

Health protocol to reduce the risk of spreading COVID-19 during the municipal general election of November 7, 2021, in matters of authorization, political financing and expenses

Application table for measures set out in the health protocol in matters of authorization, political financing and expenses

Élections Québec has collaborated with the Ministère de la Santé et des Services sociaux to establish a Health protocol to reduce the risk of spreading COVID-19 during the municipal general election of November 7, 2021, in matters of authorization, political financing and expenses. All the health guidelines, recommendations and new measures establish by regulation are brought together in this protocol which applies in every municipality subject to Chapter XIII or Chapter XIV of Title I of the Act respecting elections and referendums in municipalities.¹

The measures established by regulation in anticipation of the municipal general election on November 7, 2021, stem from the *Act to facilitate the conduct of the November 7, 2021 municipal general election in the context of the COVID-19 pandemic*², which was adopted and sanctioned on March 25, 2021. This law allows the Chief Electoral Officer to establish, by regulation, measures to ensure that the election is held in a safe and welcoming environment for everyone. The *Regulation amending certain municipal provisions to facilitate the conduct of the municipal general election of November 7, 2021, in the context of the COVID-19 pandemic*³ came into force on May 15, 2021.

The table on the following pages lists the measures set out in the protocol for matters of authorization, political financing and expenses. It provides practical instructions on their application. These measures take precedence over the administrative procedures or existing forms and therefore amend them for activities related to the conduct of the election on November 7, 2021, and any procedure recommenced following it, pursuant to section 276 of the AERM. The table may be modified depending on the context and be harmonized with the measures taken by the government and public health authorities, based on the progression of COVID-19. Any significant change will be reported on the <u>Elections in the time of COVID-19</u> section of the Élections Québec website. Considering that health guidelines evolve rapidly, those issued by the authorities take precedence in case of discrepancy. You can go to Québec a to check the health guidelines in effect.

For any questions concerning political financing, please contact a political financing coordinator at <u>financement-municipal@electionsquebec.qc.ca</u>, or by phone at 418-528-0422 or 1 888 ELECTION (1-888-353-2846) toll free. For questions concerning authorization, please contact the Register of authorized political entities of Québec (RAPEQ) team at <u>repaq@electionsquebec.qc.ca</u>, or by phone at 418-528-0422 or 1 888 ELECTION (1-888-353-2846) toll free.

The Chief Electoral Officer oversees the application of Chapters XIII and XIV of Title I of the AERM with regard to political financing.⁴ The Chief Electoral Officer can issue directive, advertise as deemed necessary, announce a special decision if the circumstances during an election period⁵ so justify and, exceptionally, outside that period for the purposes of the general election on November 7, 2021.⁶ For the application of these chapters, the treasurer acts under the authority of the Chief Electoral Officer, ⁷ as does the returning officer or designated assistant for a request for authorization for an independent candidate.⁸

¹ CQLR, c. E-2.2 (AERM).

² S.Q. 2021, chapter 8 (Bill 85).

³ (2021), 153 G.O.Q. II, 2111B (the Regulation).

⁴ AERM, s. 367, para. 1 and s. 513.0.1.

⁵ AERM, s. 368, para. 1 (3), s. 90.6 (6) and s. 90.5.

⁶ Bill 85, s. 4.

⁷ AERM, ss. 376 and 513.3. "Treasurer" means the treasurer, the secretary-treasurer or the director of finance of the municipality (s. 364, para. 1, AERM).

⁸ AERM, s. 375.

