.

529. Before taking office, the other commissioners shall make the oath provided for in Schedule II, before the President of the National Assembly.

1989, c. 1, s. 529.

530. The commissioners may resign, at any time, by notifying the President of the National Assembly in writing.

They cannot be dismissed except by a resolution of the National Assembly approved by two-thirds of its Members.

1989, c. 1, s. 530.

531. If one of the commissioners is unable to act or if his office becomes vacant, the National Assembly shall, within 60 days, appoint a new commissioner, according to the mode of appointment provided in section 526.

If the National Assembly is not in session, the Committee on the National Assembly shall appoint the new commissioner within the same time by a resolution approved by a majority of the members of each parliamentary group within the meaning of the Standing Orders of the National Assembly. The appointment must be approved by the National Assembly by a resolution approved by two-thirds of its Members within 30 days from resumption.

Any appointment under this section is valid for the unexpired portion of the term of the replaced commissioner.

1989, c. 1, s. 531.

DIVISION II

FUNCTIONS AND POWERS

532. The function of the Commission is to establish the boundaries of the electoral divisions of Québec, taking into account the principles and criteria of representation set out in Chapter I of Title II of this Act.

The Commission shall make any necessary advertisements and give any information pertinent to the discharge of its function.

The Commission shall also carry out any other mandate that the National Assembly, on a motion of the Prime Minister, may entrust to it.

1989, c. 1, s. 532.

DIVISION III

ORGANIZATION OF THE COMMISSION

533. The Commission may appoint a secretary and fix his salary or his additional salary in the case where the person appointed is a public servant under the Public Service Act (chapter F-3.1.1). It may also retain the services of any person.

1989, c. 1, s. 533.

534. Before taking office, the secretary shall make the oath provided for in Schedule II, before the chairman of the Commission.

1989, c. 1, s. 534.

535. The chairman shall direct the Commission and shall be responsible for its administration.

1989, c. 1, s. 535.

536. The Chief Electoral Officer shall, in the discharge of his duties, provide the Commission with all required assistance, including that of his personnel.

The chairman shall supervise and direct his personnel.

The Commission has no other personnel than that provided by the Chief Electoral Officer.

1989, c. 1, s. 536.

537. The chairman may appoint an assistant to assist him in the exercise of his duties. He shall choose him and determine his level of employment, and if, consequent upon such determination, the Public Service Act (chapter F-3.1.1) is not applicable to the assistant, it hereby becomes applicable to him without any other formality.

1989, c. 1, s. 537; 1998, c. 52, s. 80.

538. No member of the Commission, nor the assistant, nor the secretary, nor any member of the staff placed at the disposal of the Commission may be prosecuted for any official act performed in good faith in the exercise of his functions.

1989, c. 1, s. 538.

539. The minutes of Commission sittings and documents or copies emanating from the Commission are authentic if they are signed by the chairman, his assistant or the secretary.

1989, c. 1, s. 539.

540. No deed, document or writing binds the Commission or may be ascribed to it unless it is signed by the chairman, his assistant or the secretary and, in the two latter cases, only so far as prescribed by regulation of the Commission published in the *Gazette officielle du Québec*.

1989, c. 1, s. 540.

540.1. The Commission is subject to the Public Administration Act (chapter A-6.01) only to the extent that that Act applies to the Chief Electoral Officer pursuant to section 488.2.

The first two paragraphs of section 488.1 apply also, with the necessary modifications, to the Commission.
2000, c. 8, s. 122.

CHAPTER V

ANNUAL REPORT AND FINANCIAL PROVISIONS

541. The sums required for the administration of this Act, as well as the sums required for the carrying out of responsibilities assigned to the Chief Electoral Officer and the Commission de la représentation by the Referendum Act (chapter C-64.1), the Act respecting elections and referendums in municipalities (chapter E-2.2) and the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3), are taken out of the Consolidated Revenue Fund.

1989, c. 1, s. 541; 2001, c. 45, s. 10; 2020, c. 1, s. 313.

542. Not later than 30 September each year, the Chief Electoral Officer and the Commission de la représentation shall make a report of their activities, including a financial report, for the preceding fiscal year to the President of the National Assembly.

The report shall, in particular, contain a statement of the complaints received and how each was dealt with, the informational and training activities carried on, the requests for access to the lists of electors and the activities engaged in at the international level. The Chief Electoral Officer may, in his report, recommend new election procedures.

The report of the Chief Electoral Officer shall, in addition, give an account of the management of the permanent list of electors and include an assessment of the quality of the information it contains. The Chief Electoral Officer may recommend the holding of an enumeration or revision or the implementation of any other measure allowing a total or partial verification of the permanent list of electors.

The President of the National Assembly shall table the reports before the National Assembly within 15 days of receiving them or, if it is not sitting, within 15 days of resumption.

1989, c. 1, s. 542; 1992, c. 38, s. 75; 1995, c. 23, s. 44; 2016, c. 18, s. 35.

542.1. Where it is recommended in the report of the Chief Electoral Officer that a verification of the permanent list of electors be carried out, the report shall be submitted to the Committee on the National Assembly or the committee designated by it, for examination.

1995, c. 23, s. 45.

542.2. The Chief Electoral Officer shall prepare a report on the application of the financing rules set out in Title III and Chapter VI of Title IV of this Act, Chapters XIII and XIV of Title I of the Act respecting elections and referendums in municipalities (chapter E-2.2) and Chapter XI of the Act respecting school elections to elect certain members of the boards of directors of English-language school service centres (chapter E-2.3) and on the advisability of modifying them.

