

APPENDIX: QUÉBEC

DEMOGRAPHICS AND ELECTION ADMINISTRATION

Québec is one of Canada's ten provinces. In July 2008, the population of Québec was more than 7,7 million, whereas the population of eligible voters was 6,2 million.¹ After the last general election in 2008, 5,7 million people, or 92.3% of the voting eligible population, were registered to vote.²

Canadian provinces administer their own elections and maintain their own voter rolls, separate from the federal level of government. Québec's electoral agency is the *Directeur Général des Élections du Québec* (DGEQ). This agency oversees election administration and maintains the province's permanent list of electors, which is a combination of the register of electors and the comprehensive register of residential addresses in the province.³ A Permanent Board of Revisors was created in 1999 to help the DGEQ update the permanent list of electors and review cases that election authorities appeared to have trouble updating.⁴

Currently, the provincial election agency employs more than 200 people. During a general election, the staff might swell to 300.⁵ The annual budget is \$15.5 million Canadian dollars for a period without a general election. General election costs typically approximate \$75 million Canadian dollars.⁶

VOTER REGISTRATION

In 1995, the provincial election authority initiated a switch away from enumeration in favor of a permanent list of voters, using the 1995 census as the basis for its permanent list.⁷ The new list was not fully implemented until 1997.⁸ Today, it is used to conduct provincial, municipal, and school elections.

Voter registration in Québec is automatic. Newly eligible voters are added to the voter list, and existing voter entries updated, without any need for voters to interact with election authorities. Instead, election authorities make these changes to the rolls based on information that other government agencies share on a regular basis. Primarily as a result of this data-sharing, Québec achieves a 98% accuracy rating for its voter rolls.⁹

Adding New Voters

The provincial election agency has a number of data sharing agreements with other government agencies for the purpose of identifying unregistered eligible citizens.¹⁰ This includes the

provincial health insurance agency,¹¹ several school boards,¹² Elections Canada (the national election agency),¹³ and the national citizenship and immigration agency.¹⁴

The election agency's primary source of information about newly eligible young voters is the *Régie de l'assurance maladie du Québec*, the provincial health insurance agency.¹⁵ Health insurance officials send election officials weekly transmissions listing every citizen who will turn 18 within 6 months.¹⁶ Election authorities send a notice to these individuals, informing them that unless they opt out of registration, they will be added automatically to the voter rolls on their 18th birthday.¹⁷

Election authorities become alerted to new citizens by both the provincial health agency and the national citizenship and immigration agency.¹⁸ These newly eligible voters are added automatically to the voter rolls after they have lived in Québec for at least 4 months. They, too, are sent notices informing them that if they wish to opt out of registration, they may do so before or after that time.¹⁹

Updating Existing Voter Entries

The provincial health agency assigns every individual a unique identifying number, and this same number becomes a person's voter registration number when she is initially added to the voter database. This facilitates recordkeeping for both agencies. The voter list is regularly cross-checked against the health insurance records, so that any updates to those records can be immediately and automatically reflected on the voter rolls.²⁰

The provincial election agency receives 60% of its address update information from the provincial health insurance agency.²¹ A substantial portion of the remaining address updates come from other government agencies, including the *Société de L'assurance Automobile du Québec* (provincial car insurance organization).²² Québec also offers a change-of-address service to all residents, available on the official province website, which will transmit the updated information to the provincial election agency.²³

In addition, the provincial election agency has a two-way data sharing arrangement with Elections Canada, and on a quarterly basis these election authorities inform each other about updates to their respective voter rolls, including new registrants, deceased voters, and address changes.²⁴

The provincial health insurance agency also tracks deaths within the province, and notifies provincial election officials of the deaths of registered voters so they may be removed from voter rolls.²⁵

The law also gives the provincial government the option to order an enumeration or ad hoc revision that affects all or part of the voter list.²⁶

FILLING GAPS AND CORRECTING INACCURACIES IN THE ROLLS

Voter Card

At least 22 days before an election, the provincial election authority mails voters individualized postcards reflecting their current registration information. Voters may correct any inaccuracies at any time up until 13 days before Election Day, in accordance with the “revision period” procedures described below.²⁷ Notices are also sent to addresses where no one is registered to vote, in order to alert any residents that they may not be registered at their current address.²⁸

Revision Period

Local boards of revisors are established to accept any changes to the voter list in the weeks leading up to an election. The addresses and hours of the boards of revisors are published in newspapers.²⁹

Through the thirteenth day before an election, a voter, or her spouse, relative, or housemate, may submit a request to the board of revisors for a correction to her entry on the rolls.³⁰ Thereafter, the voter must herself apply for changes with a special board of revisors,³¹ a body which supersedes the board of revisors and sits from the twelfth to the fourth day before an election.³² All requests to the special board of revisors must be filed by 2:00 p.m. on the fourth day before Election Day.³³

