

**CANADA
PROVINCE OF QUÉBEC
DISTRICT OF MONTREAL**

**SUPERIOR COURT
(Class Actions Division)**

No: 500-06-001411-251

CÉDRIC POIRIER

Plaintiff

v.

ATTORNEY GENERAL OF CANADA

-and-

ATTORNEY GENERAL OF QUEBEC

Defendants

-and-

**LE DIRECTEUR GÉNÉRAL DES
ÉLECTIONS DU QUÉBEC**

Intervener

**EXHIBITS COMMUNICATED BY THE ATTORNEY GENERAL
OF CANADA, DD-3 AND DD-16 TO DD-19**

EXHIBITS COMMUNICATED BY THE ATTORNEY GENERAL OF CANADA

Exhibit #	Description
DD-3	178-B-2020-01 - Special Voting Rules as Adapted for the Purposes of a By-Election, September 21, 2020
DD-16	179-G-2019-04 – Instruction, Additional voting days under Divisions 2 and 5 of Part 11 of the <i>Canada Elections Act</i> , September 16, 2019
DD-17	179-G-2019-10 – Instruction, Additional voting day under Division 5 of Part 11 of the <i>Canada Elections Act</i> , October 8, 2019
DD-18	179-G-2025-06 – Instruction, Additional Voting day under Divisions 5 of Part 11 of the <i>Canada Elections Act</i> – Établissement de détention de Sorel-Tracy, April 22, 2025
DD-19	179-G-2021-09 - Instruction, Additional voting day under Division 5 of Part 11 of the <i>Canada Elections Act</i>

Montréal, this May 14, 2026



ATTORNEY GENERAL OF CANADA

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Exhibit DD-3
178-B-2020-01 - Special Voting Rules as
Adapted for the Purposes of a By-
Election, September 21, 2020



[Home](#) [Resource Centre](#) [Legislation](#) [Adaptations and Instructions of the Chief Electoral Officer](#)
[Special Voting Rules as Adapted for the Purposes of a By-election](#) [Special Voting Rules as Adapted for the Purposes of a By-election](#)

Special Voting Rules as Adapted for the Purposes of a By-election

CANADA ELECTIONS ACT

Instructions for the adaptation of Part 11 of the *Canada Elections Act* so that its provisions apply to a by-election

Date of issue: September 21, 2020

Number: 178-B-2020-01

WHEREAS Part 11 of the Canada Elections Act ("the Act") permit eligible electors to make an application for registration and special ballot and to vote by special ballot;

WHEREAS subsection 178(1) of the Act provides that the voting procedures contained in Part 11 of that Act apply to general elections only.

AND WHEREAS subsection 178(2) of the Act provides the following:

(2) The Chief Electoral Officer may, by instructions, adapt this Part so that any or all of its provisions apply to a by-election.

THEREFORE, pursuant to subsection 178(2) of the Act, the Chief Electoral Officer issues the following instructions:

1. The provisions of Part 11 of that Act are adapted as described in the schedule to these instructions so that these provisions apply to a by-election.

(original signed)

Stéphane Perrault
Chief Electoral Officer

SCHEDULE

Special Voting Rules as Adapted for the Purposes of a By-election

(subsection 178(2) of the Canada Elections Act, S.C. 2000, c. 9)

Interpretation and Application

Definitions

177 (1) The definitions in this section apply in these Rules and in Parts 11.1 and 19 of the Act.

Act means the Canada Elections Act. (*loi*)

application for registration and special ballot means an application completed by an elector in order to vote under these Rules. (*demande d'inscription et de bulletin de vote spécial*)

commanding officer means the commanding officer of a unit. (*commandant*)

coordinating officer means the person so designated by the Minister of National Defence under subsection 199(1) of the Act or a person so designated by a federal or provincial minister responsible for correctional institutions under section 246 of the Act. (*agent coordonnateur*)

incarcerated elector means an elector who is incarcerated in a correctional institution. (*électeur incarcéré*)

inner envelope means an envelope, including one that is supplied by the Chief Electoral Officer, in which a ballot or special ballot is to be enclosed after it has been marked. (*enveloppe intérieure*)

liaison officer means a person appointed as a liaison officer under subsection 248(1). (*agent de liaison*)

outer envelope means an envelope, including one that is supplied by the Chief Electoral Officer, in which a ballot or special ballot is to be transmitted after it has been marked and enclosed in an inner envelope. (*enveloppe extérieure*)

special ballot means a ballot, other than a ballot referred to in section 241, that is provided to an elector who is entitled to vote under these Rules. (*bulletin de vote spécial*)

special ballot officer means a person who is appointed by the Chief Electoral Officer under section 183 or 184. (*agent des bulletins de vote spéciaux*)

special voting rules administrator means a person who is appointed under section 181 of the Act. (*administrateur des règles électorales spéciales*)

unit has the same meaning as in subsection 2(1) of the National Defence Act and includes a base or other element. (*unité*)

Interpretation

(2) Unless otherwise indicated, a reference to a Division, section, subsection or paragraph is a reference to a provision or provisions of these Rules.

Application

178 (1) The voting procedures contained in these Rules apply only in respect of a by-election.

(2) Not applicable.

Instructions

179 For the purpose of applying these Rules to, or adapting any provision of these Rules in respect of, a particular circumstance, the Chief Electoral Officer may issue any instructions that he or she considers necessary in order to execute their intent.

DIVISION 1

Administration and General Procedures

180 [Repealed]

181 Not applicable.

Duties of special voting rules administrator

182 The special voting rules administrator shall

- (a) secure suitable premises;
- (b) retain the solemn declaration of each special ballot officer that is made under subsection 23(1) of the Act;
- (c) not applicable;
- (d) not applicable;
- (e) distribute the election materials and the list of candidates;
- (f) receive, validate, examine and sort the completed outer envelopes that contain special ballots marked by electors;
- (g) proceed with the counting of the votes of electors; and
- (h) communicate the results of the votes cast in accordance with these Rules.

Special ballot officers

183 (1) After the issue of a writ for a by-election, the Chief Electoral Officer shall appoint a minimum of six special ballot officers as follows:

- (a) three, on the recommendation of the Prime Minister or a person whom the Prime Minister designates in writing;
- (b) two, on the recommendation of the Leader of the Opposition or a person whom that Leader designates in writing; and
- (c) one, on the recommendation of the Leader of the registered party that has the third largest number of members in the House of Commons as of the last general election, or a person whom that Leader designates in writing.

Appointment of special ballot officers

(2) A special ballot officer shall be appointed in the prescribed form.

Appointment of additional special ballot officers

184 (1) If the Chief Electoral Officer is of the opinion that the number of special ballot officers appointed under section 183 is insufficient, the Chief Electoral Officer shall appoint additional special ballot officers on recommendations that are, as nearly as possible, in accordance with subsection 183(1).

Decision of Chief Electoral Officer

(2) If the registered parties do not nominate the additional special ballot officers under subsection (1) within 24 hours after notification by the Chief Electoral Officer, the Chief Electoral Officer shall make the appointments from among individuals that he or she selects.

Merger of parties

185 (1) In the case of a merger of two or more of the registered parties that are represented by the Prime Minister, the Leader of the Opposition or the Leader of the registered party that has the third largest number of members in the House of Commons as of the last general election, the person who may recommend special ballot officers under paragraph 183(1)(c) is the leader of the registered party with the largest number of members in the House of Commons as of the last general election among registered parties other than those three.

Decision of Chief Electoral Officer

(2) In the case of a merger referred to in subsection (1), if there is no registered party whose leader may nominate special ballot officers under paragraph 183(1)(c), the Chief Electoral Officer shall make the appointments from among individuals that he or she considers appropriate.