The report shall be submitted before 1 April to the President of the National Assembly, who shall table it in the Assembly within 15 days or, if the Assembly is not sitting, within 15 days of resumption. The competent committee of the National Assembly shall subsequently examine the report.

2016, c. 18, s. 36; 2020, c. 1, s. 313.

543. Each year, the Chief Electoral Officer and the Commission de la représentation shall prepare the budgetary estimates and remit them to the President of the National Assembly before 1 April.

Where, during the fiscal year, the Chief Electoral Officer or the Commission de la représentation foresees that the budgetary estimates will be exceeded for purposes other than those contemplated in section 545, they shall prepare supplementary estimates and remit them to the President of the National Assembly.

1989, c. 1, s. 543.

544. The National Assembly shall refer, to a parliamentary committee, the budgetary estimates of the Chief Electoral Officer and of the Commission de la représentation, and they shall furnish the parliamentary committee with a preliminary financial report for the preceding fiscal year.

1989, c. 1, s. 544.

545. The committee may also study the expenditures made in view of a polling or at the time of a polling, and expenditures made for any mandate that the National Assembly entrusted to the Chief Electoral Officer or to the Commission de la représentation and which were impossible to include in the budget for the preceding fiscal year.

1989, c. 1, s. 545.

546. The committee shall approve the budget and table its report in the National Assembly.

1989, c. 1, s. 546.

547. The examination in parliamentary committee of the budget of the Commission de la représentation shall not take place while boundaries of electoral divisions are being established.

In such a case, the mere tabling in the National Assembly of the budget of the Commission shall take the place of its approval.

1989, c. 1, s. 547.

548. Within three months from publication of the list of electoral divisions in the *Gazette officielle du Québec*, the Commission de la représentation shall remit to the President of the National Assembly a report of any expenses related to the establishment of the boundaries of the electoral divisions.

1989, c. 1, s. 548.

TITLE VII

REGULATIONS

549. The Government may, by regulation,

(1) establish a tariff of remuneration and expenses of election officers and members of the permanent board of revisors;

(1.1) establish a tariff of fees payable for the production of a list to be used for a municipal or school election or the registration of qualified electors;

(1.2) establish a tariff of fees payable for the transmission of information contained in the permanent list of electors for the purpose of drawing up a list to be used in a federal poll;

(2) establish a tariff of costs for a judicial recount;

(3) determine the maximum amount of the expenses that may be incurred by the Chief Electoral Officer under the second paragraph of section 137;

(4) determine, after consultation with the advisory committee, the documents issued by the Government or a government department or body or recognized by the Government that may be produced for the purposes of the second paragraph of section 337.

1989, c. 1, s. 549; 1995, c. 23, s. 46; 1999, c. 15, s. 25; 2001, c. 2, s. 54.

550. The Chief Electoral Officer shall draft regulations on those matters which must be provided for by regulation under this Act, except on those contemplated in section 549.

The regulations shall be submitted to the Committee on the National Assembly or to any other committee designated by the National Assembly, which may approve them with or without amendment.

A regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec* or on any later date indicated therein.

1989, c. 1, s. 550; 2001, c. 2, s. 55.

TITLE VIII

PENAL PROVISIONS

551. The following persons are liable to a fine of \$500 to \$2,000 for a first offence and of \$3,000 to \$30,000 for any subsequent offence within five years:

(1) every owner, manager, operator, superintendent, caretaker or person in charge of a residential building, a private seniors' residence governed by the Act respecting the governance of the health and social services system (chapter G-1.021) or the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2) or a lodging facility operated by an organization for the purpose of ensuring the safety of a person or of the person's children who limits, restricts or fails to facilitate access to the building or residence for an enumerator or a person in charge of distributing a notice or document from the Chief Electoral Officer or the returning officer;

(2) every person in authority at an institution referred to in the second paragraph of section 135.1 who limits, restricts or fails to facilitate access to a facility maintained by that institution for an enumerator or a person in charge of distributing a notice or document from the Chief Electoral Officer or the returning officer;

(3) every enumerator or revisor who refuses or neglects to perform his duties in accordance with the provisions of this Act;

(4) *(paragraph repealed).*

1989, c. 1, s. 551; 1992, c. 21, s. 164; 1995, c. 23, s. 47; 1997, c. 8, s. 18; 2001, c. 72, s. 29; 2006, c. 17, s. 31; 2011, c. 27, s. 38; 2011, c. 38, s. 9; 2013, c. 5, s. 11; 2023, c. 34, s. 1013.

551.1. The following persons are liable to a fine of \$5,000 to \$20,000 for a first offence, and of \$10,000 to \$30,000 for any subsequent offence within 10 years:

(1) every person who signs an enumeration slip that contains information he knows to be false or inaccurate or who makes a false declaration to an enumerator;

(2) every person who, knowingly, enters on the permanent list of electors or on a list of electors the name of a person who is not qualified as an elector or who is not entitled to have his name entered where it is entered;

(3) every person who, knowingly, omits to enter on the permanent list of electors or on a list of electors the name of a person whose name should be entered;

(4) every person who applies to have the name of a person he knows to be fictitious or deceased, or of a person who is not qualified as an elector or who is not entitled to have his name entered, entered on the permanent list of electors or on a list of electors;

(5) every person who applies to have his name entered on the list of electors for a polling subdivision knowing that he is not entitled thereto;

(6) every person who applies to have the name of a person he knows is entitled to have his name entered struck off the list of electors;

(7) every person who strikes off the permanent list of electors or off a list of electors the name of a person he knows is entitled to have his name entered.

1995, c. 23, s. 47; 2011, c. 38, s. 10.

