



Western Australia

Electoral Act 1907

## **Electoral Regulations 1996**



# Electoral Regulations 1996

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## Electoral Regulations 1996

### Part 1 — Preliminary

#### 1. Citation

These regulations may be cited as the *Electoral Regulations 1996*.

#### 2. Terms used

In these regulations, unless the contrary intention appears —  
***authorised person*** means a presiding officer or a person performing the duties of, or exercising the powers of, a presiding officer under section 105 of the Act;

***ballot paper envelope*** means an envelope referred to in section 90(4)(c)(ii) or 90(4b)(b) of the Act or in regulation 14(1)(c), 14(3)(b) or 15(b);

***issuing officer*** means a person referred to in section 90(1a) of the Act;

***record*** means any thing or process —

- (a) upon or by which information is recorded or stored; or
- (b) by means of which a meaning can be conveyed by any means in a visible or recoverable form,

whether or not the use or assistance of some electronic, electrical, mechanical, chemical or other device or process is required to recover or convey the information or meaning.

*[Regulation 2 amended: Gazette 10 Nov 2000 p. 6164;  
11 May 2007 p. 1995.]*

**3. Reference in declaration or statement to district includes reference to whole of State electorate**

In any form of declaration or statement made, or to be made, by an officer, clerk, elector or voter, in relation to an election or referendum, a reference in the declaration or statement to a district is, unless the contrary intention appears, to be read and construed, as well, as a reference to the whole of State electorate.

*[Regulation 3 amended: SL 2022/195 r. 4.]*

**4. Regulations apply to more than one election held on same day**

The provisions of these regulations, and the forms prescribed in these regulations apply, as nearly as is practicable and with such modifications as are, in the opinion of the Electoral Commissioner, necessary or expedient, as well to more than one election, including one or more referendums, held on the same day as to any other election.

*[Regulation 4 amended: SL 2022/195 r. 5.]*



## Part 2 — Charges and forms

[5. Deleted: Gazette 20 Oct 2000 p. 5927.]

**6. Certain declarations and appointments, forms of etc. (Sch. 2)**

- (1) The declaration by an officer prescribed for the purposes of section 15A of the Act is the declaration in Form 1 in Schedule 2.

[(2) deleted]

- (3) A person is not permitted to enter a polling place for the purpose of acting as a scrutineer unless that person has made a declaration in the form of Form 3 in Schedule 2.
- (4) The form prescribed for the purposes of section 104(1) of the Act for the appointment of a presiding officer, assistant presiding officer, poll clerk or doorkeeper is Form 4 in Schedule 2.

*[Regulation 6 amended: Gazette 8 Nov 1996 p. 6267.]*

**7. Forms prescribed etc. (Sch. 3)**

- (1) The forms in Schedule 3 are prescribed in relation to the matters specified in the forms.
- (2) If a form in a schedule is to be completed by the insertion of particulars required in the form, those particulars are prescribed as the particulars required under the provision of the Act or of these regulations for the purposes of which the form is prescribed.
- (3) If a form in a schedule contains directions for its completion the form is to be completed in accordance with those directions.

### **Part 3 — Rolls**

#### **8. Content of rolls; when information may be omitted**

- (1) In addition to the matters prescribed in section 22 of the Act a roll is to set out the sex and occupation of each elector on the roll.
- (2) Despite subregulation (1), the sex and occupation of electors may be omitted when —
  - (a) rolls are —
    - (i) printed under section 24 of the Act; or
    - (ii) made available under section 25 of the Act; or
    - (iii) supplied under section 112 of the Act;or
  - (b) when information on rolls or other information relating to electors is provided or made available under section 25B or 25C of the Act.
- (3) A person's name may be omitted when the Electoral Commissioner makes rolls available under section 25 of the Act or enrolment information available under section 25B 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 available under section 25 or enrolment information available under section 25B.

*[Regulation 8 amended: Gazette 8 Nov 1996 p. 6267;  
20 Oct 2000 p. 5928; 11 May 2007 p. 1995-6.]*

*[9. Deleted: Gazette 10 Nov 2000 p. 6164.]*

**10. Manner of marking roll prescribed (Act s. 47(3)(g))**

- (1) If an enrolment officer objects to any claim for enrolment, and is required under section 47(3)(g) of the Act to enrol the claimant, the enrolment officer is to enter the notation “47(3)(g)” against the claimant’s name on the roll.
- (2) The notation referred to in subregulation (1) may be entered by electronic means if that is appropriate in the circumstances.

*[Regulation 10 amended: Gazette 10 Nov 2000 p. 6164.]*

**10A. Manner prescribed of recording on roll the issue of ballot paper (Act s. 126(1))**

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
- (b) by electronic means,

whichever is appropriate in the circumstances.

*[Regulation 10A inserted: Gazette 20 Oct 2000 p. 5928-9.]*

## **Part 4 — Early, absent and provisional voting**

*[Heading amended: Gazette 10 Nov 2000 p. 6164.]*

### **11. Application for early ballot paper, matters prescribed for (Act s. 90)**

- (1) An oral application for an early ballot paper is to include a statement of the surname and given name of the applicant and the address for which the applicant is enrolled.
- (2) If a written application complies with section 90(4)(b) of the Act, the issuing officer is to ensure that there is an identifying number printed on the application.

*[Regulation 11 amended: Gazette 10 Nov 2000 p. 6165; 11 May 2007 p. 1996.]*

*[12. Deleted: Gazette 18 Apr 2000 p. 1976.]*

### **13. Early ballot paper posted etc. to returning officer etc., how to be dealt with (Act s. 92(4a))**

Where an envelope containing an early ballot paper is posted or delivered under section 92(4a) of the Act the returning officer or presiding officer, as the case may be, is to deposit the envelope in a sealed ballot box.