Measure	Stakeholders	Comments
ELECTION PERIOD		
 Extension of the election period from 45 days to 52 days 	■ Everyone	• For the purposes of the municipal general election of November 7, 2021, or any procedure recommenced following it, in accordance with section 276 of the AERM, the election period will begin on the 51 st day before polling day.
		 The election period for the general election on November 7 will therefore begin on September 17, 2021, and end on November 7 with the closing of the polling stations, at 8 p.m.
AUTHORIZATION		
	s applicable to the collection of suppo	ate, which are used for the purposes of the application for authorization formulated from the nomination paper (s. 400, para. 2, AERM), may orting signatures for a nomination paper must be respected. In particular, this collection must be done in the elector's presence and must municipal general election.
Email submission of the Application to have a name reserved for a political party form (DGE-1036-VA)	 Leader of a future political party 	• The <u>name reservation form</u> is available online. It must be completed, signed and returned to Élections Québec by mail or email. Submission by email, which is the usual means of submission for this type of application, is preferred.
		■ The <u>Procedure – Reserving a name for a municipal political party</u> guide (DGE-1036.1-VA) is also available online.
3. Email submission of the Application for authorization of a municipal political party form (DGE-1042-VA)	 Leader of a future political party Official representative 	 The political party authorization application form is not available online. The party leader must contact the Register of authorized political entities of Québec (RAPEQ) at repaq@electionsquebec.qc.ca or by phone at 418-528-0422 or 1 888 ÉLECTION (1-888-353-2846).
		• Élections Québec will email all the required documentation to the party leader, including the <i>Submitting an application for authorization of a municipal political party</i> guide (DGE-1057-VA) and the list of health guidelines to follow if signatures are being solicited in person.
		Once the authorization application form has been completed and signed by the party leader and the official representative, the party leader can return it, by email, and append the supporting signature slips (see Point 4 below). The signatures of the party leader and the official representative can be added by successive submission and digitization. The party leader is encouraged to keep the submitted form, as it may be requested if clarifications are required.
		 Although email submission is preferred, postal mailing is possible, for either sending the documentation to the party leader or returning it to Élections Québec. Postal mailing may cause wait times that are outside our control.

Measure	Stakeholders	Comments
4. Collection of supporting signatures	 Leader of a future political party or person designated to collect signatures Municipal elector, member of the future political party, 	Maximum number of supporting signatures
for the party's authorization application using individual slips and submission by email (DGE-1042.1-VA)		■ The Regulation reduces to 50 the maximum number of supporting signatures that a municipal party must collect in order to receive authorization. The numbers of supporting signatures required are as follows:
Submission by Chair (DGL 1042.1 VA)		o 25, for a municipality with a population of 5,000 or more but under 50,000
	who supports the	o 50, for a municipality with a population of 50,000 or more
	authorization application	Remote processing of supporting signature slips
		 Every supporting signature is provided on a separate slip. The slip (fillable PDF) is sent to the party leader by Élections Québec, by email, with the Application for authorization of a municipal political party form (DGE-1042-VA).
		■ The leader of the future party can send the slip to the elector/member, who completes and signs it and returns it to the party by email. The party can then forward a copy of the completed and signed slips to Élections Québec by email with the authorization application (see Point 3 above).
		■ The leader of the future party who designates another person to solicit supporting signatures must specify to that person that remote processing is preferred. The party leader must explain the health measures that apply to the collection of supporting signatures in person and give them the list of public health measures to follow. See Point 16 of this table for further details.
		The party leader is encouraged to keep the submitted slips, as they may be requested if clarifications are required.