551.1.0.1. Every person who writes down or otherwise records information contained in a document produced pursuant to section 335.2 or pursuant to the second paragraph of section 337 is liable to a fine of \$500 to \$2,000.

1999, c. 15, s. 26.

551.1.1. Every person who collects, uses, communicates or allows to be communicated, for purposes other than those provided for in this Act, or who communicates or allows to be communicated to a person not legally entitled thereto, any information relating to electors is liable to a fine of \$5,000 to \$50,000 in the case of a natural person, and of \$15,000 to \$150,000 in all other cases.

1997, c. 8, s. 19; 2011, c. 38, s. 11; 2021, c. 25, s. 88.

551.2. Every person who, for commercial purposes or for profit, uses a list of electors or any information contained in a document produced pursuant to section 335.2 or pursuant to the second paragraph of section 337 is liable to a fine of \$5,000 to \$50,000 in the case of a natural person, and of \$15,000 to \$150,000 in all other cases.

1995, c. 23, s. 47; 1999, c. 15, s. 27; 2011, c. 38, s. 12; 2021, c. 25, s. 89.

551.3. Every person who, without authorization, attempts to gain or gains access to the register of electors or the register of territories by electronic or telematic means, is liable to a fine of \$5,000 to \$10,000, in the case of a natural person, and of \$10,000 to \$30,000, in the case of a legal person.

1995, c. 23, s. 47; 2011, c. 38, s. 13.

551.4. Where a person is convicted of an offence under section 551.1.1, 551.2 or 551.3, a judge may, on an application by the prosecutor which is attached to the statement of offence, in addition to imposing any other penalty, impose an additional fine of an amount equal to the amount of the monetary benefit acquired by or accrued to the person as a result of the commission of the offence, even if the maximum fine under another provision has been imposed on him.

1997, c. 8, s. 20.

552. The following persons are liable to a fine of \$500 to \$10,000 for a first offence and of \$3,000 to \$30,000 for every subsequent offence within five years:

(1) every person who offers himself as a candidate, knowing he is disqualified;

(2) every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed;

(3) every person who uses the signature of others as support on a nomination paper;

(4) every candidate or mandatary who collects signatures of support and falsely declares that the persons who signed the nomination paper did so in his presence or that they are electors in the electoral division;

(5) every person who collects signatures of support without being a candidate or mandatary;

(6) every candidate who signs more than one nomination paper;

(7) every person who presents himself as a candidate of an authorized party, when the letter contemplated in section 241 is false;

(8) every returning officer who accepts a nomination paper which is improper or not accompanied with all the required documents, or which is filed by an elector who is not registered on the list of electors.

1989, c. 1, s. 552; 1998, c. 52, s. 81; 2001, c. 72, s. 30; 2011, c. 38, s. 14; 2021, c. 37, s. 128.

553. The following persons are liable to a fine of \$500 to \$2,000 for a first offence and of \$3,000 to \$30,000 for any subsequent offence within five years:

(1) every manager, superintendent, caretaker, operator, owner or person in charge of a place described in the first paragraph of section 135.1 and every person in authority at a centre or an institution described in the second paragraph of section 135.1 who hinders access to a special board of revisors, to a mobile board of revisors, to a polling station or to a mobile polling station;

(2) every person who modifies or imitates the initials of the deputy returning officer;

(3) every person who acts as the representative of a candidate using a false power of attorney;

(4) every election officer who arrives late at the polling station in order to delay the opening of the poll.

1989, c. 1, s. 553; 1992, c. 21, s. 165; 1995, c. 23, s. 48; 2006, c. 17, s. 32; 2008, c. 22, s. 77; 2011, c. 38, s. 15; 2013, c. 5, s. 12.

553.1. The following persons are liable to a fine of \$5,000 to \$20,000 for a first offence, and of \$10,000 to \$30,000 for any subsequent offence within 10 years:

(1) every person who votes more than once at the same election;

(2) every deputy returning officer who permits a person to vote without being registered on the list of electors or without having obtained an authorization to vote;

(2.1) every person who, to be admitted to vote or to allow someone to vote, makes a false declaration, produces a fraudulent document as identification or assumes the identity of another person;

(3) every person who votes without being entitled to vote;

(4) every deputy returning officer who remits a ballot paper to a person who refuses to make the oath required;

(5) every deputy returning officer who knowingly admits to vote a person who has already voted.

1995, c. 23, s. 48; 1998, c. 52, s. 82; 1999, c. 15, s. 28; 2011, c. 38, s. 16.

554. The following persons are liable to a fine of \$5,000 to \$20,000 for a first offence and of \$10,000 to \$30,000 for every subsequent offence within 10 years:

- (1) every person who falsifies the statement of votes;
- (2) every person who knowingly destroys a ballot paper before the end of the period for the contestation of the election;
- (3) every returning officer who makes a fraudulent declaration or issues a fraudulent declaration of election.

1989, c. 1, s. 554; 2011, c. 38, s. 17.

555. The following persons are liable to a fine of \$500 to \$2,000 for a first offence and of \$3,000 to \$30,000 for every subsequent offence within five years:

- (1) every person who performs duties reserved to the election officers without being qualified therefor, without being officially appointed or without making the oath required;
 - (1.1) every person who misinterprets the law intentionally;
 - (1.2) every person who counterfeits or misappropriates for partisan purposes a document emanating from the Chief Electoral Officer;
- (2) every person who hinders the work of an election officer;
- (3) the Chief Electoral Officer and every member of his personnel or election officer who fraudulently neglects or refuses to act or acts against this Act;
- (4) every election officer who, having been dismissed or having ceased to carry out his duties, refuses to return the official documents in his possession to the returning officer or, in the case of the returning officer, to the Chief Electoral Officer.

