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ELECTORAL ACT 1907

**ELECTORAL AMENDMENT
REGULATIONS (No. 2) 2000**

Electoral Act 1907

Electoral Amendment Regulations (No. 2) 2000

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Electoral Amendment Regulations (No. 2) 2000*.

2. Commencement

These regulations come into operation on the day on which Part 2 of the *Electoral Amendment Act 2000* comes into operation or, if they are published in the *Gazette* on a later day, on that later day.

3. The regulations amended

The amendments in these regulations are to the *Electoral Regulations 1996**.

[* *Published in Gazette 10 October 1996, pp. 5321-92.*
For amendments to 11 October see 1999 Index to Legislation of Western Australia, Table 4, p. 64 and Gazette 18 April 2000.]

4. Regulation 5 repealed

Regulation 5 is repealed.

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5. Regulation 8 amended

- (1) Regulation 8(2) is amended by deleting “or supplied under section 112 of the Act” and inserting instead —

“

, made available under section 25 of the Act, provided under section 25A of the Act or supplied under section 112 of the Act or when information on or derived from rolls is made available under section 25 or provided under section 25A

”.

- (2) After regulation 8(2) the following subregulation is inserted —

“

- (3) A person’s name may be omitted when the Electoral Commissioner makes rolls or information on rolls available under section 25 of the Act if —

- (a) by virtue of section 51B of the Act, the person’s address is not shown on a roll; and
- (b) at or after the time of making a request under section 51B, the person requested the Electoral Commissioner to omit the person’s name when making rolls or information on rolls available under section 25.

”.

6. Regulation 10A inserted

After regulation 10 the following regulation is inserted —

“

10A. Recording the issue of a ballot paper

The record that section 126(1) of the Act requires to be made in respect of a person’s name on a copy of a roll is to be made —

- (a) by making a mark next to the person’s name; or

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(b) by electronic means,
whichever is appropriate in the circumstances.

”.

7. Regulation 28 amended

Regulation 28(4)(a) is amended by deleting “employer” and inserting instead —

“ employee ”.

8. Schedule 1 repealed

Schedule 1 is repealed.

9. Schedule 3 amended

(1) Schedule 3 Form 1 is amended in the note by deleting “or supplied under section 112 of the Act” and inserting instead —

“

, made available under section 25 of the Act, provided under section 25A of the Act or supplied under section 112 of the Act or when information on or derived from rolls is made available under section 25 or provided under section 25A

”.

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- (2) Schedule 3 Forms 16 to 23 are deleted and the following forms are inserted instead —

“

FORM 16

Western Australia

Electoral Act 1907 (ss. 64(1) and 69)**WRIT****Writ for elections in all the electoral districts to elect members of the Legislative Assembly****To the Electoral Commissioner:**

I direct you to proceed with elections in all the electoral districts to elect one member of the Legislative Assembly for each district.

I fix the following days for the purposes of each of those elections:

Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated 20.....

.....
Governor

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(Reverse)

Certificate

I certify that the results of the elections held under this writ were as follows:

Electoral district	Elected candidate	Date of declaration
.....

[continue for each district]

Dated 20.....

Electoral Commissioner

FORM 17

Western Australia

Electoral Act 1907 (ss. 64(2) and 69)

WRIT

Writ for elections in all the electoral regions to elect members of the Legislative Council

To the Electoral Commissioner:

I direct you to proceed with elections in all the electoral regions to elect:

- (a) 7 members of the Legislative Council for each of the electoral regions known, respectively, as the North Metropolitan Region and the South West Region; and
- (b) 5 members of the Legislative Council for each of the electoral regions known, respectively, as the South Metropolitan Region, the East Metropolitan Region, the Agricultural Region and the Mining and Pastoral Region.

I fix the following days for the purposes of each of those elections:

Last day for the nomination of candidates:

..... day, 20.....

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Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated 20.....

Governor

(Reverse)

Certificate

I certify that the results of the elections held under this writ were as follows:

Electoral region	Elected candidates	Date of declaration
.....
	
	
	
	

[continue for each region]

Dated 20.....

Electoral Commissioner

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FORM 18

Western Australia

Electoral Act 1907 (ss. 67(1) and 69)

WRIT

Writ for an election in an electoral district to elect a member of the Legislative Assembly to fill a vacancy in accordance with a resolution of that House

To the Electoral Commissioner:

I,, the Speaker of the Legislative Assembly, acting upon a resolution passed by the Legislative Assembly under section 67(1) of the *Electoral Act 1907* on 20....., direct you to proceed with an election in the electoral district to elect a member of the Legislative Assembly for that district.

I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated

Speaker

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(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate

Date of declaration

.....

.....

Dated 20.....

.....

Electoral Commissioner

FORM 19

Western Australia

Electoral Act 1907 (ss. 67(2) and 69)**WRIT****Writ for an election in an electoral district to elect a member of
the Legislative Assembly to fill a vacancy as directed by
the Speaker****To the Electoral Commissioner:**

I,, the Speaker of the Legislative Assembly,
acting under section 67(2) of the *Electoral Act 1907*, direct you to proceed to
supply with an election in the electoral district to
elect a member of the Legislative Assembly for that district.

I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

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Last day for the return of the writ:

..... day, 20.....

Dated 20.....

Speaker

(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate

Date of declaration

.....

.....

Dated 20.....