*[Regulation 13 amended: Gazette 10 Nov 2000 p. 6165.]*

### **14. Absent vote, how to be taken**

- (1) Subject to subregulations (2) and (3), the following provisions apply to the taking of absent votes —
  - (a) an absent vote is not to be cast by an elector at any polling place that is appointed under section 100 of the Act for the district for which the elector is enrolled;
  - (b) before a person is issued with a ballot paper for the purposes of casting an absent vote —
    - (i) the person in the presence of an authorised person is to complete and sign a declaration in the form of Form 31 in Schedule 3; and

- (ii) the authorised person is to attest the signature of that person to the declaration;
  - (c) the declaration referred to in paragraph (b) is to be attached to the envelope to be used for the purpose of forwarding the ballot paper to the Electoral Commissioner;
  - (d) the ballot paper issued to an elector for the purposes of absent voting is to contain the particulars relevant to a ballot paper in relation to the election in which the vote is proposed to be cast in accordance with the Act, and if necessary these particulars are to be endorsed on the ballot paper by the appropriate officer;
  - (e) the elector is to indicate their vote on the ballot paper in the manner prescribed by section 128 of the Act, fold the ballot paper, put it in the envelope attached to the declaration made by the elector under paragraph (b), and deposit the fastened envelope in a sealed ballot box in use at the polling place at which the vote was cast.
- (2) If an elector wishes to vote as an absent voter at a polling place at which there is a copy of the roll for the district for which the elector is enrolled, an authorised person may dispense with the requirements of subregulation (1)(b) to (e).
- (3) If the authorised person issues a ballot paper to the elector after dispensing with the requirements of subregulation (1)(b) to (e) —
- (a) the authorised person is to make a record in respect of the elector’s name on a copy of the roll referred to in subregulation (2); and
  - (b) the authorised person is to give the elector an envelope bearing the name of the district in respect of which the ballot paper is issued or the words “whole of State electorate”, as the case requires; and
  - (c) the elector is to indicate their vote on the ballot paper in the manner prescribed by section 128 of the Act, fold the ballot paper, put it in the envelope and deposit the

fastened envelope in a sealed ballot box in use at the polling place at which the vote was cast.

- (4) The record referred to in subregulation (3)(a) may be made by electronic means if that is appropriate in the circumstances.

*[Regulation 14 amended: Gazette 10 Nov 2000 p. 6165-6; 11 May 2007 p. 1996; SL 2022/195 r. 6.]*

**15. Provisional vote, how to be taken**

The following provisions apply to the taking of provisional votes under sections 119(4a), 122(2) or 122A(1) of the Act —

- (a) the declaration required to be made by a person under section 119(4), 122(1) or 122A(1) of the Act is to be in the form of Form 31 in Schedule 3 and is to be signed in the presence of an authorised person who is to attest the signature of the person to the declaration;
- (b) the declaration referred to in paragraph (a) is to be attached to the envelope to be used for the purpose of forwarding the ballot paper to the Electoral Commissioner;
- (c) the ballot paper issued for the purposes of provisional voting is to contain the particulars relevant to the election in which the vote is to be cast, and if necessary those particulars may be endorsed on the ballot paper by the appropriate officer;
- (d) the person claiming the provisional vote is to indicate their vote on the ballot paper in the manner prescribed by section 128 of the Act, fold the ballot paper, put it in the envelope attached to the declaration made by the person under paragraph (a), and deposit the fastened envelope in a sealed ballot box in use at the polling place where the vote was cast.

*[Regulation 15 amended: Gazette 10 Nov 2000 p. 6166-7; SL 2022/195 r. 7.]*

**16. Records of early, absent and provisional votes, presiding officer's duties as to**

- (1) A presiding officer is to maintain records, in a format approved by the Electoral Commissioner, of —
  - (a) all early ballot papers received at the polling; and
  - (b) the particulars of every person issued with a ballot paper for absent voting or provisional voting at the polling.
- (2) At the close of the poll the presiding officer is to forward the records made under subregulation (1) —
  - (a) to the returning officer for the district or the whole of State electorate, as the case requires; or
  - (b) if so directed by the Electoral Commissioner or the returning officer for the district or the whole of State electorate, as the case requires, to the Electoral Commissioner,

by any means approved by the Electoral Commissioner.

*[Regulation 16 amended: Gazette 10 Nov 2000 p. 6167; 11 May 2007 p. 1996; 4 Dec 2012 p. 5910; SL 2022/195 r. 8.]*

**17. Early, absent and provisional votes in ballot box, how to be dealt with**

- (1) At the close of the poll the assistant returning officer or returning officer who opens the ballot box is to —
  - (a) cause the envelopes with early ballot papers, absent votes or provisional votes to be separated from the other ballot papers contained in the ballot box; and
  - (b) cause the envelopes to be sorted into their respective districts.
- (2) If the ballot box is opened by an assistant returning officer, the assistant returning officer is to forward the envelopes —
  - (a) to the returning officer for the district or the whole of State electorate, as the case requires; or

- (b) if so directed by the Electoral Commissioner or the returning officer for the district or the whole of State electorate, as the case requires, to the Electoral Commissioner,

by any means approved by the Electoral Commissioner.