Although Québec does not allow same-day registration to all citizens, local election officials may, in certain situations, issue an “authorization to vote” to eligible voters whose names do not appear in the poll books on Election Day.³⁴ Such an authorization may be made for an eligible voter whose registration information was mistakenly removed from the list of electors or who has left her home for her safety or the safety of her children.³⁵

PRIVACY CONSIDERATIONS

Personal information on the permanent voter list — which includes the name, age, and sex of each elector — is not public.³⁶ It is prohibited to use or communicate any information pertaining to an elector for purposes other than those provided for in the Election Act.³⁷

ENDNOTES

- ¹ Institut de la Statistique Québec, Population par année d'âge et par sex, Québec, 1er juillet 2008 (Jan., 2009), http://www.stat.gouv.qc.ca/donstat/societe/demographie/struc_poplt/201_08.htm.
- ² Le Directeur Général des Élections du Québec, About the Permanent List of Electors, http://www.electionsquebec.qc.ca/en/permanent_list_electors.asp (last updated May 6, 2009) [hereinafter Québec Permanent List of Electors].
- ³ *Id.*; Election Act, R.S.Q., ch. E-3.3, § 40.1 (2008) (Can.) [hereafter Election Act].
- ⁴ Le Directeur Général des Élections du Québec, Permanent Board of Revisors of the List of Electors of Québec, <http://www.electionsquebec.qc.ca/en/cpr.asp>; Election Act § 40.12.12.
- ⁵ Memorandum from the Directeur Général des Élections du Québec to the Brennan Center for Justice (Feb. 28, 2008) (on file with the Brennan Center) [hereinafter DGEQ Memo].
- ⁶ *Id.*
- ⁷ *Id.*
- ⁸ *Id.*
- ⁹ The provincial election authority refers to this figure as the “quality percentage.” It is calculated as the number of voters entered on the list whose information was not changed as a result of revisions by the boards of revisors. In other words, it reflects the accuracy of preliminary voter lists prior to the revision period.
- ¹⁰ Individuals may also initiate registration themselves. In order to do so, individuals must provide provincial election authorities with documents confirming their identity — name, date of birth, and gender — as well as documentary proof of their provincial address. The identity requirement can be satisfied with various documents, including a birth certificate, passport, health insurance card, or certificate of citizenship. For proof of address, a driver's license, phone bill, or electricity bill will suffice. Le Directeur Général des Élections du Québec, Frequently Asked Questions § 1.4, <http://www.electionsquebec.qc.ca/en/faq.asp> (last updated Feb. 16, 2009) [hereinafter DGEQ FAQ]; Le Directeur Général des Élections du Québec, Two Identification Documents, http://www.electionsquebec.qc.ca/en/messages/2_pieces_identite.asp.
- ¹¹ Election Act § 40.7.
- ¹² *Id.* § 40.7.0.1.
- ¹³ *Id.* § 40.7.2.
- ¹⁴ *Id.* § 40.8.
- ¹⁵ *Id.* §§ 40.7, 40.9.
- ¹⁶ DGEQ Memo, *supra* note 4.
- ¹⁷ Election Act § 40.9.1.
- ¹⁸ *Id.* § 40.9.
- ¹⁹ DGEQ Memo, *supra* note 5.
- ²⁰ Québec Permanent List of Electors, *supra* note 2.
- ²¹ Without regard to its data-sharing procedures, the provincial election agency states on its website that it is the obligation of each elector to notify the election agency when they change address. DGEQ FAQ, *supra* note 10, § 1.1-1.2.
- ²² Québec Permanent List of Electors, *supra* note 2, at n.2.
- ²³ DGEQ FAQ, *supra* note 10, § 1.2. The online form will actually notify six agencies simultaneously of the change, including the provincial election agency. *Id.* Residents can change their address at Gouvernement du Québec, Service Québécois de Changement d'Adresse, <http://www.adresse.info.gouv.qc.ca/en/service.asp> (last modified Jan. 24, 2008).
- ²⁴ DGEQ Memo, *supra* note 5.
- ²⁵ Election Act §§ 40.7, 40.10.1.
- ²⁶ *Id.* § 40.11.

²⁷ Election Act §§ 193, 198.1; Le Directeur Général des Élections du Québec, Your Rights and Duties on Polling Day at the Provincial Level, http://www.electionsquebec.qc.ca/en/rights_duties_polling_day.asp (last updated July 17, 2008).

²⁸ Election Act § 198.1.

²⁹ *Id.* § 199.

³⁰ *Id.* §§ 193, 200, 205.

³¹ *Id.* § 223.

³² *Id.* §§ 216.1, 222.

³³ *Id.* § 222.

³⁴ *Id.* § 340.

³⁵ *Id.*

³⁶ *Id.* § 40.39; *see also* Le Directeur Général des Élections du Québec, List of Electors: Confidential Nature of Data, http://www.electionsquebec.qc.ca/en/list_electors_confidential_nature.asp (last updated May 8, 2009).

³⁷ Election Act § 40.41.