

1978

c 57 The Municipal Elections Amendment Act, 1978 (No. 2)

Ontario

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CHAPTER 57

**An Act to amend
The Municipal Elections Act, 1977**

Assented to October 24th, 1978

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 5 of section 37 of *The Municipal Elections Act, 1977*,^{s. 37 (5), re-enacted} being chapter 62, as re-enacted by the Statutes of Ontario, 1978, chapter 12, section 3, is repealed and the following substituted therefor:

(5) Where, at 5 o'clock in the afternoon of the day following nomination day, the number of candidates who have been nominated for an office and have not withdrawn under subsection 1 of section 39 is not sufficient to fill the number of vacancies to which candidates may be elected, subsection 1 of section 40 respecting acclamation applies to those candidates, but additional nominations for the remaining vacancies in the office in respect of which there was an insufficient number of candidates may be filed in the office of the clerk on the Wednesday following nomination day between the hours of 9 o'clock in the forenoon and 5 o'clock in the afternoon and the provisions of subsection 4 apply, with the necessary modifications, as though the additional nomination papers had been filed on nomination day.^{Where number of candidates nominated insufficient}

2. Subsection 7 of section 46 of the said Act is repealed and the following substituted therefor:^{s. 46 (7), re-enacted}

(7) In municipalities having more than 5,000 electors, the clerk shall advise each elector of the location of the polling place in which that elector is to vote,^{Notice of location of polling place}

- (a) in the case of a resident elector, by mailing or causing to be delivered to the elector a notice of the location of such polling place; and
- (b) in the case of a non-resident elector, by mailing to the elector a notice of the location of such polling place.

s. 120
amended

3. Section 120 of the said Act is amended by adding thereto the following subsection:

References
to time

(2) For the purpose of any proceedings under this Act, so long as the time commonly observed in the municipality or locality where the proceedings take place is one hour in advance of standard time, the time mentioned in this Act shall be reckoned in accordance with the time so commonly observed and not standard time.

Saving

1977 c. 62

4. Notwithstanding this Act, where in any municipality or locality proceedings in respect of the regular election in 1978 were taken in accordance with *The Municipal Elections Act, 1977* as it existed on the 24th day of April, 1978, the proceedings shall be deemed not to be invalidated by reason only of the fact the proceedings were not taken in accordance with *The Municipal Elections Act, 1977*, as amended by sections 1, 2 and 3 of this Act.

Commence-
ment

5. —(1) This Act, except sections 1, 2 and 3, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 2 and 3 shall be deemed to have come into force on the 25th day of April, 1978.

Short title

6. The short title of this Act is *The Municipal Elections Amendment Act, 1978 (No. 2)*.