*[Regulation 17 amended: Gazette 10 Nov 2000 p. 6167; SL 2022/195 r. 9.]*

**18. Early, absent and provisional votes and records, returning officer to forward to Electoral Commissioner**

The returning officer is to —

- (a) compile a consolidated record in a format approved by the Electoral Commissioner of the records made under regulation 16; and
- (b) forward the consolidated record to the Electoral Commissioner, together with the envelopes with early ballot papers, absent votes and provisional votes and the records, by any means approved by the Electoral Commissioner.

*[Regulation 18 amended: Gazette 10 Nov 2000 p. 6167; 4 Dec 2012 p. 5910.]*

**19. Declarations as to early ballot papers and counting of votes, scrutiny of etc.**

- (1) The officer concerned with the scrutiny of declarations relating to early ballot papers is to —
  - (a) in the case of an early ballot paper in relation to which a declaration was issued under section 90(4)(c) or (4c)(b) of the Act, examine the declaration to ensure that the early ballot paper should not be rejected under section 92(9) of the Act; and
  - (b) if satisfied that the early ballot paper should not be rejected —
    - (i) make a record of the elector having voted; and



- (ii) open the ballot paper envelope, remove the ballot paper contained in it and place the ballot paper, without inspection, in a ballot box or packet for the relevant district or the whole of State electorate, as the case requires, to await counting in accordance with the relevant provisions of the Act; and
  - (iii) keep the ballot box or packet secure; and
  - (c) if satisfied that the early ballot paper should be rejected, set the envelope aside for retention by the Electoral Commissioner.
- (2) In addition to the duties referred to in subregulation (1), if the early ballot paper was obtained by written application the officer concerned with the scrutiny of declarations relating to early ballot papers is to check the declaration against the application made by the person applying for that early ballot paper.
- [(3) deleted]*
- (4) If any declarations are scrutinised before the close of the poll, the officer concerned with the scrutiny is to give written notice of the time and place of the scrutiny to —
- (a) each registered political party; and
  - (b) any candidate who is not a recognised candidate of a registered political party.

*[Regulation 19 amended: Gazette 10 Nov 2000 p. 6167-8; 11 May 2007 p. 1997; 4 Dec 2012 p. 5910-11; SL 2022/195 r. 10.]*

**20. Declarations as to and counting of absent votes and provisional votes, scrutiny of**

- (1) The officer concerned with the scrutiny of declarations made under section 119(4), 122(1) or 122A(1) of the Act, or

regulation 14(1)(b), in relation to absent or provisional votes is to —

- (a) examine the declaration to ensure it is signed by the person claiming to vote and witnessed by the authorised person; and
  - (b) examine the roll to ensure that the name of the person claiming to vote is enrolled; and
  - (c) if the name is on the roll —
    - (i) make a record of the elector having voted; and
    - (ii) detach the declaration from the ballot paper envelope, remove the ballot paper contained in it and place the ballot paper, without inspection, in a ballot box or packet for the relevant district or the whole of State electorate, as the case requires, to await counting in accordance with the relevant provisions of the Act; and
    - (iii) keep the ballot box or packet secure;and
  - (d) if the name is not on the roll, set the envelope aside for retention by the Electoral Commissioner.
- (2) Where a declaration relating to an absent or provisional vote is not signed by the authorised person, the officer conducting the scrutiny of the declarations is not to reject the ballot paper for that reason alone.
- (3) An assistant returning officer who is counting absent voters' ballot papers in accordance with the relevant provisions of the Act is to open any ballot paper envelope referred to in regulation 14(3)(b), remove the ballot paper contained in it and count the ballot paper.

*[Regulation 20 amended: Gazette 10 Nov 2000 p. 6168-9; 11 May 2007 p. 1997; 4 Dec 2012 p. 5911; SL 2022/195 r. 11.]*

**21. Ballot paper in envelope to be rejected if not ballot paper for relevant election**

*[(1) deleted]*

- (2) Where a ballot paper in a ballot paper envelope is not the ballot paper for the election in relation to which the ballot paper was cast the ballot paper is to be rejected.

*[Regulation 21 amended: Gazette 10 Nov 2000 p. 6169;  
SL 2022/195 r. 12.]*

## **Part 5 — Miscellaneous**

### **22. Enrolment procedure; person not enrolled, Commissioner's powers as to etc.**

- (1) A person entitled to enrolment as an elector is to fill in, sign and send to the Electoral Commissioner a claim in the form of Form 2 in Schedule 3.
- (2) Where it appears to the Electoral Commissioner that the name of a person who is qualified to be enrolled as an elector on a roll under the Act is not so enrolled the Electoral Commissioner is to —
  - (a) notify that person in writing that —
    - (i) that person is required to fill in, sign and send to the Electoral Commissioner, within the period specified in the notice, a claim for enrolment in accordance with section 45 of the Act; and
    - (ii) no claim or notice in writing for enrolment in respect of that person's present address has been received by the Electoral Commissioner or on the Electoral Commissioner's behalf subsequently to the last known date of the breach of section 45(1) or (2) of the Act; and
    - (iii) a penalty (not exceeding \$20) has been imposed by the Electoral Commissioner for the apparent breach and advising that upon payment of the penalty and lodgement of a claim or notice in writing by that person within a specified time no further action in respect of the breach will be taken; and
    - (iv) should the penalty not be paid and a claim or notice in writing for enrolment not be lodged with or on behalf of the Electoral Commissioner within the specified time, the Electoral Commissioner may institute proceeding before a

court of summary jurisdiction for a breach of section 45(1) or (2) of the Act;

and

- (b) provide a copy of Form 4 in Schedule 3 to the person and inform the person of their rights under subregulation (3).
- (3) If a person against whom action has been taken under subregulation (2) believes that he or she is not in breach of section 45(1) or (2) of the Act that person may complete and sign a declaration in accordance with Form 4 within the period specified in the notice under subregulation (2) and return it to the Electoral Commissioner who may then decide to discontinue the action under subregulation (2) or to confirm that action and advise that person accordingly.
- (4) No action taken under subregulation (2) against a person prevents any further like action should a breach of section 45(1) or (2) of the Act appear to the Electoral Commissioner to continue on the part of that person.