Measure	Stakeholders	Comments
5. Email submission of the Application for authorization of an independent candidate or of an elector who undertakes to run as an independent candidate form (DGE-1028-VA)	 Returning officer Elector who undertakes to run as an independent candidate for the November 7, 2021 election Official representative, where appropriate 	 The Application for authorization of an independent candidate or of an elector who undertakes to run as an independent candidate form (DGE-1028-VA) is available online on the Élections Québec website. The form is also available on the municipal extranet. The returning officer can email it to the elector, on request, with the list of health guidelines to follow if the supporting signatures are being solicited in person. The returning officer should opt for the remote submission of the authorization application. An elector who undertakes to run as an independent candidate emails to the returning officer a copy of the completed and signed form and has it signed by their official representative, where appropriate. Electors who undertake to run as an independent candidate are encouraged to keep the form submitted, as it may be requested if clarifications are required. The returning officer prints and signs the form to grant the authorization requested by the elector. The returning officer then sends a copy of the form by email to Élections Québec, the authorized elector and their official representative, where appropriate. If the application cannot be submitted by email, the returning officer: Offers remote support to answer the questions of people who wish to file an application for authorization. Encourages electors who want to obtain authorization to make an appointment to present their application during the planned period and safely, avoiding gatherings. At this appointment, the measures set out in Point 18 must be followed.
6. Collection of supporting signatures for the application for authorization of an elector who undertakes to run as an independent candidate	 Elector who undertakes to run as an independent candidate or person designated to collect these signatures Elector from the municipality who supports the application for authorization 	 Maximum number of supporting signatures The Regulation lowers to 50 the maximum number of supporting signatures that an elector who undertakes to run as an independent candidate must collect in order to receive authorization. An elector who undertakes to run as an independent candidate seeking the position of mayor must collect the following number of supporting signatures: 5, for a municipality or borough with a population under 5,000; 10, for a municipality or borough with a population of 5,000 or more but under 20,000; 50, for a municipality or borough with a population of 20,000 or more. An elector who undertakes to run as an independent candidate seeking the position of councillor must collect the usual number of supporting signatures: 5, for a municipality with a population under 5,000;

Measure	Stakeholders	Comments
		o 10, for a municipality with a population of 5,000 or more but under 20,000 ;
		 25, for a municipality or borough with a population of 20,000 or more.
		Methods for collecting supporting signatures
		Schedule 1028.1 of the Application for authorization of an independent candidate or of an elector who undertakes to run as an independent candidate form and the Supporting signature from an elector of the municipality - Application for authorization of an elector who undertakes to run as an independent candidate slip (DGE-1028.2) are available online on the Élections Québec website. The slip can be used to collect each supporting signature from an elector in a separate document, and Schedule 1028.1 can be used to do this in list form.
		If the supporting signatures are collected remotely, using slips, this is how they must be processed:
		The slip is also available on the municipal extranet. The returning officer can email it to the elector, on request.
		 An elector who undertakes to run as an independent candidate emails this slip to the electors from the municipality whose support they are soliciting for their authorization application.
		 The elector who supports the authorization application prints and signs the slip and emails it back to the elector who undertakes to run as an independent candidate.
		 The elector who undertakes to run as an independent candidate emails the required number of duly completed and signed slips to the returning officer, with their application for authorization.
		 The elector is encouraged to keep the submitted form and slips, as these documents may be requested if clarifications are required.
		Note: The remote collection of signatures may not apply in the case of supporting signatures serving for the nomination paper, which must be obtained in the elector's presence.

Measure	Stakeholders	Comments
CONTRIBUTIONS AND GIFTS		
7. Email submission of the <i>Power of</i> attorney – Co-owner or co-occupant	 Donor and other co- owner/co-occupant 	 The co-owners of the building must complete and sign a <u>power of attorney</u> to designate the person entitled to make a political contribution. The form is available online.
entitled to make a contribution form (DGE-1419-VA)	■ Treasurer	■ The power of attorney can be emailed directly to Élections Québec at <u>contribution-municipal@electionsquebec.qc.ca</u> or to the treasurer of the municipality.
		■ The contribution can only be made after the power of attorney has been submitted to the municipality. If the form is submitted to Élections Québec, a copy will be sent to the municipality and a confirmation to this effect will be sent to the applicant.
		If it is not possible to email the form to Élections Québec, it can be sent by mail or delivered in person to the treasurer of the municipality, in compliance with the health guidelines applicable at the office of the municipality. In this case, the treasurer will have to send a copy to Élections Québec at contribution-municipal@electionsquebec.qc.ca .
8. Remote solicitation of political	■ Donor	To avoid interactions with electors, the use of provisional receipts is preferred.
contributions and gifts	 Canvasser⁹ 	 Contributions can be collected by credit card by political parties and candidates who already have a transactional website approved by Élections Québec.
		■ The official representative who designates a person to solicit or collect contributions must specify to that person that they should use remote processing. The official representative must present the health measures applicable to in-person solicitation to the person who will be collecting contributions and give them a list of health guidelines to follow. See Point 16 of this table.
		 Contributions can only be made to people who have received the authorization to engage in solicitation from the official representative.
		 For the solicitation or collection of gifts in municipalities with a population under 5,000, the candidate is encouraged to solicit remotely. Any candidate who solicits gifts in person is encouraged to proceed as described in Point 16 of this table, making the necessary adaptations.
9. Use of the <i>Provisional contribution</i> receipt (DGE-1431-VA) and submission by email	DonorOfficial representative	The use of provisional receipts is preferred, and the provisional receipts should be submitted to the official representative by email whenever possible.