1989, c. 1, s. 555; 1998, c. 52, s. 83; 2011, c. 38, s. 18.

556. The following persons are liable to a fine of \$1,000 to \$10,000 for a first offence and of \$10,000 to \$30,000 for any subsequent offence within 10 years in the case of a natural person, or to a fine of \$5,000 to \$30,000 for a first offence and of \$20,000 to \$60,000 for any subsequent offence within 10 years in the case of a legal person:

- (1) every employer who contravenes section 144, 248 to 254 or 335;
- (2) every employer who uses his authority or his influence to incite any of his employees to refuse to become an election officer or to abandon that office after having accepted it;
- (3) every person who, illegally and without right, counterfeits, manufactures, removes, uses, destroys, gives, sells or issues any badge to be used by the enumerators;
- (4) every person who knowingly spreads false news of the withdrawal of a candidate;
- (5) every person who knowingly prints or uses a false ballot paper or alters or counterfeits a ballot paper.

1989, c. 1, s. 556; 2011, c. 38, s. 19.

556.1. The following persons are liable to a fine of \$500 to \$2,000:

- (1) every person who erects an election poster or billboard in contravention of any of the provisions of sections 259.2 to 259.5 or of the conditions provided in the first paragraph of section 259.7;

- (2) every person who affixes an election banner, streamer or flag on a public utility pole.

1998, c. 52, s. 84; 2011, c. 38, s. 20.

557. Every person who knowingly violates or attempts to violate the secrecy of voting, inhibits or attempts to inhibit the freedom to vote, prevents or attempts to prevent any procedure relating to the vote, or alters or attempts to alter the results of the election, is liable, in the case of a natural person, to a fine of \$5,000 to \$20,000 for a first offence, and of \$10,000 to \$30,000 for any subsequent offence within 10 years or, in the case of a legal person, to a fine of \$10,000 to \$50,000 for a first offence, and of \$50,000 to \$200,000 for any subsequent offence within 10 years.

1989, c. 1, s. 557; 2011, c. 38, s. 21.

558. The following persons are liable to a fine of \$5,000 to \$20,000 for a first offence, and of \$10,000 to \$30,000 for any subsequent offence within 10 years:

(1) every candidate or every person who later becomes a candidate who, in order to influence the vote of an elector, obtains or attempts to obtain, by himself or through another person, his vote or incites him to refrain from voting by promising or granting him any gift, loan, office, employment or other benefit;

(2) every person who, in order to obtain or because he has obtained a gift, loan, office, employment or any other benefit, agrees to refrain from voting or to vote for a candidate, or incites a person to refrain from voting or to vote for a candidate.

The first paragraph does not apply

(1) to an official agent who provides, as election expenses, food and beverages to electors or a person working to promote the election of a candidate at an election;

(2) to any person other than an official agent who, at his own expense, provides food and beverages at a private meeting of electors held to promote the election of a candidate at an election; or

(3) to any person accepting food or beverages.

1989, c. 1, s. 558; 1992, c. 38, s. 76; 2011, c. 38, s. 22.

559. Every official agent is liable to a fine of \$5,000 to \$20,000 who

(1) incurs or authorizes election expenses exceeding the maximum fixed by section 426;

(2) files a false report, return, statement or letter;

(3) produces a false or falsified invoice, receipt or other voucher;

(4) after filing his report or return, pays a claim otherwise than as permitted by section 445.

Every elector referred to in section 457.3 or in the last paragraph of section 457.4 who makes a false declaration, files a false report or produces a false or falsified invoice, receipt or voucher is also liable to a fine of \$1,000 to \$10,000.

1989, c. 1, s. 559; 1998, c. 52, s. 85; 2011, c. 38, s. 23; 2021, c. 37, s. 130.

559.0.1. Every official representative is liable to a fine of \$5,000 to \$20,000 who

(1) files a false report, return or statement;

(2) produces a false or falsified invoice, receipt or other voucher;

- (3) pays a claim otherwise than as permitted by section 445.

2001, c. 72, s. 31; 2011, c. 38, s. 24.

559.0.2. Every financial representative of a political party leadership candidate is liable to a fine of \$5,000 to \$20,000 who

- (1) files a false return or declaration;
- (2) produces a false or falsified invoice, receipt or other voucher; or
- (3) pays a claim otherwise than as permitted by sections 127.14 and 127.15.

2011, c. 38, s. 25.

559.1. The following persons are liable to a fine of \$5,000 to \$20,000:

- (1) *(paragraph repealed)*;
- (2) every person who makes a false invoice, receipt or voucher;
- (3) every person who falsifies an invoice, receipt or voucher.

1998, c. 52, s. 86; 2010, c. 32, s. 9; 2011, c. 38, s. 26.

559.1.1. Every person who contravenes section 490.2 or 490.3 is guilty of an offence and is liable to a fine of \$1,000 to \$10,000 in the case of a natural person and \$2,000 to \$20,000 in other cases.

The fines are doubled for a subsequent offence.

2016, c. 18, s. 37.

559.1.2. Every person who hinders or attempts to hinder the actions of the Chief Electoral Officer or any person he designates in accordance with the law, while the Chief Electoral Officer or designated person is performing the functions of office and where no other penalty is prescribed, is guilty of an offence and is liable to a fine of \$500 to \$10,000 in the case of a natural person and \$1,000 to \$20,000 in other cases.

The fines are doubled for a subsequent offence.

2016, c. 18, s. 37.