Form of special ballots

186 Special ballots supplied by the Chief Electoral Officer to electors under these Rules shall be in accordance with Form 4 of Schedule 1 of the Act.

Distribution of election materials

186.1 Without delay after the issue of a writ for a by-election, the special voting rules administrator shall distribute, as the special voting rules administrator considers appropriate, to any person or to any place the election materials necessary to carry out the purposes and provisions of these Rules, including materials for the purpose of determining in which electoral district an elector is entitled to vote.

List of candidates

187 The Chief Electoral Officer shall establish a list of candidates nominated in each electoral district where a by-election has been called and, in accordance with section 117 of the Act, set out the political affiliation of each of them.

188 Without delay after a list of candidates is established, the special voting rules administrator shall provide the list to every liaison officer and, as the special voting rules administrator considers appropriate, to any other person.

189 [Repealed]

DIVISION 2

Canadian Forces Electors

Interpretation

Definition of elector

190 For the purpose of this Division, elector means a person referred to in section 191 of the Act.

190.1 Not applicable.

Voting Entitlement

191 Not applicable.

Registration

192 Not applicable.

193 to 198 [Repealed]

Coordinating Officer

199 Not applicable.

Cooperation

199.1 The coordinating officer shall cooperate with the special voting rules administrator to facilitate the voting, under Divisions 3 and 4, of

- (a) an elector who is on service outside Canada;
- (a.1) a person employed by or in support of the Canadian Forces outside Canada;
- (b) a person who accompanies a unit or other element of the Canadian Forces that is on service or active service outside Canada, within the meaning of subsection 61(1) of the *National Defence Act*; or
- (c) a person who resides outside Canada with a member of the Canadian Forces or with a person referred to in paragraph (a.1) or (b).

Liaison Officers

199.2 Not applicable.

Steps to Prepare for Vote

Duty of Chief Electoral Officer

200 Without delay after the issue of a writ for a by-election, the Chief Electoral Officer shall inform the Minister of National Defence and the coordinating officer of the writ's issue.

201 [Repealed]

Duties of Commanding Officers

202 On being informed of the issue of a writ for a by-election, the coordinating officer shall inform each commanding officer of the writ's issue.

203 Not applicable.

Duties of Commanding Officers

Notice

204 (1) On being informed of the issue of a writ for a by-election, each commanding officer shall publish a notice as a part of unit orders.

Contents of notice

(2) The notice shall notify electors that a by-election has been called and of the date of polling day and shall inform electors who are entitled to vote at the by-election that they may vote in accordance with Part 9 and Part 10 of the Act and Division 3 or Division 4 of these Rules.

(3) Not applicable.

204.1 to 209 Not applicable.

Voting

210 to 213 Not applicable.

214 (1) Not applicable.

(2) Not applicable.

(3) [Repealed]

215 to 219.1 Not applicable.

DIVISION 3

Electors Resident Outside Canada

Definitions

220 The definitions in this section apply in this Division.

elector means an elector who resides outside Canada. (*électeur*)

register means the register referred to in section 222 of the Act. (*registre*)

Inclusion in register of electors resident outside Canada

221 Subject to subsections 12(1) and (2) of the Act, an elector may vote under this Division at a by-election in an electoral district if

- (a)** the elector's application for registration and special ballot is received by the special voting rules administrator in the National Capital Region no later than 6:00 p.m. on the 6th day before polling day;
- (b)** the elector's name is entered on the register; and
- (c)** the address of the elector's place of ordinary residence is located in that electoral district.

222 Not applicable.

Inclusion in register

223 (1) An application for registration and special ballot may be made by an elector. It shall be in the prescribed form and shall include

- (a)** satisfactory proof of the elector's identity;
- (b)** [Repealed]
- (c)** the elector's date of birth;
- (d)** [Repealed]
- (e)** the address of the elector's place of ordinary residence;
- (f)** [Repealed]
- (g)** the elector's mailing address outside Canada; and
- (h)** any other information that the Chief Electoral Officer considers necessary to determine the elector's entitlement to vote or the electoral district in which he or she may vote.

Optional information

(2) In addition to the information specified in subsection (1), the Chief Electoral Officer may request that the elector provide other information that the Chief Electoral Officer considers necessary for implementing agreements made under section 55, but the elector is not required to provide that information.

Prohibition — change of address

224 The address indicated as the place of ordinary residence in Canada in the application for registration and special ballot cannot be changed after the elector's name is entered in the register.

225 to 226 Not applicable.

Special ballot

227 (1) After approving an application for registration and special ballot and after the issue of the writ for a by-election in an electoral district, the Chief Electoral Officer shall provide a special ballot to every elector whose name is entered in the register and whose place of ordinary residence is located in that electoral district.

Voting by special ballot

(2) An elector shall vote by special ballot by

- (a) writing the name of the candidate of his or her choice on the ballot;
- (b) placing the ballot in an inner envelope and sealing it;
- (c) signing the declaration prescribed by the Chief Electoral Officer; and
- (d) placing the inner envelope and the declaration — if it is not on the outer envelope — in the outer envelope and sealing it.

Writing candidate's name

(3) The candidate shall be indicated on a special ballot by writing the candidate's given name or initials and surname. If two or more candidates have the same name, their political affiliation shall be indicated.

Sending of outer envelope

228 An elector shall send the sealed outer envelope to the Chief Electoral Officer by mail or any other means.

Deadline for return of vote

229 The special ballot must be received by the special voting rules administrator in the National Capital Region no later than 6:00 p.m. on polling day in order to be counted.

Responsibilities of elector

230 For the purpose of this Division, an elector has the sole responsibility to ensure that

- (a) his or her application for registration and special ballot is made within the period specified; and
- (b) his or her special ballot is received within the period specified to be counted.

DIVISION 4

Electors Residing in Canada

Definition of elector

231 For the purpose of this Division, *elector* means an elector, other than an incarcerated elector, who resides in Canada and who wishes to vote in accordance with this Division.

Conditions for voting by special ballot

232 (1) Subject to subsections 12(1) and (2) of the Act, an elector may vote under this Division at a by-election in an electoral district if

- (a) the elector's application for registration and special ballot is received, after the issue of the writ for that by-election but before 6:00 p.m. on the 6th day before polling day, by
 - (i) the returning officer in that electoral district;
 - (ii) the returning officer in another electoral district in respect of which a writ for a by-election has been issued, if more than one by-election is held on the same day; or
 - (iii) the special voting rules administrator; and
- (b) the address of the elector's place of ordinary residence is located in that electoral district.

Conditions for voting by special ballot — specified later day

(2) If, for the purpose of this subsection, the Chief Electoral Officer specifies on his or her Internet site a day that is after the 6th day before polling day but before polling day, an elector may vote under this Division, despite paragraph (1)(a), if his or her application for registration and special ballot is received by the returning officer in the elector's electoral district or by the special voting rules administrator after the issue of a writ for a by-election but before 6:00 p.m. on the specified day.

Restriction

(3) The Chief Electoral Officer may specify a day for the purpose of subsection (2) only if he or she considers that the integrity of the vote will not be affected if applications for registration and special ballots are received after 6:00 p.m. on the 6th day before polling day.

Information required for application

233 (1) The application for registration and special ballot shall be in the prescribed form and shall include the following information:

- (a) the elector's name and the address of his or her place of ordinary residence;
- (b) the elector's date of birth;
- (c) satisfactory proof of the elector's identity and residence;
- (d) the elector's mailing address; and
- (e) any other information that the Chief Electoral Officer considers necessary to determine the elector's entitlement to vote or the electoral district in which he or she may vote.