⁹ For municipalities with a population of 5,000 or more, these people are: the official representative, their delegate and the person they designate to solicit contributions. For municipalities with a population under 5,000, this person is the candidate.

August 1, 2021 5

Direction du financement politique et des affaires juridiques

Measure	Stakeholders	Comments
	■ Treasurer	• The <u>provisional receipt</u> is available online. The fillable format allows it to be completed by the donor who can then print it and sign it.
		■ The official representative can file an official receipt without the donor's signature.
		 Copies of the official and provisional receipt are sent to the treasurer by mail. If this is not possible, they can be delivered to the treasurer in person, following the applicable health guidelines.
		The treasurer sends the DGEQ copy of the official receipt and the provisional receipts to Élections Québec.
LOANS		
10. Disbursement of a loan	Official representative	The Regulation stipulates that an elector can disburse a loan by fund transfer.
	■ Elector	 The disbursement of a loan must be corroborated by the entity's bank statements and by a confirmation from the financial institution as to the origin of the funds.
		 Depending on the situation, the supporting documents should be submitted or kept:
		 Party: All supporting documents related to the disbursement of a loan by fund transfer must be kept by the official representative for a period of seven years after the party's financial report is filed (section 483, AERM).
		 Authorized independent candidate: All supporting documents related to the disbursement of loans by fund transfer must be appended to the report(s) submitted by the official representative (section 484, AERM).
EXPENSES		
11. Payment of the expenses of	Official representative	Official representatives and agents can pay their expenses by fund transfer.
authorized entities, including election expenses, by fund transfer	Official agent	Depending on the situation, the supporting documents should be submitted or kept:
. , ,		 Party: All supporting documents related to payments made by the official representative to cover regular expenses must be kept for a period of seven years after the party's financial report is filed (section 483, AERM). The supporting documents for payments made by official agents to cover election or non-election expenses must be appended to the election expense report in compliance with the third paragraph of section 492 of the AERM.
		 Authorized independent candidate: All supporting documents related to payments by fund transfer must be appended to the Reports of the authorized independent candidate submitted by the official agent in compliance with the third paragraph of section 492 of the AERM.
		 As specified in Directive D-M-34, depending on the service used, the relevant supporting documents are as follows:

Measure	Stakeholders	Comments
		 Payment using Internet services (standardized payment service): Confirmation of payment issued by the financial institution or payment log history including the supplier's reference number.
		 Payment using Internet services (personalized payment service): Confirmation of payment issued by the financial institution or payment log history including the beneficiary's bank account (or folio) number.
		 Payment using electronic transfer (e.g., Interac transfer): Confirmation of payment issued by the financial institution or payment log history including the telephone number or email address of the beneficiary.
12. Payment of expenses incurred but not claimed by fund transfer	Official agentTreasurers	The Regulation stipulates that the official agent can transmit the amount determined to cover expenses incurred but not claimed by fund transfer to an account held by the treasurer in the performance of their duties.
	rreasurers	If the official agent decides to proceed by fund transfer, the transfer must have been made by the time they file their election expense report. The official agent must append to the report the supporting documents that prove the payment of the amount and submit it to the treasurer.
		■ In the case where the amount initially determined for the payment of expenses incurred but not claimed does not completely cover the invoice(s), or if no amount is transmitted by the official agent, and where the expense is not contested, the Regulation stipulates that the official representative can transmit the amount in question by fund transfer to an account held by the treasurer in the performance of their duties. The official representative also transmits to the treasurer the supporting documents that prove the payment.
		 As specified in Schedule I of Directive D-M-34, depending on the service used, the supporting documents that must be provided are as follows:
		 Payment using Internet services (standardized payment service): Confirmation of payment issued by the financial institution or payment log history including the supplier's reference number.
		 Payment using Internet services (personalized payment service): Confirmation of payment issued by the financial institution or payment log history including the beneficiary's bank account (or folio) number.
		 Payment using electronic transfer (e.g., Interac transfer): Confirmation of payment issued by the financial institution or payment log history including the telephone number or email address of the beneficiary.
13. Payment of the expenses of private intervenors by fund transfer	 Private intervenor or their representative 	■ The Regulation allows private intervenors to pay or have their representative pay an expense by fund transfer.
		 All the supporting documents related to the payment by fund transfer must be appended to the report, in keeping with the second paragraph of section 512.17 of the AERM.
		Depending on the service used, the supporting documents that must be provided are as follows:

Measure	Stakeholders	Comments
		 Payment using Internet services (standardized payment service): Confirmation of payment issued by the financial institution or payment log history including the supplier's reference number.
		 Payment using Internet services (personalized payment service): Confirmation of payment issued by the financial institution or payment log history including the beneficiary's bank account (or folio) number.
		 Payment using electronic transfer (e.g., Interac transfer): Confirmation of payment issued by the financial institution or payment log history including the telephone number or email address of the beneficiary.
14. Calculation of proportional amount of election expenses	Official agent	■ Due to the extension of the election period, which will increase from 45 days to 52, the calculation of the proportional amounts when goods or services are used both during the election period and outside that period will have to reflect this change, where required. The calculation for use covering the entire election period will therefore be as follows: cost of the good or service × number of days in the election period (52 days) / total number of days of use before and during the election period.
15. Reasonable expenses related to the purchase of sanitary services and materials	Official agent	■ The Regulation allows the official agent to claim reasonable expenses related to the purchase of sanitary services and materials (such as masks, disinfectant) as election expenses. If they are so declared, they are included in the election expense limit and eligible for reimbursement at a rate of 70%, subject to the other applicable conditions.
		If these expenses are of a partisan nature, however (for example, face coverings in party colours or with party logos), they must be declared as election expenses.
HEALTH GUIDELINES FOR IN-PERSON INTE	RACTIONS	
16. Solicitation of supporting signatures for authorization, contributions or gifts	■ Canvasser ¹⁰	If the solicitation or collection of supporting signatures for authorization, political contributions or gifts is carried out in person, a list of health guidelines is provided by the Chief Electoral Officer, the returning officer or the treasurer, as the case may be. This list stipulates, in part, that:
		 before any meetings are held, the canvasser has confirmed that none of the following circumstances apply: he or she has been in quarantine or isolation due to travel abroad; he or she has been diagnosed with COVID-19 and is still considered a carrier of the disease; he or she is experiencing symptoms of COVID-19; he or she has been in contact with a suspected, probable or confirmed case of COVID-19 within the last 14 days;

¹⁰ For municipalities with a population of 5,000 or more, for the solicitation of contributions, these people are: the party leader, the official representative, their delegate and the person designated to solicit contributions. For the solicitation of signatures, it is the future party leader or the independent candidate. For municipalities with a population under 5,000, this person is the candidate.