559.2. The following persons are liable to a fine of \$500 to \$10,000:

(1) the printer, manufacturer or owner of the newspaper or other publication, the radio or television broadcaster or the person using another information medium or technology, if a writing, object, advertising material or advertisement relating to an election is printed, made, published, broadcast or circulated without the particulars required under section 421 or 421.1;

(2) the official agent or deputy official agent, or the private intervenor or the representative of a private intervenor, who allows a writing, object, advertising material or advertisement relating to an election to be printed, made, published, broadcast or circulated without the particulars required under section 421 or 421.1.

2008, c. 22, s. 78.

560. Every candidate, party leader or interim leader who allows an election expense or party leadership campaign expense to be incurred or paid otherwise than as permitted by this Act is liable to a fine of \$5,000 to \$20,000.

1989, c. 1, s. 560; 2011, c. 38, s. 27.

561. Every person who solicits or collects contributions or incurs expenses without holding an authorization from the Chief Electoral Officer or the financial representative of a party leadership candidate, as applicable, is liable to a fine of \$5,000 to \$20,000 in the case of a natural person or, in the case of a legal person, to a fine of \$10,000 to \$50,000.

1989, c. 1, s. 561; 2011, c. 38, s. 28.

562. The Member who sits or votes in the National Assembly contrary to section 127 or 442 is liable to a fine of \$500 for each day on which he so sits or votes.

1989, c. 1, s. 562; 1998, c. 52, s. 87.

563. Every person who fails to file a report or return prescribed by Titles III and IV, to send contribution slips in accordance with section 127.9 or to pay within the prescribed time a claim made by the Chief Electoral Officer under section 453 or section 455 is liable to a fine of \$50 for each day of delay.

In addition, every person who does not provide information or documents required in accordance with section 112.1 within the prescribed time is liable to a fine of \$50 for each day of delay.

1989, c. 1, s. 563; 2011, c. 38, s. 29; 2016, c. 18, s. 38.

564. A person who contravenes any of sections 62, 66, 74, 76, 92, 93, 95, 96, 97, 99, 102 to 104.1, the first and second paragraphs of section 105, sections 105.1, 106, 127.1, 127.2 and 127.4, the second paragraph of section 127.7, the second paragraph of section 127.8, sections 127.10, 408, 410, 416 to 420, 422 to 424, 457.2, 457.9 and 457.11 to 457.17, and the first paragraph of section 127.8 and section 127.11 to the extent that they refer to any of those sections is liable to a fine of \$500 to \$10,000.

1989, c. 1, s. 564; 1995, c. 23, s. 49; 1998, c. 52, s. 88; 2001, c. 72, s. 32; 2008, c. 22, s. 79; 2010, c. 32, s. 10; 2011, c. 38, s. 30; 2016, c. 18, s. 39.

564.1. The following are liable to a fine of \$5,000 to \$20,000 for a first offence and a fine of \$10,000 to \$30,000 for any subsequent offence within 10 years:

(1) an elector who falsely declares that a contribution is being made out of the elector's own property, voluntarily, without compensation and for no consideration, and that it has not and will not be reimbursed in any way;

(2) a person who, by using threats or coercion or by promising compensation, consideration or a reimbursement, incites an elector to make a contribution.

If a person is convicted of an offence under this section, a judge may, on an application by the prosecutor which is attached to the statement of offence, impose an additional fine equal to twice the amount of the illegal contribution for which the person is convicted, even if the maximum fine under the first paragraph has been imposed on the person.

2010, c. 32, s. 11.

564.1.1. An elector who falsely declares that a loan is granted or a suretyship contracted out of the elector's own property, voluntarily, without compensation and for no consideration, and that it has not been

nor will be reimbursed in any way other than as stipulated in the deed of loan is liable to a fine of \$5,000 to \$20,000 for a first offence and of \$10,000 to \$30,000 for every subsequent offence within 10 years.

2016, c. 18, s. 40.

564.2. A person who contravenes or attempts to contravene any of sections 87 to 91, 100, 127.5, 127.6, the first and third paragraphs of section 127.7, sections 413 to 415, 429 and 429.1, and the first paragraph of section 127.8 and section 127.11 to the extent that they refer to any of those sections is liable to a fine of \$5,000 to \$20,000 for a first offence and a fine of \$10,000 to \$30,000 for any subsequent offence within 10 years, in the case of a natural person, or to a fine of \$10,000 to \$50,000 for a first offence and a fine of \$50,000 to \$200,000 for any subsequent offence within 10 years, in the case of a legal person.

If a person is convicted of an offence for contravening or attempting to contravene any of sections 87, 90 and 91, the first and third paragraphs of section 127.7, and section 127.8 to the extent that it refers to any of those sections, a judge may, on an application by the prosecutor which is attached to the statement of offence, impose an additional fine equal to twice the amount of the illegal contribution for which the person is convicted, even if the maximum fine under the first paragraph has been imposed on the person.

2010, c. 32, s. 11; 2011, c. 38, s. 31.

564.3. *(Repealed).*

2010, c. 32, s. 11; 2011, c. 38, s. 32; 2013, c. 16, s. 101; 2015, c. 6, s. 39.

564.4. *(Repealed).*

2010, c. 32, s. 11; 2015, c. 6, s. 39.

564.5. *(Repealed).*

2010, c. 32, s. 11; 2015, c. 6, s. 39.

564.6. *(Repealed).*

2010, c. 32, s. 11; 2015, c. 6, s. 39.

565. Every person who contravenes any provision of this Act or the regulations hereunder for which no other penalty is provided is sentenced to a fine of \$500.