Electors in danger

(1.1) An elector who would be under reasonable apprehension of bodily harm if he or she were to indicate the address of his or her place of ordinary residence or his or her mailing address for the purpose of paragraph (1)(a) or (d) may apply to the returning officer or special voting rules administrator to use another address for that purpose. The returning officer or special voting rules administrator, unless he or she considers that it would not be in the public interest to do so, shall grant the application and shall not reveal the addresses in respect of which the application is made except as required to send the special ballot to the elector. For greater certainty, the granting of the application does not change the elector's place of ordinary residence for the purposes of the Act or of these Rules.

Optional information

(2) In addition to the information specified in subsection (1), the Chief Electoral Officer may request that the elector provide other information that the Chief Electoral Officer considers necessary to implement agreements made under section 55, but the elector is not required to provide that information.

(3) [Repealed]

234 [Repealed]

Vote by special ballot only

235 Once an elector's application for registration and special ballot has been accepted, the elector may only vote under this Division.

List of electors

236 Once an elector's application for registration and special ballot has been accepted by the returning officer or special voting rules administrator, he or she shall ensure, in accordance with the Chief Election Officer's instructions,

- (a) that the elector's name is entered on the list of electors for the polling division of the elector's place of ordinary residence, if it is not already included on a list of electors; and
- (b) that there is an indication on the list of electors that the elector has received a special ballot.

Provision of ballot

237 (1) Subject to subsection (2) and section 237.1, on acceptance of an elector's application for registration and special ballot, the elector shall be provided with a special ballot.

Provision of ballot and envelopes

(2) If section 241 applies, then, on acceptance of an elector's application for registration and special ballot, the elector shall be given a ballot, an inner envelope and an outer envelope.

Proof of identity and residence

237.1 (1) If an elector goes to the office of a returning officer to receive his or her ballot or special ballot, then before receiving it the elector shall prove his or her identity and residence in accordance with section 143 of the Act.

Presence of candidate or representative

(2) A candidate or their representative may be present at the office when the elector

- (a) receives the ballot;
- (b) places the folded ballot in the inner envelope and seals it; and
- (c) places the inner envelope in the outer envelope and seals it.

Examination of identification documents

(3) The candidate or representative may examine but not handle any piece of identification provided by the elector.

(3.1) [Repealed]

(3.2) [Repealed]

Application of provisions

(4) For the purposes of this section, the following provisions of the Act apply with any necessary modifications in respect of the location in the returning officer's office where the elector receives his or her ballot or special ballot as though that location were a polling station:

- (a) sections 135 to 137;
- (b) sections 143 to 144;
- (c) subsection 164(1);
- (d) section 166;
- (d.1) subsections 281.6(1) to (4);
- (d.2) section 282.2; and
- (e) paragraph 489(3)(c).

Voting by special ballot

238 An elector who has been provided with a special ballot may vote only by following the procedure set out in subsections 227(2) and (3).

Receipt of special ballot — application made outside electoral district

239 (1) In order to have their special ballot counted, an elector whose application for registration and special ballot was accepted by the special voting rules administrator or by a returning officer outside the elector's electoral district shall ensure that the special ballot is received by the special voting rules administrator in the National Capital Region no later than 6:00 p.m. on polling day. The special ballot shall be transmitted by sending the sealed outer envelope to the special voting rules administrator by mail or any other means.

Receipt of special ballot — application made in electoral district

(2) In order to have their special ballot counted, an elector whose application for registration and special ballot was accepted by the returning officer in the elector's electoral district shall ensure that the ballot is received at the office of that returning officer before the close of the polling stations on polling day.

Vote counted

(3) Despite subsection (2), a special ballot referred to in that subsection that is received by the special voting rules administrator in the National Capital Region no later than 6:00 p.m. on polling day shall be counted.

Responsibilities of elector

240 For the purpose of this Division, an elector has the sole responsibility to ensure that

- (a) his or her application for registration and special ballot is made within the period specified; and
- (b) his or her special ballot is received within the period specified to be counted as a vote.

Elector to be given regular ballot

241 An elector who applies to vote in person at the office of the returning officer for his or her electoral district after ballots for the electoral district have been printed shall be given a ballot that is not a special ballot and shall immediately vote in the manner described in paragraphs 151(1)(a) and (b) of the Act and in paragraphs 227(2)(b) to (d) and return the outer envelope to the election officer.

No marking

241.1 If, under section 241, an elector is given a ballot that is not a special ballot, no marking shall be placed on the back of the ballot in the space otherwise indicated in Form 3 of Schedule 1 of the Act for a polling division number.

Spoiled ballot

242 (1) If the ballot or special ballot is incapable of being used, the elector shall return it to the election officer, who shall mark it as a spoiled ballot and give the elector another ballot or special ballot.

Limit

(2) An elector shall not be given more than one ballot or special ballot, as the case may be, under subsection (1).

Assistance

243 (1) When an elector personally goes to the office of the returning officer and is unable to read or because of a disability is unable to vote in the manner described in this Division, the designated election officer shall assist the elector by

- (a) completing the declaration referred to in paragraph 227(2)(c) and writing the elector's name where the elector's signature is to be written; and

- (b) marking the ballot as directed by the elector in the elector's presence.

Note on declaration

(2) An election officer who assists an elector under subsection (1) shall indicate, by signing the note on the declaration, that the elector was assisted.

Assistance by friend or related person

243.01 (1) If an elector requires assistance to vote, one of the following persons may accompany the elector into the voting compartment at the office of the returning officer and assist the elector to mark his or her ballot:

- (a) a friend of the elector;
- (b) the elector's spouse or common-law partner; or
- (c) a relative of the elector or of the elector's spouse or common-law partner.

Solemn declaration

(2) A person described in subsection (1) who wishes to assist an elector in marking a ballot shall first make a solemn declaration in the prescribed form that he or she

- (a) will mark the ballot paper in the manner directed by the elector;
- (b) will not disclose the name of the candidate for whom the elector voted;
- (c) will not try to influence the elector in choosing a candidate; and
- (d) has not, during the current election, assisted another person, as a friend, to mark a ballot.

Voting at home

243.1 (1) On application of an elector who is unable to read — or who is unable to vote in the manner described in this Division because of a disability — and who is unable to personally go to the office of the returning officer because of a disability, an election officer shall go to the elector's dwelling place and, in the presence of a witness who is chosen by the elector, assist the elector by

- (a) completing the declaration referred to in paragraph 227(2)(c) and writing the elector's name where the elector's signature is to be written; and
- (b) marking the ballot as directed by the elector in the elector's presence.

Note on declaration

(2) The election officer and the witness who assist an elector under subsection (1) shall indicate, by signing the note on the declaration, that the elector was assisted.

DIVISION 5

Incarcerated Electors

Definition of elector

244 For the purpose of this Division, elector means an incarcerated elector.

Non-application

244.1 This Division does not apply to an elector who is incarcerated in a place designated under subsection 205(1) of the *National Defence Act*.

Entitlement to vote

245 (1) Every person who is incarcerated and who is otherwise qualified to vote under the Act is entitled to vote under this Division at a by-election for an electoral district in which the person's place of ordinary residence is located if the person's application for registration and special ballot is received by the special voting rules administrator in the National Capital Region after the issue of the writ for a by-election in the electoral district and before 6:00 p.m. on the 6th day before polling day.

Exercise of right to vote

(2) An elector is not entitled to vote under this Division unless he or she has signed an application for registration and special ballot under section 251 and a declaration described in section 258.

Vote to be in electoral district

(3) An elector is entitled to vote under this Division only for a candidate in the electoral district in which his or her place of ordinary residence is situated as shown on the application for registration and special ballot made by the elector under section 251.

246 Not applicable.

Notification of issue of a writ

247 (1) Without delay after the issue of a writ for a by-election, the Chief Electoral Officer shall inform the federal and provincial ministers responsible for correctional institutions of its issue.