*[Regulation 22 amended: Gazette 10 Nov 2000 p. 6169; 11 May 2007 p. 1997; SL 2022/195 r. 13.]*

**22A. Procedure if same person relied on as member by 2 or more political parties (Act s. 62CA)**

- (1) This regulation applies if 2 or more political parties purport to rely on the same person (the **relevant person**) as a member for the purpose described in section 62CA(1) of the Act.
- (2) The Electoral Commissioner must, in writing —
  - (a) request the relevant person to nominate, within 30 days after receiving the request, the political party entitled to rely on the relevant person as a member; and
  - (b) advise the political parties that the Electoral Commissioner has made the request.

**r. 22B**

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- (3) If, as a result of a nomination made by the relevant person or a failure by the relevant person to make a nomination, a political party ceases to qualify as an eligible political party, the Electoral Commissioner must —
- (a) in writing, advise the political party of that fact; and
  - (b) give the political party at least 60 days in which to provide the name, address and declaration as to membership of any additional member of the party on whom it relies for the purpose of qualifying as an eligible political party.

*[Regulation 22A inserted: SL 2022/195 r. 14.]*

**22B. Manner of deposit (Act s. 81(1)(b))**

For the purposes of section 81(1)(b) of the Act, the required deposit may be made by electronic funds transfer.

*[Regulation 22B inserted: SL 2022/195 r. 14.]*

**23. Person not voting, matters prescribed in relation to (Act s. 156)**

- (1) A notice sent under section 156(4) of the Act to an elector is to be sent within 3 months after the return of the writ for the election at which the elector appears to have failed to vote.
- (2) For the purposes of section 156(6)(c)(iii) and (13A)(b) of the Act, the modified penalty is —
- (a) if the elector has previously paid a modified penalty, or been convicted of an offence, under section 156 of the Act — \$50; or
  - (b) otherwise — \$20.

*[Regulation 23 amended: Gazette 4 Dec 2012 p. 5911.]*

**24. Appointment of scrutineer (Act s. 137 and 146C)**

The appointment of a scrutineer under section 137 or 146C must be signed —

- (a) by the person by whom the scrutineer is appointed; or
- (b) if the scrutineer is appointed by a group — by any of the candidates in the group.

*[Regulation 24 inserted: Gazette 16 Aug 2016 p. 3470.]*

**25. Manner prescribed of verifying nomination made by message sent electronically (Act s. 156C)**

A nomination by message sent by electronic means under section 156C of the Act is verified —

- (a) where the nominating candidate has signed the message, if the Electoral Commissioner is satisfied that the signature by the nominating candidate on the message is the same signature as that of that person on the form on which that person nominated as a candidate in the most recent Council election; or
- (b) where the nominating candidate has not signed the message, if the Electoral Commissioner has been orally advised by the nominating candidate that that person was the person who sent the electronic message.

*[Regulation 25 amended: SL 2022/195 r. 15.]*

**26. Manner prescribed of declaring election after re-count (Act s. 156D(8))**

When on a re-count under section 156D(8) of the Act a consenting candidate is elected the Electoral Commissioner shall, before all persons then present, declare that consenting candidate to be elected as a member of the Council to fill the vacancy.

**27.        Officer prescribed (Act s. 162(1)(ca))**

Any officer employed in the department referred to in section 4A of the Act is a prescribed officer for the purpose of section 162(1)(ca) of the Act.

**28.        Public employee etc. standing for election to take leave etc.**

(1) In this regulation, unless the contrary intention appears —

***election period***, in relation to a candidate in an election, means the period commencing when the nomination of that candidate is lodged and ending when —

- (a) that nomination is withdrawn; or
- (b) that candidate or another candidate is declared elected to the Legislative Council or Legislative Assembly, as the case may be; or
- (c) the Electoral Commissioner, during the counting of the votes, certifies under subregulation (2) that the candidate has no prospect of being elected,

whichever occurs first;

***member*** in relation to a prescribed body means —

- (a) any member of the body whether known as a member, commissioner, councillor, trustee, director or by any other title;
- (b) any deputy, alternate or acting member of the body,

and includes a person holding the office of chairman or president or any other office of the body;

***prescribed body*** means a commission, council, board, committee or other body mentioned in Part 3 of Schedule V to the *Constitution Acts Amendment Act 1899*;

***public employee*** means a person who holds any office or place mentioned in Part 2 of Schedule V to the *Constitution Acts Amendment Act 1899*.