1989, c. 1, s. 565; 2011, c. 38, s. 33.

566. Every person who, by his act or omission, aids another person to commit an offence is guilty of the offence if he knew or should have known that his conduct would probably result in aiding to commit the offence.

Every person who encourages, advises, allows, authorizes or orders another person to commit an offence is guilty of the offence, and of any other offence the other person commits if he knew or should have known that his conduct would probably result in the commission of the offences.

The fact that no means or plan for committing the offence was proposed or that it was committed otherwise than as proposed does not constitute a defence.

1989, c. 1, s. 566; 1998, c. 52, s. 89.

566.1. If the leader of a political party, another of its officers, its official representative, a delegate of its official representative, its official agent or a deputy of its official agent commits, allows or tolerates an offence under this Act, the political party is presumed to have committed the same offence.

2010, c. 36, s. 5.

567. Any offence described in section 551.1 or 553.1, in paragraph 1 or 3 of section 554, in paragraph 3 of section 555, in paragraph 4 of section 556, in any of sections 557 to 559.1, in section 560, in section 564.1, in section 564.1.1 or in section 564.2 where it refers to sections 87, 90, 91, the first and third paragraphs of section 127.7 and the first paragraph of section 127.8 to the extent that it refers to section 90 is a corrupt electoral practice.

Notwithstanding the foregoing, in the case of an offence described in paragraph 1 of section 559, the judge may rule that the alleged offence is not a corrupt electoral practice if, pursuant to a judgment rendered under the second paragraph of section 445, the election expenses incurred or authorized by the official agent exceed the maximum fixed by section 426 and if the refusal or failure to pay the contested expense arises from an error in good faith.

1989, c. 1, s. 567; 1995, c. 23, s. 50; 2010, c. 32, s. 12; 2011, c. 38, s. 34; 2016, c. 18, s. 41.

568. Every person who is convicted of an offence that is a corrupt electoral practice loses, for a period of five years from the judgment, the right to engage in partisan work, vote or be a candidate in an election and, for the same period, shall not hold any office to which appointment is made by an order of the Government or by a resolution of the National Assembly.

Furthermore, where the person convicted of an offence contemplated in section 557 or 558 is a Member of the National Assembly, his election is void.

1989, c. 1, s. 568; 1990, c. 4, s. 965.

568.1. Where a penalty greater than the minimum penalty is requested, the judge shall have regard, in particular, to the following criteria if they are alleged by the prosecutor in the statement of offence:

- (1) the fact that it is a second or subsequent conviction;
- (2) the status of the offender;
- (3) the size of the expense or contribution.

1998, c. 52, s. 90.

569. The Chief Electoral Officer may institute penal proceedings for an offence under this title. Section 18 of the Act respecting the Director of Criminal and Penal Prosecutions (chapter D 9.1.1) does not apply to the Chief Electoral Officer.

Such proceedings are prescribed seven years after the date the offence was committed. However, proceedings relating to an offence under section 551.1 or 553.1, paragraph 1 or 3 of section 554, paragraph 3 of section 555, paragraph 4 of section 556 or section 557 or 558 are prescribed 10 years after the date the offence was committed.

1989, c. 1, s. 569; 1990, c. 4, s. 966; 1992, c. 61, s. 285; 2010, c. 35, s. 18; 2010, c. 36, s. 6; 2016, c. 18, s. 45.

569.1. The Chief Electoral Officer shall transmit to the Autorité des marchés publics the information that relates to any penal proceeding brought under this Title and applies to any offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C-65.1). The Chief Electoral Officer shall also transmit to the Autorité des marchés publics the information required under subparagraphs 1 to 3 and 5 of the first paragraph of section 21.7 of that Act concerning findings of guilty for the offences under this Title that are listed in Schedule I to that Act.

The information shall be transmitted in the manner determined in an agreement.

2015, c. 6, s. 40; 2017, c. 27, s. 197; 2022, c. 18, s. 122.

TITLE IX

AMENDMENTS AND MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

CHAPTER I

MISCELLANEOUS PROVISIONS

570. Notwithstanding section 89 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person may request the correction of personal information contained in the permanent list of electors or the list to be used for an election otherwise than as provided for by this Act.

Notwithstanding section 9 of the said Act, ballot papers are accessible only in the manner prescribed by this Act.

1989, c. 1, s. 570; 1995, c. 23, s. 51; 2021, c. 25, s. 90.

571. No warrant of arrest may be executed against an election officer on polling day.

1989, c. 1, s. 571.

572. No elector qualified to vote is bound to appear as a witness before a judge or court on polling day.

1989, c. 1, s. 572.

572.1. Notwithstanding any general law or special Act, the Chief Electoral Officer, his employees, and any other person designated by the Chief Electoral Officer to carry out an inspection or inquiry may not be compelled to give testimony relating to information obtained in the performance of their duties or to produce any document containing such information.

1999, c. 15, s. 29; 2016, c. 18, s. 42.

572.2. No proceedings may be brought against the Chief Electoral Officer, his employees, or any other person designated by the Chief Electoral Officer to carry out an inspection or inquiry by reason of an act or omission in good faith in the performance of their duties.

1999, c. 15, s. 29; 2016, c. 18, s. 43.

572.3. No civil action may be instituted by reason of the publication of a report of the Chief Electoral Officer or of the publication in good faith of an extract from or a summary of such a report.

1999, c. 15, s. 29.

573. Except with respect to a matter of jurisdiction, no application for judicial review under the Code of Civil Procedure (chapter C-25.01) or provisional remedy provided in the said Code lies against the Chief Electoral Officer, any person designated by him to carry out an inspection or inquiry, any member of his personnel or any election officer, or against the Commission de la représentation, any of its members or any member of its personnel, in the performance of his or its duties.