Obligations of ministers

(2) On being informed of the issue of a writ for a by-election, each minister referred to in subsection (1) shall

- (a) inform their respective designated coordinating officer of its issue;
- (b) designate one or more persons to act as liaison officers in connection with the taking of the votes of electors; and
- (c) inform the Chief Electoral Officer and their respective designated coordinating officer of the name and address of each liaison officer.

Liaison officers

248 (1) The Chief Electoral Officer shall appoint persons designated under paragraph 247(2)(b) in the prescribed form.

Duty to cooperate

(2) During the election period, a liaison officer shall cooperate with the Chief Electoral Officer in the administration of the registration and the taking of the votes of electors.

249 Not applicable.

Notice of entitlement to vote

250 (1) A liaison officer shall, without delay after being appointed, post a notice in the prescribed form in a prominent place in the correctional institution that informs electors that a by-election has been called, and of the dates by which the special voting rules administrator must receive the applications for registration and special ballot as well as the ballots cast.

Entitlement to vote

(2) The notice shall inform electors that they may vote by special ballot, and that their entitlement to vote is determined by their place of ordinary residence as determined under subsection 251(2).

Application for registration and special ballot

251 (1) Each liaison officer shall ensure that an application for registration and special ballot in the prescribed form is made available to every eligible elector of the correctional institution who wishes to vote and whose place of ordinary residence as determined under subsection (2) is located in the electoral district where the by-election is taking place.

Residence of elector

(2) The place of ordinary residence of an elector is the first of the following places for which the elector knows the civic and mailing addresses:

- (a) his or her residence before being incarcerated;
- (b) the residence of the spouse, the common-law partner, a relative or a dependant of the elector, a relative of his or her spouse or common-law partner or a person with whom the elector would live but for his or her incarceration;
- (c) the place of his or her arrest; or
- (d) the last court where the elector was convicted and sentenced.

Optional information

(3) In addition to providing his or her place of ordinary residence, the Chief Electoral Officer may request that the elector provide other information that the Chief Electoral Officer considers necessary to implement agreements made under section 55, but the elector is not required to provide that information.

Validation

(4) Each application for registration and special ballot shall be sent to the Chief Electoral Officer for validation with the name of the electoral district in which is situated the place of ordinary residence shown in the application.

Chief Electoral Officer provides ballot

(5) If the Chief Electoral Officer validates an application that indicates that the elector's place of ordinary residence is located in the electoral district where the by-election is held, the Chief Electoral Officer shall send a special ballot, an inner envelope and an outer envelope to the elector.

252 to 257 Not applicable.

Voting by special ballot

258 (1) The elector shall vote by writing on the special ballot the name of the candidate of his or her choice, folding it and:

- (a) placing the ballot in the inner envelope and sealing the envelope;
- (b) placing the inner envelope in the outer envelope and sealing the outer envelope; and
- (c) signing the declaration on the outer envelope and sealing it.

Writing candidate's name

(2) The candidate shall be indicated on a special ballot by writing the candidate's given name or initials and surname. If two or more candidates have the same name, their political affiliations shall be indicated.

Spoiled special ballot

(3) If an elector has inadvertently handled a special ballot in such a manner that it cannot be used, the elector shall communicate with the special voting rules administrator, who shall classify it as spoiled, cancel the original, and issue another voting kit to the elector.

Limit

(4) An elector shall not be given more than one special ballot under subsection (3).

Assistance

259 (1) If an elector is unable to read or because of a disability is unable to vote in the manner described in this Division, the elector shall designate a person to assist him or her by

- (a) completing the declaration on the outer envelope and writing the elector's name where his or her signature is to be written; and
- (b) marking the special ballot as directed by the elector in his or her presence and in the presence of another person selected by the elector as a witness.

Note on outer envelope

(2) The person who assisted the elector and the witness shall sign a note on the outer envelope indicating that the elector was assisted.

Sending outer envelope

260 Outer envelopes containing votes cast in correctional institutions shall be dispatched by the elector by ordinary mail or such other facility as may be available and expeditious to be received by the special voting rules administrator in the National Capital Region no later than 6:00 p.m. on polling day.

261 Not applicable.

Integration into final list of electors

262 The applications for registration and special ballot shall be integrated into the final list of electors referred to in section 109 of the Act.

DIVISION 6

Counting of Votes at the Office of the Chief Electoral Officer

Application

263 This Division applies to the counting of all special ballots cast in accordance with these Rules, except those referred to in Division 7.

Administration

264 (1) The counting of the special ballots shall be conducted by special ballot officers under the supervision of the special voting rules administrator.

Special ballot officers

(2) Special ballot officers shall work in pairs of persons representing different registered parties.

Directives

265 The Chief Electoral Officer shall prescribe security instructions for the safekeeping of special ballots, inner envelopes, outer envelopes and all other election documents, and instructions for the receiving, sorting and counting of special ballots.

Counting of votes

266 The counting of votes shall commence on a date to be fixed by the Chief Electoral Officer or, if no date is fixed, on Wednesday, the 5th day before polling day.

Setting aside of inner envelope

267 (1) The special ballot officers shall set aside an inner envelope unopened if

- (a) the information concerning the elector, as set out in the declaration referred to in paragraphs 227(2) (c) or 258(1)(c), does not correspond with the information on the application for registration and special ballot;
- (b) a declaration referred to in paragraph (a) — other than one in respect of an elector who has voted with assistance under section 243 or 259 — does not bear the elector's signature;
- (c) the correct electoral district of the elector whose ballot is contained in the inner envelope cannot be ascertained;

- (d) the outer envelope has been received by the special voting rules administrator in the National Capital Region after 6:00 p.m. on polling day; or
- (e) the outer envelope relates to an electoral district for which the election was postponed in accordance with section 77 of the Act.

Procedure when elector votes more than once

(2) If, after receiving an elector's outer envelope but before counting the inner envelopes, the special ballot officers ascertain that the elector has voted more than once, they shall set the elector's inner envelope aside unopened.

Disposition of inner envelopes that are set aside

(3) When an inner envelope is set aside unopened as described in subsection (1) or (2),

- (a) it shall be endorsed by the special voting rules administrator with the reason why it has been set aside;
- (b) at least two special ballot officers shall initial the endorsement; and
- (c) in the case of an inner envelope set aside under subsection (1), the ballot contained in it is deemed to be a spoiled ballot.

Envelopes and declarations kept together

(3.1) When an inner envelope is set aside unopened as described in this section, it shall be kept with the outer envelope and — if it did not appear on the outer envelope — the declaration.

Dispute

(3.2) If a dispute arises regarding the setting aside of inner envelopes, it shall be referred to the special voting rules administrator, whose decision is final.

Special report

(4) The special voting rules administrator shall prepare a report in respect of the number of inner envelopes that are set aside under this Division.

Duties of special ballot officers

268 Each pair of special ballot officers shall count the votes for only one electoral district or part of an electoral district at a time.

Rejection of ballots

269 (1) Each pair of special ballot officers shall, on examining a special ballot, reject it if

- (a) it has not been supplied by the Chief Electoral Officer;
- (b) it is not marked;
- (c) it is marked with a name other than the name of a candidate;
- (d) it is marked with the names of more than one candidate; or
- (e) there is any writing or mark on it by which the elector could be identified.

Elector's intent

(2) No special ballot shall be rejected for the sole reason that the elector has incorrectly written the name of a candidate, if the ballot clearly indicates the elector's intent.

Disputed ballots

(3) If a dispute arises as to the validity of a special ballot, it shall be referred to the special voting rules administrator, whose decision is final.

Note of dispute

(4) The number of disputed special ballots and the name of the electoral district in which they were cast are to be noted by the special ballot officers.

Statements of the vote

270 (1) Each pair of special ballot officers shall prepare a statement of the vote in the prescribed form and deliver it to the special voting rules administrator.

Safekeeping

(2) The special voting rules administrator shall keep the statements of the vote in safe custody until the day after the communication of the results under section 280.