- (2) The Electoral Commissioner may during the counting of the votes certify that a candidate has no prospect of being elected.
- (3) A public employee who nominates as a candidate in an election is to take leave of absence from employment as a public employee, such leave to commence not later than the working day next following the day on which the election period commences and to end not earlier than the day on which the election period ends or, if that day is not a working day, the working day next preceding that day.
- (4) Notwithstanding anything contained in the Act under which a public employee is appointed or employed —
- (a) the employee is by this regulation authorised to apply for and take; and
  - (b) the employer of the employee is by this regulation authorised to grant,
- leave of absence that is required to be taken under subregulation (3).
- (5) Leave of absence taken by a public employee under subregulation (3) is to be taken without pay except to the extent that the employee has an accrued entitlement to, and applies for, leave with pay.
- (6) A member of a prescribed body who nominates as a candidate in an election is not at any time during the election period to attend any meeting of the body, or perform any function or duty as a member of the body, or receive any salary, fees, allowances, expenses or other remuneration as a member of the body.
- (7) The inability of a member of a prescribed body to —
- (a) attend a meeting of the body; or
  - (b) perform a function or duty as a member of the body,
- without contravening subregulation (6) is sufficient cause for a duly appointed or elected deputy as alternate of that member to

attend the meeting or perform the duty or function, as the case may require.

- (8) Where a member of a prescribed body —
- (a) is absent from a meeting of the body; or
  - (b) fails to perform a function or duty as a member of the body,

in compliance with subregulation (6), that absence or failure is to be disregarded for the purposes of any enactment under which the member may vacate or be removed from office as a member by reason of absence from meetings or neglect of duty.

*[Regulation 28 amended: Gazette 8 Nov 1996 p. 6267; 20 Oct 2000 p. 5929; SL 2022/195 r. 16.]*

**29.        Transmission and destruction of records of election**

- (1) When transmitting documents to the Electoral Commissioner under section 151 of the Act, the returning officer is to transmit a copy, in a written form, of any electronic record made for the purposes of these regulations that would have been required to be so transmitted if it had been made in a written form.
- (2) Section 155 of the Act applies to a record made under these regulations as if the record were a document for the purposes of that section.

*[Regulation 29 amended: Gazette 4 Dec 2012 p. 5911.]*

**29A.      Articles prescribed that can be used for electoral advertising (Act s. 187(2)(d))**

The following classes of articles are prescribed for the purposes of section 187(2)(d) of the Act —

- (a) articles of apparel;

(b) articles in the nature of dress or personal accessories.

*[Regulation 29A inserted: Gazette 10 Nov 2000 p. 6170.]*

*[30. Omitted under the Reprints Act 1984 s. 7(4)(f).]*

## **Part 6 — Transitional**

*[Heading inserted: SL 2022/195 r. 17.]*

### **31. Transitional provision for *Electoral Amendment Regulations 2022***

- (1) In this regulation —  
***commencement day*** means the day on which the *Electoral Amendment Regulations 2022* regulation 19(14) and (15) come into operation.
- (2) Despite the amendments made by the *Electoral Amendment Regulations 2022* regulation 19(14) and (15), Schedule 3 Forms 35 and 36 as in force immediately before commencement day continue to apply in respect of the filling of a vacancy in the Council under sections 156C and 156D of the Act before 22 May 2025.

*[Regulation 31 inserted: SL 2022/195 r. 17.]*

*[Schedule 1 deleted: Gazette 20 Oct 2000 p. 5929.]*

**Schedule 2**

**Form 1**

[Regulation 6(1)]

Western Australia

*Electoral Act 1907* (s. 15A)

**DECLARATION BY OFFICER**

I, .....,  
of .....  
declare that —

1. I accept the office of .....
2. I will faithfully and impartially perform the duties of my office to the best of my understanding and ability; and
3. I have no active or official connection with —
  - (a) any political party;
  - (b) any election or campaign committee; or
  - (c) any person who has nominated as a candidate for an election in a district or the whole of State electorate in respect of which I will be carrying out my duties,and I will immediately notify the Electoral Commissioner if such a connection arises.

.....  
Signature of officer

Declared before me on .....

Date

.....  
Signature of witness

.....  
Name of witness

[A declaration by the Electoral Commissioner, the Deputy Electoral Commissioner, an Acting Electoral Commissioner or a returning officer must be witnessed by a Justice of the Peace.

A declaration by any other officer must be witnessed by a person who is, or is qualified to be, an elector at Commonwealth or State elections.]

*[Form 1 inserted: Gazette 8 Nov 1996 p. 6268; amended:  
SL 2022/195 r. 18(1).]*

*[Form 2 deleted: Gazette 8 Nov 1996 p. 6268.]*

**Form 3**

[Regulation 6(3)]

Western Australia

*Electoral Act 1907* (s. 114(3))

**DECLARATION BY SCRUTINEER**

I, ..... of .....  
a scrutineer appointed by .....  
a candidate/the official agent of a candidate\* for the  
..... District/whole of State electorate\* at  
the ..... Polling Place declare that I  
will faithfully observe all the provisions of the *Electoral Act 1907* which relate  
to the office of scrutineer.

.....  
Signature of scrutineer

Declared before me on .....

Date

.....  
Returning officer or presiding officer

\*Strike out whichever is not applicable.

*[Form 3 amended: Gazette 16 Aug 2016 p. 3470; SL 2022/195  
r. 18(2).]*

**Form 4**

[Regulation 6(4)]

Western Australia

*Electoral Act 1907* (s. 104(1))

**APPOINTMENT OF PRESIDING OFFICER, ASSISTANT PRESIDING  
OFFICER, POLL CLERK OR DOORKEEPER**

I appoint .....  
(full name of appointee)

of ..... to be .....  
(position)

at the ..... polling place  
for the election to be held on .....

.....  
Date

.....  
Returning officer

**Schedule 3**

**Form 1**

Western Australia

*Electoral Act 1907* (s. 22)

**FORM OF ELECTORAL ROLL**

Roll of electors for the .....  
District.