A judge of the Court of Appeal may, on an application, summarily annul any decision, order or injunction made or granted contrary to this section.

1989, c. 1, s. 573; 2014, c. 1, s. 781; I.N. 2016-01-01 (NCCP); 2016, c. 18, s. 44.

CHAPTER II

TRANSITIONAL PROVISIONS

574. *(Omitted).*

1989, c. 1, s. 574.

575. The Chief Electoral Officer in office on 24 April 1989 shall remain in office and the provisions applicable to his salary as Chief Electoral Officer and as chairman of the Commission de la représentation, to his dismissal and to his pension remain in force with respect to him.

For the purposes of section 231 of the Courts of Justice Act (chapter T-16), the annual salary taken into consideration corresponds to the salary referred to in the first paragraph, regardless of the exclusion concerning additional remuneration set out in the second paragraph, from the date on which he took office.

The Chief Electoral Officer must, for the purposes of Part VI of the Courts of Justice Act, pay the contributions he should have paid from the date on which he took office. The contributions are computed in respect of the total salary received by him from that date as Chief Electoral Officer, and as chairman of the Commission de la représentation, with interest at 6%, computed annually from the midpoint of the year during which the contribution should have been paid until the date of the payment to the Commission administrative des régimes de retraite et d'assurances.

The Chief Electoral Officer must pay the amounts determined under the third paragraph within 90 days of receiving a notice from the Commission.

1989, c. 1, s. 575; 1992, c. 38, s. 77.

576. Every person in office on 24 April 1989 and appointed under a provision replaced by this Act continues to hold office until the expiry of the term for which he was appointed or until he is replaced or until he ceases to perform his duties according to law. The person is deemed, where such is the case, to have been appointed under the corresponding provision of this Act.

The first paragraph does not prevent a person from continuing to perform his duties, notwithstanding the expiry of the term for which he was appointed, until he is replaced or reappointed, where the law so provides.

1989, c. 1, s. 576.

577. All regulations, orders and directives made or issued under the Election Act (chapter E-3.2) shall continue to be in force until they are repealed, replaced or amended by regulations, orders or directives made or issued under this Act.

1989, c. 1, s. 577.

578. All authorizations granted to parties, party authorities or independent candidates under the Election Act (chapter E-3.2) before 24 April 1989 remain in force under this Act.

1989, c. 1, s. 578.

579. Proceedings relating to an offence under the Election Act (chapter E-3.2) shall be brought or continued in accordance with that Act.

1989, c. 1, s. 579.

580. All sums made available to the Chief Electoral Officer under the Election Act (chapter E-3.2) and to the Commission de la représentation under the Act respecting electoral representation (chapter R-24.1) are hereby transferred to them without other formality.

1989, c. 1, s. 580.

CHAPTER III

AMENDMENTS AND FINAL PROVISIONS

581. *(Amendment integrated into c. A-2.1, Schedule A).*

1989, c. 1, s. 581.

582. *(Amendment integrated into c. A-23.1, s. 1).*

1989, c. 1, s. 582.

583. *(Amendment integrated into c. A-23.1, s. 17).*

1989, c. 1, s. 583.

584. *(Amendment integrated into c. C-64.1, s. 1).*

1989, c. 1, s. 584.

585. *(Amendment integrated into c. C-64.1, s. 13).*

1989, c. 1, s. 585.

586. *(Amendment integrated into c. C-64.1, s. 16).*

1989, c. 1, s. 586.

587. *(Omitted).*

1989, c. 1, s. 587.

588. *(Amendment integrated into c. C-64.1, s. 18).*

1989, c. 1, s. 588.

589. *(Amendment integrated into c. C-64.1, s. 28).*

1989, c. 1, s. 589.

590. *(Amendment integrated into c. C-64.1, s. 37).*

1989, c. 1, s. 590.

591. *(Amendment integrated into c. C-64.1, s. 42).*

1989, c. 1, s. 591.

592. *(Amendment integrated into c. C-64.1, s. 43).*

1989, c. 1, s. 592.

593. *(Amendment integrated into c. C-64.1, s. 44).*

1989, c. 1, s. 593.

594. *(Amendment integrated into c. C-64.1, s. 45).*

1989, c. 1, s. 594.

595. *(Amendment integrated into c. C-64.1, Appendix 2).*

1989, c. 1, s. 595.

596. *(Amendment integrated into c. E-2.2, s. 53).*

1989, c. 1, s. 596.

597. *(Amendment integrated into c. E-2.2, s. 69).*

1989, c. 1, s. 597.

598. *(Amendment integrated into c. E-2.2, s. 97).*

1989, c. 1, s. 598.

599. *(Amendment integrated into c. E-2.2, s. 301).*

1989, c. 1, s. 599.

600. *(Amendment integrated into c. E-2.2, s. 383).*

1989, c. 1, s. 600.

601. *(Amendment integrated into c. E-2.2, s. 389).*

1989, c. 1, s. 601.

602. *(Amendment integrated into c. E-2.2, s. 524).*

1989, c. 1, s. 602.

603. *(Amendment integrated into c. I-3, s. 776).*

1989, c. 1, s. 603.

604. *(Amendment integrated into c. J-2, s. 1).*

1989, c. 1, s. 604.

605. *(Amendment integrated into c. J-2, s. 8).*

1989, c. 1, s. 605.

606. *(Amendment integrated into c. M-23.01, s. 9).*

1989, c. 1, s. 606.