Copy to special ballot officer

(3) On request, after the day that the results are communicated, a special ballot officer may be given a copy of the statement of the vote that he or she prepared.

Chief Electoral Officer to be informed of results of vote

271 Without delay after the counting of the votes has been completed for an electoral district where a by-election has been held, the special voting rules administrator shall inform the Chief Electoral Officer of

- (a) the number of votes counted for each candidate;
- (b) the total number of votes counted; and
- (c) the number of rejected ballots.

Sending of material to Chief Electoral Officer

272 As soon as practicable after the counting of the votes has been completed, the special voting rules administrator shall send to the Chief Electoral Officer, in separate envelopes,

- (a) not applicable;
- (b) all documents and election materials received from election officers;
- (c) the solemn declarations made under subsection 23(1) of the Act; and
- (d) the complete files of correspondence, reports and records in his or her possession.

DIVISION 7

Counting of Votes in the Office of the Returning Officer

Notification to candidates

273 The returning officer shall, as soon as possible, notify the candidates of the names of the election officers who he or she assigns to verify the declarations referred to in paragraph 227(2)(c) and to count the special ballots issued to electors in his or her electoral district and received at his or her office.

Candidate present at counting

274 A candidate or his or her representative may be present for the verification of the declarations referred to in paragraph 227(2)(c) and the counting of ballots received at the returning officer's office.

Ballots to be kept sealed

275 (1) The returning officer shall ensure that the ballots received at his or her office are kept sealed until they are given to an election officer referred to in section 273.

Return outer envelopes

(2) All outer envelopes received after the prescribed deadline shall be kept separate and sealed and shall be initialised by the returning officer and marked with the date and time of their receipt.

Verification of declarations

276 (1) The election officers referred to in section 273 shall verify the declarations made under paragraph 227(2)(c), at the time fixed by the Chief Electoral Officer and in accordance with his or her instructions, by determining from the information in the declaration whether the elector is entitled to vote in the electoral district.

Notice

(2) The returning officer shall notify the candidates of the time and place of the verification.

Provision of materials to election officer

(3) One of the election officers shall be provided with the applications for registration and special ballot received before the deadline, along with any other materials that may be required.

Setting aside of inner envelope

277 (1) An election officer referred to in section 273 shall set aside an elector's inner envelope unopened if

- (a) the information concerning the elector, as set out in the elector's declaration made under paragraph 227(2)(c), does not correspond with the information on the application for registration and special ballot;
- (b) the declaration — other than one in respect of an elector who has voted with assistance under section 243 or 243.1 — does not bear the elector's signature;
- (c) the elector has voted more than once; or
- (d) the outer envelope was received after the prescribed deadline.

Registering objections

(2) When the declarations are verified, an election officer referred to in section 273 shall register any objection to an elector's right to vote in the electoral district in the prescribed form.

Noting of reasons for setting aside

(3) When an elector's inner envelope is set aside unopened as described in subsection (1), the election officer who set it aside shall note on it the reasons for the setting aside. The election officer and another election officer referred to in section 273 shall both initial the envelope.

Envelopes and declarations kept together

(4) When an elector's inner envelope is set aside unopened as described in this section, it shall be kept with the outer envelope and — if it did not appear on the outer envelope — the declaration.

Counting of inner envelopes

278 (1) The election officers referred to in section 273 shall count all inner envelopes that have not been set aside.

Inner envelopes

(2) They shall put all the inner envelopes that have not been set aside in a ballot box provided by the returning officer.

Counting the votes

(3) After the close of the polling stations, one of the election officers shall open the ballot box and, together with another of the election officers, shall open the inner envelopes and count the votes.

Rejection of ballots

279 (1) An election officer shall, in counting the ballots, reject a ballot if

- (a) it has not been supplied for the election;
- (b) it is not marked;
- (c) it is marked with a name other than the name of a candidate;
- (d) it is marked for more than one candidate; or
- (e) there is any writing or mark on it by which the elector could be identified.

Elector's intent

(2) An election officer shall not reject a special ballot for the sole reason that the elector has incorrectly written the name of a candidate, if the ballot clearly indicates the elector's intent.

Political affiliation

(3) An election officer shall not reject a special ballot for the sole reason that the elector has written, in addition to the name of a candidate, the candidate's political affiliation, if the ballot clearly indicates the elector's intent.

DIVISION 8

Communication of the Results of the Vote

Communication of results

280 (1) The Chief Electoral Officer shall, without delay after the closing of the polling stations at an election, inform the returning officer for the electoral district where a by-election has been held of the results of the count under Division 6, giving the number of votes cast for each candidate and the number of rejected ballots.

Release of information

(2) When the returning officer receives information from the Chief Electoral Officer respecting the results of the count under Division 6, the returning officer shall add those results to the results of the count under Division 7 and release all of them as being the results of the vote under these Rules.

Exhibit DD-16
179-G-2019-04 – Instruction, Additional voting
days under Divisions 2 and 5 of Part 11 of the
Canada Elections Act, September 16, 2019

LOI ÉLECTORALE DU CANADA

43e élection générale

Instructions visant à permettre la tenue de jours de vote additionnels sous le régime des sections 2 et 5 de la partie 11 de la *Loi électorale du Canada*

Date de prise : **1 6 SEP. 2019**

Numéro : 179-G-2019-04

ATTENDU QUE les sections 2 et 5 de la partie 11 de la *Loi électorale du Canada* (« la Loi ») permettent respectivement aux électeurs membres des Forces canadiennes et aux électeurs incarcérés de faire une demande d'inscription et de bulletin de vote spécial et de voter par bulletin de vote spécial;

ATTENDU QUE l'article 190 de la Loi prévoit que la période de scrutin pour les électeurs membres des Forces canadiennes commence le quatorzième jour avant le jour du scrutin et se termine le neuvième jour avant le jour du scrutin;

ATTENDU QUE des électeurs membres des Forces canadiennes ne pourront pas exercer leur droit de vote pendant cette période en raison de leurs fonctions militaires;

ATTENDU QUE le paragraphe 245(1) de la Loi prévoit que tout électeur incarcéré a le droit de voter par bulletin de vote spécial le douzième jour précédant le jour du scrutin et que le paragraphe 250(2) de la Loi prévoit les heures d'ouverture des bureaux de scrutin dans les établissements correctionnels le douzième jour précédant le jour du scrutin;

ATTENDU QUE certains établissements correctionnels sont incapables — en raison du nombre d'électeurs ou de contraintes liées à la sécurité — de faire voter en une seule journée tous les électeurs qui souhaitent voter;

CANADA ELECTIONS ACT

43rd General Election

Instructions aimed at allowing additional voting days to be held under Divisions 2 and 5 of Part 11 of the *Canada Elections Act*

Date of issue: **SEP 1 6 2019**

Number: 179-G-2019-04

WHEREAS Divisions 2 and 5 of Part 11 of the *Canada Elections Act* ("the Act") permit Canadian Forces electors and incarcerated electors, respectively, to make an application for registration and special ballot and to vote by special ballot;

WHEREAS section 190 of the Act provides that the voting period for Canadian Forces electors is the period beginning 14 days before polling day and ending 9 days before polling day;

WHEREAS a number of Canadian Forces electors will not be able to exercise their right to vote during this period because of their military duties;

WHEREAS subsection 245(1) of the Act provides that every incarcerated elector is entitled to vote by special ballot on the 12th day before polling day and subsection 250(2) of the Act provides for the voting hours at polling stations established in correctional institutions on the 12th day before polling day;

WHEREAS some correctional institutions are unable — given the number of electors or security constraints — to allow same-day voting for all electors who wish to vote;

ATTENDU QUE le dix-neuvième jour précédant le jour du scrutin est le dernier jour au cours duquel une candidature peut être confirmée, en application de l'article 69 et du paragraphe 71(1) de la Loi;

ATTENDU QUE le sixième jour précédant le jour du scrutin est le dernier jour au cours duquel une demande d'inscription et de bulletin de vote spécial peut être faite au titre des sections 3 et 4 de la partie 11 de la Loi, respectivement en application de l'alinéa 221a) et du paragraphe 232(1) de la Loi, et qu'il est nécessaire, afin d'assurer l'intégrité du scrutin, d'appliquer une limite similaire aux demandes d'inscription et de bulletin de vote spécial faites au titre des sections 2 et 5 de la partie 11 de la Loi;

ET ATTENDU QUE l'article 179 de la Loi prévoit ce qui suit :

179. Pour l'application de la présente partie ou son adaptation à des circonstances particulières, le directeur général des élections peut prendre les instructions qu'il juge nécessaires pour en réaliser l'objet.