Surname	Christian or given names	Residence	Occupation*	Sex*
---------	-----------------------------	-----------	-------------	------

[\* This column may be omitted when rolls are printed under section 24 of the Act, made available under section 25 of the Act or supplied under section 112 of the Act or when information on rolls or other information relating to electors is provided or made available under section 25B or 25C of the Act.]

*[Form 1 amended: Gazette 8 Nov 1996 p. 6269; 20 Oct 2000 p. 5929; 11 May 2007 p. 1997; SL 2022/195 r. 19(1).]*



**Form 2**  
Western Australia  
*Electoral Act 1907 (s. 42)*  
**CLAIM FOR ENROLMENT**

<b>1</b>	Surname or family name All Christian or given names	<input type="text"/> <input type="text"/>	
<b>2</b>	Address	<input type="text"/> <input type="text"/> Postcode	
<b>3</b>	Phone numbers	Mobile <input type="text"/>	Daytime <input type="text"/> (08) <input type="text"/>
	Email address	<input type="text"/>	
<b>4</b>	Postal address	<input type="text"/> <input type="text"/> Postcode	
<b>5</b>	Occupation	<input type="text"/>	<b>6</b> Male <input type="checkbox"/> Female <input type="checkbox"/>
<b>7</b>	Date of birth	<input type="text"/> Day <input type="text"/> Month <input type="text"/> Year	<b>8</b> Town of birth <input type="text"/>
<b>9</b>	Place of birth	<input type="text"/>	
<b>10</b>	Citizenship status	<input type="checkbox"/> Australian citizen by birth <i>or</i> <input type="checkbox"/> I have become an Australian citizen	
		Citizenship certificate number	<input type="text"/>
	Name on citizenship certificate <i>or</i>	<input type="text"/>	

**Form 2**

---

British subject who was enrolled at any time between  
26 October 1983 and 25 January 1984 inclusive

Name on 25 January 1984

**11** Former surname  
or family name  
Former Christian  
or given names


**12** Former address

Postcode

**13** Evidence of your  
identity

Australian  
driver's licence

Number

State or  
Territory

*Confirm your  
identity using one  
of these 3 options*

*or*

Australian  
passport

Number

*or*

Have a person who is on the Commonwealth electoral  
roll confirm your identity below ▼

**14 YOUR DECLARATION**

- I am eligible to enrol for Western Australian elections.
- I declare that all the information I have given on this form is true and complete.

**15 DECLARATION**

- I am on the Commonwealth electoral roll.
- I confirm the identity of the applicant.
- I saw the applicant mark this form.\*

*\* Only applies if the applicant has made a mark because the applicant is unable to sign their name.*

Signature or mark of applicant

Signature of person confirming  
your identity

The declaration at question 15 **must** be completed if the applicant has made a mark because the applicant is unable to sign their name.

Name and address of person  
confirming your identity


*[Form 2 inserted: Gazette 4 Dec 2012 p. 5912-13; amended:  
SL 2022/195 r. 19(2).]*

**Form 3**

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**Form 3**

Western Australia

*Electoral Act 1907* (s. 44A(3)(a))

**NOTICE OF REJECTION OF CLAIM**

To .....

I wish to advise that your claim dated ..... to have your name placed on the roll for the ..... District does not comply with section 44 of the *Electoral Act 1907* for the following reasons:

.....  
.....  
.....

Therefore, your claim is rejected.

.....  
ENROLMENT OFFICER

.....  
Date

*[Form 3 inserted: Gazette 10 Nov 2000 p. 6170-1; amended: SL 2022/195 r. 19(3).]*

**Form 4**

Western Australia

*Electoral Act 1907* (reg. 22)

**DECLARATION BY A PERSON ALLEGED TO HAVE FAILED TO  
COMPLY WITH THE COMPULSORY ENROLMENT PROVISIONS  
OF SECTION 45 OF THE ELECTORAL ACT**

I, ..... of .....  
..... declare that\* .....  
.....  
.....

Signed: .....

Date: .....

Declared before me:

.....  
An elector or a person qualified to be an  
elector for the Commonwealth or the State  
.....

Address of witness

\* Set out any facts which you believe should be taken into account in dealing  
with the alleged offence.

**Form 5**

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**Form 5**

Western Australia

*Electoral Act 1907* (s. 47(3)(a))

**ENROLMENT OFFICER'S OBJECTION TO CLAIM**

To .....

I refer to your claim dated ..... to be enrolled as an elector for the State Electoral District of ..... and advise that I believe that you are not entitled to be so enrolled for the following reasons:

.....  
.....  
.....

Unless the attached notice of appeal (Form 6) is completed and signed by you and returned to me within ..... days from the date of this notice, your claim will be rejected.

.....  
ENROLMENT OFFICER

.....  
Date

*[Form 5 inserted: Gazette 10 Nov 2000 p. 6171.]*

**Form 6**  
Western Australia  
*Electoral Act 1907 (s. 47(3)(a))*  
**APPEAL AGAINST OBJECTION TO CLAIM**

To the Enrolment Officer:

<b>District</b>					
<b>Surname</b>					
<b>Given names</b>					
<b>Residential Address</b>	<b>Street No.</b>		<b>Street Name</b>		
	<b>Suburb</b>			<b>Postcode</b>	
<b>Phone numbers</b>	<b>(Home)</b>			<b>(Work)</b>	
<b>Fax number</b>			<b>E-mail</b>		
<p>I wish to appeal against your objection to my claim for enrolment as an elector for the State Electoral District of ..... for the following reasons:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>					
<b>Signature of Claimant</b>				<b>Date</b>	