607. *(Amendment integrated into c. P-9.1, s. 64).*

1989, c. 1, s. 607.

608. *(Omitted).*

1989, c. 1, s. 608.

SCHEDULE I

(Section 17)

ELECTORAL DIVISION OF ÎLES-DE-LA-MADELEINE

The electoral division of Îles-de-la-Madeleine is situated in the gulf of St Lawrence, between parallels 47° 10' and 48° 00' North latitude and meridians 61° 00' and 62° 20' West longitude and comprises Île d'Entrée, Havre Aubert (Amherst) island, Havre aux Maisons island, Cap aux Meules (Grindstone) island, Île aux Loups, Grosse Île, Île de la Grande Entrée, Shag island, Brion island, the rocher aux Margaux, the rocher aux Oiseaux, the Corps-Mort (Dead man's island) and other islands situated wholly or in part within such boundaries.

This electoral division comprises the territories of the municipalities of Grosse-Île and Les Îles-de-la-Madeleine.

1989, c. 1, Schedule I; 1996, c. 2, s. 665; 2008, c. 22, s. 80.

SCHEDULE II

(Sections 136, 361, 481, 499, 509, 529, 534)

OATH OF OFFICE

I, *name*, declare under oath that I will fulfil the duties assigned to me under the Election Act (chapter E-3.3) faithfully and honestly without fear of or favour towards any one, and that I will not reveal, unless expressly authorized, anything that may come to my knowledge by reason of my office.

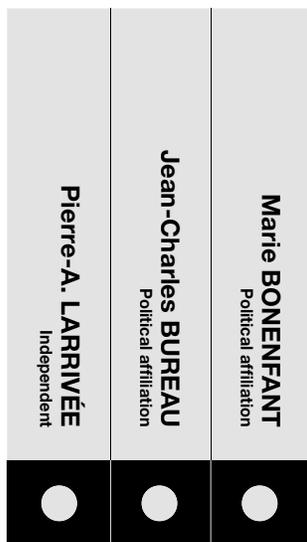
1989, c. 1, Schedule II; 1999, c. 40, s. 116; 2008, c. 22, s. 81.

SCHEDULE III

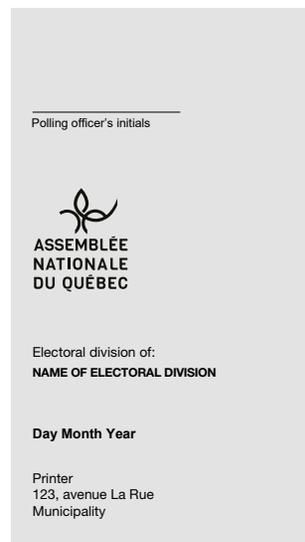
(Section 298)

BALLOT PAPER FOR INMATES

OBVERSE



REVERSE



STANDARD BALLOT PAPER (Section 320)

OBVERSE

PHOTO	PHOTO	PHOTO
Pierre-A. LARRIVÉE Independent	Jean-Charles BUREAU Political affiliation	Marie BONENFANT Political affiliation
○	○	○

REVERSE

STUB
COUNTERFOIL

No.

No.

Deputy returning officer's initials



**ASSEMBLÉE
NATIONALE
DU QUÉBEC**

Electoral division of:
NAME OF ELECTORAL DIVISION

Day Month Year

Printer
123, avenue La Rue
Municipality

1989, c. 1, Schedule III; 1998, c. 52, s. 91; 2008, c. 22, s. 82; 2021, c. 37, s. 131.

SCHEDULE IV

(Section 275)

BALLOT PAPER FOR ELECTORS OUTSIDE THEIR ELECTORAL DIVISION

OBERVERSE	REVERSE			
	<p>No.</p>			
	<p>No.</p>			
<table border="1"><tr><td data-bbox="578 989 610 1446">Political affiliation</td><td data-bbox="610 989 711 1446">Candidates given name and surname</td><td data-bbox="711 989 829 1446">I VOTE FOR</td></tr></table>	Political affiliation	Candidates given name and surname	I VOTE FOR	<p>_____ Polling officer's initials</p> <p> ASSEMBLÉE NATIONALE DU QUÉBEC</p> <p>Electoral division of the elector's domicile: _____</p> <p>Day Month Year</p> <p>Printer 123, avenue La Rue Municipality</p>
Political affiliation	Candidates given name and surname	I VOTE FOR		

BALLOT PAPER FOR ELECTORS OUTSIDE QUÉBEC (*Section 287*)

OBVERSE

Political affiliation	Candidate's given name and surname	I VOTE FOR
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REVERSE

Polling officer's initials



**ASSEMBLÉE
NATIONALE
DU QUÉBEC**

Electoral division of
the elector's domicile:
NAME OF ELECTORAL DIVISION

Day Month Year

Élections Québec
123, avenue La Rue
Municipality

1989, c. 1, Schedule IV; 2008, c. 22, s. 83; 2021, c. 37, s. 131.

SCHEDULE V

(Section 595)

REFERENDUM ACT

(Amendment integrated into c. C-64.1, Appendix 2).

1989, c. 1, Schedule V; 1990, c. 4, s. 967.

REPEAL SCHEDULES

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), chapter 1 of the statutes of 1989, in force on 1 March 1990, is repealed, except the second paragraph of section 574 and section 608, effective from the coming into force of chapter E-3.3 of the Revised Statutes.

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), subparagraph 4 of the first paragraph of section 1 of chapter 1 of the statutes of 1989, in force on 1 September 1990, is repealed effective from the coming into force of the updating to 1 September 1990 of chapter E-3.3 of the Revised Statutes.

