

(19) The clerical assistants referred to in subsection (18), the election officers required to be present at a recount, and the expenses of such election officers on such a recount, shall be paid at a rate to be fixed by the Governor in Council pursuant to section 60.” <sup>Payment of clerical assistants, etc.</sup>

## DISCUSSION DRAFT

December 6, 1963.

*Canada Elections Act.*

The said Act is further amended by adding thereto, immediately after section 55 thereof, the following heading and section:

*“Examination of Poll Books.*

55A (1) Where a judge has appointed a time to recount the votes for an electoral district, pursuant to section 54 or 55, a candidate or his official agent may, at any time before the recount is completed, apply to that judge for an order permitting that candidate and his official agent to examine the poll books for that electoral district and, where it appears to the judge, on the affidavit of the candidate, that the candidate

(a) believes that he has grounds of complaint on which to petition under the *Dominion Controverted Elections Act*;

(b) intends to petition under that Act; and

(c) has deposited the security required by that Act,

the judge shall order the returning officer for that electoral district to permit that candidate and his official agent to examine the poll books for that electoral district.

(2) Where an order has been made pursuant to subsection (1), the examination of the poll books

(a) shall be made immediately after the recount has been completed, at a place to be determined by the returning officer;

(b) shall be made in the presence of the judge who made the order and in the presence of the returning officer who shall retain the custody of the poll books until the examination has been completed; and

(c) shall be made continuously, excluding Sunday, the hours between six o'clock in the afternoon and nine o'clock in the succeeding forenoon, and necessary time for refreshments until the candidate to whom the order relates and his official agent have completed their examination.

(3) Where an order has been made pursuant to subsection (1), the returning officer shall inform each of the candidates in that electoral district, or his official agent, of the place where the examination will be held, and each of those candidates and his official agent may examine the poll books during the time when the candidate to whom the order relates and his official agent are examining the poll books.

(4) Where an order has been made pursuant to subsection (1), the returning officer shall retain the returns from the polling stations in that electoral district, consisting for each polling station of the poll book used at the poll, a packet of stubs and of unused ballot papers, packets of ballot papers cast for the several candidates, a