*[Form 6 inserted: Gazette 10 Nov 2000 p. 6172.]*

**Form 7**

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**Form 7**

Western Australia

*Electoral Act 1907 (s. 48(2)(a))*

**ELECTOR'S OBJECTION TO ENROLMENT**

To the Electoral Commissioner:

<b>District</b>						
<b>Surname</b>						
<b>Given names</b>						
<b>Residential Address</b>	<b>Street No.</b>		<b>Street Name</b>			
	<b>Suburb</b>				<b>Postcode</b>	
<b>Phone numbers</b>	<b>(Home)</b>			<b>(Work)</b>		
<b>Fax number</b>			<b>E-mail</b>			
I wish to object to the name of ..... being on the roll for the State Electoral District of ..... for the following reasons: ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... ..... .....						
I enclose a deposit of \$2.00						
<b>Signature of Objector</b>				<b>Date</b>		

*[Form 7 inserted: Gazette 10 Nov 2000 p. 6173.]*



**Form 8**

Western Australia

*Electoral Act 1907* (s. 48(3)(a))

**ENROLMENT OFFICER’S OBJECTION TO ENROLMENT**

To: .....

You are currently enrolled on the State electoral roll for the State Electoral District of ..... However, your enrolment is objected to because I have the following reasons for believing that your name should not be retained on the roll:

.....  
.....  
.....

Unless the attached notice of appeal (Form 9) is completed and signed by you and returned to me within ..... days of the date of this notice, your name will be removed from the State electoral roll.

.....  
ENROLMENT OFFICER

.....  
Date

*[Form 8 inserted: Gazette 10 Nov 2000 p. 6174.]*

**Form 9**

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**Form 9**  
 Western Australia  
*Electoral Act 1907 (s. 48(3)(a))*  
**NOTICE OF APPEAL AGAINST ENROLMENT OFFICER'S  
 OBJECTION TO ENROLMENT**

To the Enrolment Officer:

<b>District</b>					
<b>Surname</b>					
<b>Given names</b>					
<b>Residential Address</b>	<b>Street No.</b>		<b>Street Name</b>		
	<b>Suburb</b>			<b>Postcode</b>	
<b>Phone numbers</b>	<b>(Home)</b>			<b>(Work)</b>	
<b>Fax number</b>			<b>E-mail</b>		
<p>I wish to appeal against your objection to the retention of my name on the roll for the State Electoral District of ..... for the following reasons:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>					
<b>Signature of Elector</b>				<b>Date</b>	

*[Form 9 inserted: Gazette 10 Nov 2000 p. 6175.]*

**Form 10**

Western Australia

*Electoral Act 1907* (s. 51B(1), (2))

**REQUEST BY AN ELECTOR FOR ADDRESS NOT TO BE SHOWN ON  
ELECTORAL ROLL**

Please do not show my address on the electoral roll

**1** SURNAME or FAMILY NAME .....

ALL CHRISTIAN or GIVEN NAMES .....

**2** RESIDENTIAL ADDRESS .....

**3** DAYTIME PHONE NUMBER for contact  
(if convenient) .....

**4** POSTAL ADDRESS .....  
If this address is the same as shown at 2,  
print "AS ABOVE"

Postcode

**5** OCCUPATION .....

**6** SEX .....

Male

Female

**7** DATE OF BIRTH .....

Day

Month

Year

**8** I REQUEST THAT MY ADDRESS .....  
(Please tick the appropriate box)

(a)  not be entered on the electoral roll.  
An Electoral Enrolment Form  
claiming enrolment for my address  
is attached;

OR

(b)  be removed from the electoral roll.

**NOTE:** A statutory declaration must be  
completed attesting to the existence of the  
risk(s) claimed and forwarded with this  
application. That declaration may be made  
by the elector or some other person able to  
attest to the facts.

Having my address shown on the electoral  
roll places the personal safety of myself or  
members of my family at personal risk.

**Form 10**

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**9** I ALSO REQUEST THAT MY NAME BE OMITTED WHEN THE ROLL IS MADE AVAILABLE UNDER SECTION 25 OR 25B OF THE ACT

(Tick the box if required)

**10** I ALSO APPLY TO BE REGISTERED AS A GENERAL EARLY VOTER UNDER SECTION 93 OF THE ACT

(Tick the box if required)

.....  
Signature or mark of applicant  
(Not required if applicant makes the declaration below. Please ensure that the declaration is made before this application is sent to the Electoral Commissioner)

**Statutory declaration as to risk**

I [*name, address and occupation of person making the declaration*] sincerely declare that the risk referred to in **8** above is as follows:

.....  
.....  
.....  
.....

This declaration is true and I know that it is an offence to make a declaration knowing that it is false in a material particular.

This declaration is made under the *Oaths, Affidavits and Statutory Declarations Act 2005* at [*place*] on [*date*] by —

[*Signature of person making the declaration*]

in the presence of —

[*Signature of authorised witness*]

[*Name of authorised witness and qualification as such a witness*]

For a list of people who are authorised to witness statutory declarations, see the *Oaths, Affidavits and Statutory Declarations Act 2005* Schedule 2.

*[Form 10 amended: Gazette 10 Nov 2000 p. 6176-7; 11 May 2007 p. 1998; SL 2022/195 r. 19(4).]*

**Form 11**

Western Australia

*Electoral Act 1907 (s. 56)*

**NOTIFICATION OF DEATHS OF PERSONS NOT UNDER 17  
FOR MONTH OF .....**

Surname .....

