

packet of spoiled ballot papers, a packet of rejected ballot papers and a packet containing the official list of electors used at the poll, the written appointment of candidate's agents and the used transfer certificates, until the candidate to whom the order relates and his official agent have completed their examination of the poll books, and shall then transmit those returns to the Chief Electoral Officer by registered mail.

(5) Where a recount in an electoral district has been terminated, pursuant to subsection (10a) of section 54, no examination of the poll books shall be made in that electoral district and any order relating to such an examination shall have no force or effect."

DISCUSSION DRAFT

December 2, 1963.

Canada Elections Act.

Subsection (1) of section 56 of the said Act is repealed and the following substituted therefor:

Return of
elected
candidate
when no
recount.

"56. (1) Where the returning officer has not applied for a recount or received notice that he is required to attend before a judge for the purpose of a recount, before the seventh day next following the date upon which he has completed the official addition of the votes, he shall on that day declare elected the candidate who has obtained the largest number of votes on the official addition of the votes, and where two members are to be returned for his electoral district, also declare elected the candidate who has obtained the second largest number of votes on the official addition of the votes, by completing the return to the writ in Form No. 60 on the back of the writ.

Return of
elected
candidate
after
recount.

(1a) Where the returning officer has applied for a recount pursuant to subsection (6) of section 51, or where the returning officer has received notice that he is required to attend before a judge for the purpose of a recount pursuant to section 54, he shall immediately after the judge has made his certificate in writing pursuant to subsection (13) of section 54, declare elected the candidate who has obtained the largest number of votes on the recount, and where two members are to be returned for his electoral district, declare elected the candidate who has obtained the second largest number of votes on the recount, by completing the return to the writ in Form No. 60 on the back of the writ.

Trans-
mission of
documents
to Chief
Electoral
Officer.

(1b) After the return to the writ has been completed, the returning officer shall transmit by registered mail the following documents to the Chief Electoral Officer:

- (a) the election writ with his return in Form No. 60 endorsed thereon;
- (b) a report of his proceedings in the form prescribed by the Chief Electoral Officer;
- (c) the recapitulation sheets, in the form prescribed by the Chief Electoral Officer, showing the number of votes cast for each candidate at each polling station;
- (d) the statements of the polls from which the official addition of the votes was made;