PAR CONSÉQUENT, conformément à l'article 179 de la Loi, le directeur général des élections prend les instructions suivantes :

1. Ces instructions s'appliquent à l'occasion d'une élection générale.

2. Lorsque des électeurs membres des Forces canadiennes ne pourront pas exercer leur droit de vote pendant la période de scrutin prévue à l'article 190 de la Loi en raison de leurs fonctions militaires, un commandant peut demander à l'administrateur des règles électorales spéciales l'autorisation d'ouvrir un bureau de scrutin — incluant un bureau de scrutin itinérant — un jour tombant à l'extérieur de cette période de scrutin.

WHEREAS the 19th day before polling day is the last day on which a nomination may be confirmed, pursuant to section 69 and subsection 71(1) of the Act,

WHEREAS the 6th day before polling day is the last day on which an application for registration and special ballot may be made under Divisions 3 and 4 of Part 11 of the Act, pursuant to paragraph 221(a) and subsection 232(1) of the Act, respectively, and that it is necessary, in order to maintain the integrity of the vote, to apply a similar limit to applications for registration and special ballot made under Divisions 2 and 5 of Part 11 of the Act;

AND WHEREAS section 179 of the Act provides the following:

179. For the purpose of applying this Part to, or adapting any provision of this Part in respect of, a particular circumstance, the Chief Electoral Officer may issue any instructions that he or she considers necessary in order to execute its intent.

THEREFORE, pursuant to section 179 of the Act, the Chief Electoral Officer issues the following instructions:

1. These instructions apply during a general election.

2. Where a number of Canadian Forces electors will not be able to exercise their right to vote during the voting period provided by section 190 of the Act because of their military duties, a commanding officer may request the special voting rules administrator to authorize the opening of a polling station — including a mobile polling station — on a day falling outside the voting period.

3. Lorsqu'un établissement correctionnel est incapable — en raison du nombre d'électeurs ou de contraintes liées à la sécurité — de faire voter en une seule journée tous les électeurs qui souhaitent voter, l'agent de liaison peut demander à l'administrateur des règles électorales spéciales l'autorisation d'ouvrir un bureau de scrutin pour une journée additionnelle.

3. Where a correctional institution is unable — given the number of electors or security constraints — to allow same-day voting for all electors who wish to vote, the liaison officer may request the special voting rules administrator to authorize the opening of a polling station for an additional day.

4. Lorsqu'il reçoit une demande visée aux paragraphes 2 ou 3, l'administrateur des règles électorales spéciales peut autoriser l'ouverture d'un bureau de scrutin pendant une ou des journées additionnelles.

4. Upon receipt of a request made pursuant to paragraphs 2 or 3, the special voting rules administrator may authorize the opening of a polling station on one or more additional days.

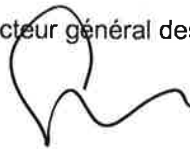
5. Les journées additionnelles autorisées en vertu du paragraphe 4 doivent être le plus rapprochées que possible de la période de scrutin prévue à l'article 190 de la Loi ou du jour prévu au paragraphe 245(1) de la Loi, selon le cas, et doivent être comprises dans la période qui commence le dix-huitième jour avant le jour du scrutin et se termine le sixième jour avant le jour du scrutin.

5. The additional days authorized under paragraph 4 must be as close as possible from the voting period provided by section 190 of the Act or of the day provided by subsection 245(1) of the Act, as the case may be, and must be comprised in the period beginning 18 days before polling day and ending 6 days before polling day.

6. Ces instructions remplacent les instructions suivantes : « Adaptation par instruction conformément à l'article 179 de la *Loi électorale du Canada* : définition de « période de scrutin » pour les fins des électeurs membres des Forces canadiennes qui remplissent leurs fonctions militaires », prises le 19 septembre 2008.

6. These instructions supersede the following instructions: "Adaptation by instruction pursuant to section 179 of the *Canada Elections Act*: definition of "voting period" for the purposes of Canadian Forces electors who are performing military duties", issued on September 19, 2008.

Le directeur général des élections,



Stéphane Perrault
Chief Electoral Officer

Exhibit DD-17
179-G-2019-10 – Instruction, Additional
voting day under Division 5 of Part 11 of the
Canada Elections Act, October 8, 2019

LOI ÉLECTORALE DU CANADA

43e élection générale

Instructions visant à permettre la tenue d'un jour de vote additionnel sous le régime de la section 5 de la partie 11 de la *Loi électorale du Canada*

Date de prise : 08 OCT. 2019

Numéro : 179-G-2019-10

ATTENDU QUE les brefs relatifs à la 43e élection générale ont été délivrés le 11 septembre 2019;

ATTENDU QUE la section 5 de la partie 11 de la *Loi électorale du Canada* (« la Loi ») permet à chaque électeur incarcéré qui désire voter de faire une demande d'inscription et de bulletin de vote spécial et de voter par bulletin de vote spécial;

ATTENDU QUE le paragraphe 245(1) de la Loi prévoit que tout électeur incarcéré a le droit de voter par bulletin de vote spécial le douzième jour précédant le jour du scrutin et que le paragraphe 250(2) de la Loi prévoit les heures d'ouverture des bureaux de scrutin dans les établissements correctionnels le douzième jour précédant le jour du scrutin;

ATTENDU QUE le douzième jour précédant le jour du scrutin, c'est-à-dire le mercredi 9 octobre 2019, coïncide avec la fête juive de Yom Kippour;

ATTENDU QUE des électeurs incarcérés qui sont membres de la communauté juive pratiquante ne seront pas en mesure de voter ce jour-là;

CANADA ELECTIONS ACT

43rd General Election

Instructions aimed at allowing an additional voting day to be held under Divisions 5 of Part 11 of the *Canada Elections Act*

Date of issue: OCT 08 2019

Number: 179-G-2019-10

WHEREAS the writs for the 43rd General Election were issued on September 11, 2019;

WHEREAS the *Canada Elections Act* ("the Act") Part 11, Division 5, permits every incarcerated elector who wishes to vote to make an application for registration and special ballot and to vote by special ballot;

WHEREAS subsection 245(1) of the Act provides that every incarcerated elector is entitled to vote by special ballot on the 12th day before polling day and subsection 250(2) of the Act provides for the voting hours at polling stations established in correctional institutions on the 12th day before polling day;

WHEREAS the 12th day before polling day, that is Wednesday, October 9, 2019, coincides with the Jewish holiday of Yom Kippur;

WHEREAS some incarcerated electors who are members of the observant Jewish community are unable to cast a ballot on that day;

ATTENDU QUE le sixième jour précédant le jour du scrutin est le dernier jour au cours duquel une demande d'inscription et de bulletin de vote spécial peut être faite au titre des sections 3 et 4 de la partie 11 de la Loi, respectivement en application de l'alinéa 221a) et du paragraphe 232(1) de la Loi, et qu'il est nécessaire, afin d'assurer l'intégrité du scrutin, d'appliquer une limite similaire aux demandes d'inscription et de bulletin de vote spécial faites au titre de la section 5 de la partie 11 de la Loi;

ET ATTENDU QUE l'article 179 de la Loi prévoit ce qui suit :

179. Pour l'application de la présente partie ou son adaptation à des circonstances particulières, le directeur général des élections peut prendre les instructions qu'il juge nécessaires pour en réaliser l'objet.

