

139. Informal ballot papers

A ballot paper shall be informal —

- (a) if it is not initialled by the presiding officer, or, in the case of an early ballot paper, not initialled by the issuing officer, but where a ballot paper is not initialled by the presiding officer or the issuing officer, if it is printed on official paper the fact that it is not so initialled shall not of itself render the ballot paper informal; or
- [(b) deleted]*
- (c) if it has upon it any mark or writing not authorised by this Act which, in the opinion of the Returning Officer, will enable any person to identify the elector; or
- (d) where there are only 2 candidates, if it does not indicate the candidate for whom the elector votes, or, where there are more than 2 candidates, if it does not indicate the order of the elector's preference for all candidates, but the operation of this paragraph is subject to section 140A; or
- (e) if no mark is indicated on it, or the surname of any candidate is omitted from it, or no name of any candidate is written on it.

[Section 139 amended by No. 44 of 1911 s. 34; No. 53 of 1957 s. 12; No. 59 of 1959 s. 12; No. 68 of 1964 s. 26; No. 40 of 1987 s. 65; No. 79 of 1987 s. 59; No. 43 of 1996 s. 16; No. 36 of 2000 s. 48(2).]