Electoral Commissioner

FORM 20

Western Australia

Electoral Act 1907 (ss. 67(3) and 69)

WRIT

Writ for an election in an electoral district to elect a member of the Legislative Assembly to fill a vacancy if there is no Speaker or the Speaker is absent

To the Electoral Commissioner:

I direct you to proceed with an election in the electoral district to elect a member of the Legislative Assembly for that district.

I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

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Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated
.....

Governor

(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate

Date of declaration

.....

.....

Dated 20.....

.....

Electoral Commissioner

FORM 21

Western Australia

Electoral Act 1907 (ss. 156E and 69)

WRIT

**Writ for an election in an electoral region to elect a member of
the Legislative Council to fill a vacancy**

To the Electoral Commissioner:

I direct you to proceed with an election in the electoral
region to elect a member of the Legislative Council for that region.

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I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated 20.....

Governor

(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate

Date of declaration

.....

.....

Dated 20.....

Electoral Commissioner

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FORM 22

Western Australia

Electoral Act 1907 (ss. 88(2) and 69)**WRIT****Writ for a new election in an electoral district when an election is deemed to have wholly failed under section 88(2)****To the Electoral Commissioner:**

I direct that, in place of the election fixed for 20....., you proceed with a new election in the electoral district to elect a member of the Legislative Assembly for that district.

I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated 20.....

.....
Governor/Speaker

[as the case requires]

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(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate

Date of declaration

.....

.....

Dated 20.....

.....

Electoral Commissioner

FORM 23

Western Australia

Electoral Act 1907 (ss. 88(2) and 69)

WRIT

Writ for a new election in an electoral region when an election is deemed to have wholly failed under section 88(2)

To the Electoral Commissioner:

I direct that, in place of the election fixed for 20....., you proceed with a new election in the electoral region to elect member(s) of the Legislative Council for that region.

I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

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Last day for the return of the writ:

..... day, 20.....

Dated 20.....

Governor

(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate(s)

Date of declaration

.....
[continue as required]

.....

Dated 20.....

Electoral Commissioner

FORM 23A

Western Australia

Electoral Act 1907 (ss. 89(1) and 69)

WRIT

Writ for a supplementary election in an electoral district when an election is deemed to have wholly failed under section 89(1)

To the Electoral Commissioner:

I direct that, because of the failure of the election fixed for 20....., you proceed with a supplementary election in the electoral district to elect a member of the Legislative Assembly for that district.

I fix the following days for the purposes of that election:

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Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated 20.....

Governor/Speaker
[as the case requires]

(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate	Date of declaration
.....

Dated 20.....

Electoral Commissioner

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FORM 23B

Western Australia

Electoral Act 1907 (ss. 89(1) and 69)**WRIT****Writ for a supplementary election in an electoral region when an election is deemed to have wholly failed under section 89(1)****To the Electoral Commissioner:**

I direct that, because of the failure of the election fixed for 20....., you proceed with a supplementary election in the electoral region to elect member(s) of the Legislative Council for that region.

I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated 20.....

.....
Governor

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(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate(s)

Date of declaration

.....
[continue as required]

.....

Dated 20.....

Electoral Commissioner

FORM 23C

Western Australia

Electoral Act 1907 (ss. 89(2) and 69)

WRIT

**Writ for a supplementary election in an electoral region when
an election is deemed to have partially failed under
section 89(2)**

To the Electoral Commissioner:

I direct that, because of the partial failure of the election held on
..... 20....., you proceed with a supplementary election in
the electoral region to elect member(s) of
the Legislative Council for that region.

I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

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Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated 20.....

Governor

(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate(s)

Date of declaration

.....
[continue as required]

.....

Dated 20.....

Electoral Commissioner

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FORM 23D

Western Australia

Electoral Act 1907 (ss. 172(1)(c) and 69)

WRIT

**Writ for a new election in an electoral district when an election
has been declared absolutely void**

To the Electoral Commissioner:

I direct that, because of the election held on 20.....,
being declared absolutely void, you proceed with a new election in the
..... electoral district to elect a member of the
Legislative Assembly for that district.

I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

Last day for the return of the writ:

..... day, 20.....

Dated 20.....

.....

Governor/Speaker
[as the case requires]

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(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate

Date of declaration

.....

.....

Dated 20.....

Electoral Commissioner

FORM 23E

Western Australia

Electoral Act 1907 (ss. 172(1)(c) and 69)**WRIT****Writ for a new election in an electoral region when an election
has been declared absolutely void****To the Electoral Commissioner:**

I direct that, because of the election held on 20.....,
being declared absolutely void, you proceed with a new election in the
..... electoral region to elect member(s) of the
Legislative Council for that region.

I fix the following days for the purposes of that election:

Last day for the nomination of candidates:

..... day, 20.....

Polling day:

Saturday, 20.....

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Last day for the return of the writ:

..... day, 20.....

Dated 20.....

Governor

(Reverse)

Certificate

I certify that the result of the election held under this writ was as follows:

Elected candidate(s)

Date of declaration

.....
[continue as required]

.....

Dated 20.....

Electoral Commissioner

FORM 23F

Western Australia

Electoral Act 1907 (s. 67(4))

Certificate of death of a member of the Legislative Assembly

To the Governor (or Speaker):

We, the undersigned, being 2 members of the Legislative Assembly, certify that a member of the Legislative Assembly serving for the electoral district, died on the 20....., and we give you this notice to the intent that you may cause the writ to be issued for the election of a member to supply the vacancy caused by the death of that member.

Dated: 20.....

.....
Member for the

.....
electoral district

.....
Member for the

.....
electoral district

”

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.