PAR CONSÉQUENT, conformément à l'article 179 de la Loi, le directeur général des élections prend les instructions suivantes :

1. Ces instructions s'appliquent à l'occasion de la 43e élection générale.

2. Lorsqu'un électeur incarcéré informe l'agent de liaison qu'il ne pourra pas, en raison d'une croyance religieuse sincère, voter le mercredi 9 octobre 2019, l'agent de liaison peut demander à l'administrateur des règles électorales spéciales l'autorisation d'ouvrir un bureau de scrutin pour une journée additionnelle.

3. Lorsqu'il reçoit une demande visée au paragraphe 2, l'administrateur des règles électorales spéciales peut — à moins qu'il n'ait déjà autorisé l'ouverture d'un bureau de scrutin pendant une ou des journées additionnelles à cet établissement correctionnel au titre de l'instruction 179-G-2019-04 prise le 16 septembre 2019 — autoriser l'ouverture d'un bureau de scrutin pendant une journée additionnelle.

WHEREAS the 6th day before polling day is the last day on which an application for registration and special ballot may be made under Divisions 3 and 4 of Part 11 of the Act, pursuant to paragraph 221(a) and subsection 232(1) of the Act, respectively, and that it is necessary, in order to maintain the integrity of the vote, to apply a similar limit to applications for registration and special ballot made under Division 5 of Part 11 of the Act;

AND WHEREAS section 179 of the Act provides the following:

179. For the purpose of applying this Part to, or adapting any provision of this Part in respect of, a particular circumstance, the Chief Electoral Officer may issue any instructions that he or she considers necessary in order to execute its intent.

THEREFORE, pursuant to section 179 of the Act, the Chief Electoral Officer issues the following instructions:

1. These instructions apply during the 43rd General Election.

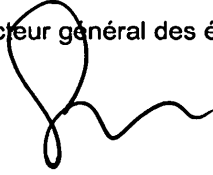
2. Where an incarcerated elector informs the liaison officer that he or she will be unable, by reason of the elector's sincerely held religious belief, to cast a ballot on Wednesday, October 9, 2019, the liaison officer may request the special voting rules administrator to authorize the opening of a polling station for an additional day.

3. Upon receipt of a request made pursuant to paragraph 2, the special voting rules administrator may—unless the special voting rules administrator has already authorized the opening of a polling station on one or more additional days at the correctional institution under instruction 179-G-2019-04 made on September 16, 2019—authorize the opening of a polling station on an additional day.

4. La journée additionnelle autorisée en vertu du paragraphe 3 doit être la plus rapprochée que possible du jour prévu au paragraphe 245(1) de la Loi et ne peut pas être postérieure au sixième jour avant le jour du scrutin.

4. The additional day authorized under paragraph 3 must be as close as possible to the day provided by subsection 245(1) of the Act and may not be after the 6th day before polling day.

Le directeur général des élections,

A handwritten signature in black ink, consisting of a large loop followed by a series of smaller loops and a wavy line extending to the right.

Stéphane Perrault
Chief Electoral Officer

Exhibit DD-18
179-G-2025-06 – Instruction, Additional
Voting day under Divisions 5 of Part 11 of the
Canada Elections Act – Établissement de
detention de Sorel-Tracy, April 22, 2025

LOI ÉLECTORALE DU CANADA

CANADA ELECTIONS ACT

45e élection générale

45th General Election

Instructions visant à permettre la tenue d'un jour de vote additionnel sous le régime de la section 5 de la partie 11 de la *Loi électorale du Canada* - Établissement de détention de Sorel-Tracy

Instructions authorizing an additional voting day to be held under Divisions 5 of Part 11 of the *Canada Elections Act* - Établissement de détention de Sorel-Tracy

Date de prise: 22 avril 2025

Date of issue: April 22, 2025

Numéro : 179-G-2025-06

Number: 179-G-2025-06

ATTENDU QUE les brefs relatifs à la 45e élection générale ont été délivrés le 23 mars 2025 et que le jour du scrutin a été fixé au 28 avril 2025;

WHEREAS the writs for the 45th General Election were issued on March 23, 2025, with polling day on April 28, 2025;

ATTENDU QUE la section 5 de la partie 11 de la *Loi électorale du Canada* (« la Loi ») permet à chaque électeur incarcéré qui désire voter de faire une demande d'inscription et de bulletin de vote spécial et de voter par bulletin de vote spécial;

WHEREAS Division 5 of Part 11 of the *Canada Elections Act* ("the Act") provides that every elector who wishes to vote may make an application for registration and special ballot and vote by special ballot;

ATTENDU QUE le paragraphe 245(1) de la Loi prévoit que tout électeur incarcéré a le droit de voter par bulletin de vote spécial le douzième jour précédant le jour du scrutin et que le paragraphe 250(2) de la Loi prévoit les heures d'ouverture des bureaux de scrutin dans les établissements correctionnels le douzième jour précédant le jour du scrutin;

WHEREAS subsection 245(1) of the Act provides that incarcerated electors are entitled to vote by special ballot on the 12th day before polling day and subsection 250(2) of the Act provides for voting hours at polling stations established in correctional institutions on the 12th day before polling day;

ATTENDU QUE le directeur général des élections ait été informé le 17 avril 2025, qu'en raison du volume élevé d'électeurs incarcérés et d'enjeux logistiques, les fonctionnaires électoraux ont été incapables de faire voter à l'Établissement de détention de Sorel-Tracy, en une seule journée, tous les électeurs qui souhaitaient voter;

WHEREAS the Chief Electoral Officer was informed on April 17, 2025, that, due to the high volume of incarcerated electors and logistical challenges, election officers were unable to complete, in a single day, the voting process for all electors wishing to vote at the Établissement de détention de Sorel-Tracy;

ATTENDU QUE le directeur général des élections ait été informé qu'une demande d'inscription et de bulletin de vote spécial a été remplie pour chaque électeur incarcéré à l'Établissement de détention de Sorel-Tracy souhaitant voter avant le douzième jour précédant le jour du scrutin, conformément à l'article 251 de la Loi.

WHEREAS the Chief Electoral Officer has been advised that an application for registration and special ballot was completed for each incarcerated elector at the Établissement de détention de Sorel-Tracy wishing to vote before the 12th day before polling day, as required by section 251 of the Act.

ET ATTENDU QUE l'article 179 de la Loi prévoit ce qui suit :

AND WHEREAS section 179 of the Act provides the following:

179. Pour l'application de la présente partie ou son adaptation à des circonstances particulières, le directeur général des élections peut prendre les instructions qu'il juge nécessaires pour en réaliser l'objet.

179. For the purpose of applying this Part to, or adapting any provision of this Part in respect of, a particular circumstance, the Chief Electoral Officer may issue any instructions that he or she considers necessary in order to execute its intent.