Direction du financement politique et des affaires juridiques

August 1, 2021 8

Measure	Stakeholders	Comments
		 ○ he or she is waiting for a COVID-19 test result;
	-	and direct contact has been avoided (e.g., handshakes) when greeting a person;
	As of	August 1, 2021, the following items also appear on the list of health guidelines:
	-	The meeting with the signatory or contributor took place either:
		 on the exterior grounds of a private residence, while complying with the rules in effect regarding the maximum number of persons permitted;
		 in a predetermined location that allows for limiting gatherings to the number of persons currently permitted (e.g., outdoors, preferably by appointment);
	•	Disinfectant was provided to allow the signatory or the contributor to disinfect their hands both before and after handling any forms.
	•	The signatory or the contributor was encouraged to wear a face covering, in accordance with the health guidelines in force.
		The signatory and the contributor were encouraged to use their own pen.
		Applicable hand hygiene rules were respected when handling any forms completed by a signatory or a contributor.
	The c	ompleted list of health guidelines is remitted, as appropriate:
	-	to the returning officer, when the application for authorization of the elector who undertakes to run as an independent candidate is filed; to the Chief Electoral Officer, when the application for authorization of a political party is filed; to the treasurer of the municipality, at the same time as the contribution receipts or when the List of contributors and Return of expenses are filed.
Direction du financement nelitique et des effeire	inter meas	erson is designated to solicit or collect supporting signatures, political contributions or gifts, they must be told that remote actions are preferred. If the solicitation or collection of contributions or gifts is carried out in person, the applicable health sures must be presented to the person and a list of health guidelines must be given to them.

Measure	Stakeholders	Comments
17. Political activity or demonstration held by a political entity	Official representative	 Any political activities or demonstrations held must follow all public health guidelines issued by the authorities in relation to indoor and outdoor gatherings, for both the host and the participants. Please refer to Québec.ca for more on this topic. Remote or virtual activities are preferred.
		 As of August 1, 2021, the measures to follow, depending on the type of activity, are as follows:
		 Private social activities or events In an outdoor public place: maximum of 50 people. A distance of 1 m must be maintained; otherwise, wearing masks is recommended. In a rented hall or indoor public place: maximum of 25 people. A distance of 1 m must be maintained or masks or face covering are mandatory.
		 Meetings and conventions The people must remain seated. In a rented or community hall: maximum of 250 people. In an outdoor public place: maximum of 500 people. Distancing and the use of masks or face coverings must comply with the public health guidelines in effect. When the entry price is considered to be a contribution, refer to the health guidelines for in-person solicitation set out in
		Point 16.
18. Meetings with the returning officer or	Returning officer	The returning officer:
treasurer	■ Treasurer	 Offers remote support to answer the questions of people who want to file an application for authorization.
	 Official representative 	The treasurer:
■ Elector who use run as an indestandidate ■ Candidate in a	 Official agent 	 Offers remote support to answer the questions of official representatives and authorized independent candidates concerning political financing.
	 Candidate in a municipality with a population under 	At in-person meetings, the returning officer or treasurer must comply with the health guidelines in force, including: • post applicable health guidelines at the entrance to the meeting location; • if possible, install a physical barrier (solid transparent partition) where distancing cannot be maintained, along with any appropriate floor signage (direction of movement, compliance with the physical distancing rule); • remind the person concerned that he or she must wear a face covering;

Measure	Stakeholders	Comments
	Authorized independent	provide the person concerned with hand sanitizer;
	candidate	avoid handshakes;
		 wear personal protective equipment (e.g., a procedure mask and, if a physical barrier has not been installed, eye protection), in accordance with the health guidelines in effect;
		 disinfect any equipment used (e.g., a chair), both before and after the meeting, in accordance with the health guidelines in effect;
		 avoid sharing any objects with the person concerned (e.g., a pencil);
		 disinfect hands before and after handling any documents;
		 regularly disinfect frequently touched surfaces, such as tables, counters and door handles, in accordance with the health guidelines in effect.