PAR CONSÉQUENT, conformément à l'article 179 de la Loi, le directeur général des élections prend les instructions suivantes:

THEREFORE, pursuant to section 179 of the Act, the Chief Electoral Officer issues the following instructions:

1. Ces instructions s'appliquent lors de la 45^e élection générale;

2. Une journée additionnelle de vote au titre de la section 5 de la partie 11 de la Loi est autorisée à l'Établissement de détention de Sorel-Tracy de 9h à 20h au plus tard;

3. La journée additionnelle de vote autorisée en vertu du paragraphe 2 doit être tenue au plus tard le samedi 26 avril 2025;

4. Un agent de liaison doit afficher, sans délai, dans un endroit bien en vue dans l'Établissement de détention de Sorel-Tracy un avis informant les électeurs inscrits qui n'ont pas voté le douzième jour précédant le jour de scrutin de la date de la journée additionnelle de vote;

5. Tout électeur incarcéré à l'Établissement de détention de Sorel-Tracy, qui était inscrit et n'a pas voté le douzième jour précédant le jour de scrutin et qui désire voter peut, lors de la journée additionnelle de vote tenue à l'établissement, voter par bulletin de vote spécial, selon la procédure de vote prévue à la Loi.

1. These instructions apply during the 45th General Election;

2. An additional day of voting in accordance with Division 5 of Part 11 of the Act is authorized at the Établissement de détention de Sorel-Tracy from 9:00 a.m. to not later than 8 p.m.;

3. The additional voting day authorized under paragraph 2 must be held no later than Saturday, April 26, 2025;

4. A liaison officer must post, without delay, a notice in a prominent place at the Établissement de détention de Sorel-Tracy that informs registered electors who did not vote on Day 12 before polling day of the date of the additional day of voting;

5. Any elector who is incarcerated at the Établissement de détention de Sorel-Tracy who was registered and has not voted on Day 12 before polling day and wishes to vote may, during the additional voting day at the detention centre, vote by special ballot, in accordance with the voting procedure prescribed by the Act.

Le directeur général des élections,



Stéphane Perrault
Chief Electoral Officer

Exhibit DD-19
179-G-2021-09 - Instruction, Additional voting
day under Division 5 of Part 11 of the Canada
Elections Act

LOI ÉLECTORALE DU CANADA

44e élection générale

Instructions visant à permettre la tenue de jours de vote additionnels sous le régime de la section 5 de la partie 11 de la *Loi électorale du Canada*

Date de prise :

Numéro : 179-G-2021-09

ATTENDU QUE les brefs relatifs à la 44e élection générale ont été délivrés le 15 août 2021 et que le jour du scrutin a été fixé au 20 septembre 2021;

ATTENDU QUE la section 5 de la partie 11 de la *Loi électorale du Canada* (« la Loi ») permet à chaque électeur incarcéré qui désire voter de faire une demande d'inscription et de bulletin de vote spécial et de voter par bulletin de vote spécial;

ATTENDU QUE le paragraphe 245(1) de la Loi prévoit que tout électeur incarcéré a le droit de voter par bulletin de vote spécial le douzième jour précédant le jour du scrutin et que le paragraphe 250(2) de la Loi prévoit les heures d'ouverture des bureaux de scrutin dans les établissements correctionnels le douzième jour précédant le jour du scrutin;

ATTENDU QUE le directeur général des élections a été informé le 15 septembre 2021 que les établissements correctionnels suivants ont été incapables — en raison du nombre d'électeurs et de contraintes liées à la sécurité et à la COVID-19 — de faire voter en une seule journée tous les électeurs qui souhaitaient voter :

- a) le *Edmonton Remand Centre*, en Alberta;
- b) l'Établissement de détention de Sorel-Tracy, au Québec;

CANADA ELECTIONS ACT

44th General Election

Instructions to allow additional voting days to be held under Divisions 5 of Part 11 of the *Canada Elections Act*

Date of issue:

Number: 179-G-2021-09

WHEREAS the writs for the 44th General Election were issued on August 15, 2021, with polling day on September 20, 2021;

WHEREAS the *Canada Elections Act* ("the Act") Part 11, Division 5, permits every incarcerated elector who wishes to vote to make an application for registration and special ballot and to vote by special ballot;

WHEREAS subsection 245(1) of the Act provides that every incarcerated elector is entitled to vote by special ballot on the 12th day before polling day and subsection 250(2) of the Act provides for the voting hours at polling stations established in correctional institutions on the 12th day before polling day;

WHEREAS the Chief Electoral Officer has been informed, on September 15, 2021, that the following correctional institutions were unable—given the number of electors and constraints associated with security and COVID-19—to allow for all electors who wished to vote to do so in a single day:

- (a) the Edmonton Remand Centre, in Alberta;
- (b) the *Établissement de détention de Sorel-Tracy*, in Quebec;

ET ATTENDU QUE l'article 179 de la Loi prévoit ce qui suit :

179. Pour l'application de la présente partie ou son adaptation à des circonstances particulières, le directeur général des élections peut prendre les instructions qu'il juge nécessaires pour en réaliser l'objet.

PAR CONSÉQUENT, conformément à l'article 179 de la Loi, le directeur général des élections prend les instructions suivantes :

1. Ces instructions s'appliquent lors de la 44^e élection générale.
2. Des journées additionnelles de vote au titre de la section 5 de la partie 11 de la *Loi électorale du Canada* sont autorisées à l'égard des établissements correctionnels suivants :
 - a) le *Edmonton Remand Centre*, en Alberta;
 - b) l'Établissement de détention de Sorel-Tracy, au Québec.
3. Les journées additionnelles de vote autorisées en vertu du paragraphe 2 doivent être tenues au plus tard le samedi 18 septembre 2021.
4. Tout électeur détenu à l'un des établissements correctionnels visés au paragraphe 2, qui n'a pas voté à l'élection et qui désire voter peut, lors de la journée ou des journées additionnelles de vote tenues à l'établissement, remplir une demande d'inscription et de bulletin de vote spécial et voter par bulletin de vote spécial.

AND WHEREAS section 179 of the Act provides the following:

179. For the purpose of applying this Part to, or adapting any provision of this Part in respect of, a particular circumstance, the Chief Electoral Officer may issue any instructions that he or she considers necessary in order to execute its intent.

THEREFORE, pursuant to section 179 of the Act, the Chief Electoral Officer issues the following instructions:

1. These instructions apply during the 44th General Election.
2. Additional days of voting in accordance with Division 5 of Part 11 of the *Canada Elections Act* are authorized in relation to the following correctional institutions:
 - (a) the Edmonton Remand Centre, in Alberta;
 - (b) the *Établissement de détention de Sorel-Tracy*, in Quebec.
3. The additional voting days authorized under paragraph 2 must be held no later than Saturday, September 18, 2021.
4. Any elector who is incarcerated at a correctional institution mentioned at paragraph 2, who has not voted at the election and who wishes to vote may, during the additional voting day or days of voting held at the institution, complete an application for registration and special ballot and vote by special ballot.

Le directeur général des élections,

Perrault,
Stephane 0

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Stephane 0
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Stéphane Perrault
Chief Electoral Officer

SUPERIOR COURT
(Class Actions Division)
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

CÉDRIC POIRIER

Plaintiff

v.

ATTORNEY GENERAL OF CANADA

-and-

ATTORNEY GENERAL OF QUEBEC

Defendants

-and-

**LE DIRECTEUR GÉNÉRAL DES ÉLECTIONS DU
QUÉBEC**

Intervener

**EXHIBITS COMMUNICATED BY THE ATTORNEY
GENERAL OF CANADA,
DD-3 AND DD-16 TO DD-19**

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SUPERIOR COURT
(Class Actions Division)
PROVINCE OF QUEBEC
DISTRICT OF MONTREAL

CÉDRIC POIRIER

Plaintiff

v.

ATTORNEY GENERAL OF CANADA

-and-

ATTORNEY GENERAL OF QUEBEC

Defendants

-and-

**LE DIRECTEUR GÉNÉRAL DES ÉLECTIONS DU
QUÉBEC**

Intervener

**EXHIBITS COMMUNICATED BY THE ATTORNEY
GENERAL OF CANADA,
DD-3 AND DD-16 TO DD-19**

COPY FOR THE COURT

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