Given name .....

Date of birth .....

Late address .....

Age and sex .....

Date of death .....

Late occupation.....

(repeated as necessary)

.....

Registrar General

*[Form 11 amended: Gazette 10 Nov 2000 p. 6175.]*

*[Form 12 deleted: Gazette 10 Nov 2000 p. 6175.]*

*[Form 13 deleted: Gazette 12 Dec 1997 p. 7259.]*

*[Forms 14 and 15 deleted: Gazette 11 May 2007 p. 1998.]*

**Form 16**  
Western Australia  
*Electoral Act 1907* (s. 64(1) and (2) 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**

(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 16 inserted: Gazette 20 Oct 2000 p. 5930-1; amended: Gazette 4 Dec 2012 p. 5913.]*

**Form 17**

Western Australia

*Electoral Act 1907* (s. 64(3) and 69)

**WRIT**

**Writ for an election in the whole of State electorate to elect  
members of the Legislative Council**

**To the Electoral Commissioner:**

I direct you to proceed with an election in the whole of State electorate to elect  
37 members of the Legislative Council.

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**



(Reverse)  
**Certificate**

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

Elected candidates	Date of declaration
.....	.....
.....	
.....	
.....	
.....	
.....	

Dated ..... 20 .....  
Electoral Commissioner

*[Form 17 inserted: Gazette 20 Oct 2000 p. 5931-2; amended: Gazette 21 Nov 2008 p. 4922; 4 Dec 2012 p. 5913; SL 2022/195 r. 19(5).]*

**Form 18**

Western Australia

*Electoral Act 1907* (s. 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**

(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 18 inserted: Gazette 20 Oct 2000 p. 5933-4.]*

**Form 19**

Western Australia

*Electoral Act 1907* (s. 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.....

**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 19 inserted: Gazette 20 Oct 2000 p. 5934-5.]*

**Form 20**  
Western Australia  
*Electoral Act 1907 (s. 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.....

**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 20 inserted: Gazette 20 Oct 2000 p. 5935-6.]*

**Form 21**

Western Australia

*Electoral Act 1907 (s. 156E and 69)*

# WRIT

**Writ for an election in the whole of State electorate 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 whole of State electorate to elect a  
member of the Legislative Council.

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

*[Form 21 inserted: Gazette 20 Oct 2000 p. 5936-7; amended:  
SL 2022/195 r. 19(6).]*

**Form 22**

Western Australia

*Electoral Act 1907* (s. 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]*

(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 22 inserted: Gazette 20 Oct 2000 p. 5938-9.]*

**Form 23**

Western Australia

*Electoral Act 1907* (s. 88(2) and 69)

# WRIT

**Writ for a new election in the whole of State electorate 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 whole of State electorate to elect a member of the Legislative Council.

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

*[Form 23 inserted: Gazette 20 Oct 2000 p. 5939-40; amended:  
SL 2022/195 r. 19(7).]*

**Form 23A**

Western Australia

*Electoral Act 1907* (s. 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:

**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

*[Form 23A inserted: Gazette 20 Oct 2000 p. 5940-1.]*

**Form 23B**

Western Australia

*Electoral Act 1907* (s. 89(1) and 69)

**WRIT**

**Writ for a supplementary election in the whole of State  
electorate 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 whole of State electorate to elect ..... member(s) of the Legislative  
Council.

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(s)	Date of declaration
.....	.....

*[continue as required]*

Dated ..... 20 .....  
Electoral Commissioner

*[Form 23B inserted: Gazette 20 Oct 2000 p. 5941-2; amended:  
SL 2022/195 r. 19(8).]*

**Form 23C**  
Western Australia  
*Electoral Act 1907* (s. 89(2) and 69)

# WRIT

**Writ for a supplementary election in the whole of State  
electorate 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 whole of State electorate to elect ..... member(s) of the Legislative  
Council.

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(s)	Date of declaration
.....	.....

*[continue as required]*

Dated ..... 20 .....  
Electoral Commissioner

*[Form 23C inserted: Gazette 20 Oct 2000 p. 5943-4; amended:  
SL 2022/195 r. 19(9).]*

**Form 23D**

Western Australia

*Electoral Act 1907* (s. 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]*

(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 23D inserted: Gazette 20 Oct 2000 p. 5945-6.]*

**Form 23E**

Western Australia

*Electoral Act 1907* (s. 172(1)(c) and 69)

# WRIT

## **Writ for a new election in the whole of State electorate 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 whole of  
State electorate to elect ..... member(s) of the Legislative Council.

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(s)	Date of declaration
.....	.....

*[continue as required]*

Dated ..... 20 .....  
Electoral Commissioner

*[Form 23E inserted: Gazette 20 Oct 2000 p. 5946-7; amended:  
SL 2022/195 r. 19(10).]*

**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**

*[Form 23F inserted: Gazette 20 Oct 2000 p. 5948.]*

*[Form 24 deleted: Gazette 10 Nov 2000 p. 6175.]*



**Form 25**

Western Australia

*Electoral Act 1907 (s. 87A(2))*

**RETURNING OFFICER'S RECEIPT FOR NOMINATION AND  
DEPOSIT**

I acknowledge receipt of a deposit of \$..... cash/bank or other financial institution cheque payable to the Electoral Commissioner/electronic funds transfer\*and a nomination paper in respect of

.....

(name of candidate)

.....

Date

.....

Returning officer

\* Strike out whichever is not applicable

*[Form 25 amended: Gazette 8 Nov 1996 p. 6269; 20 Nov 1998 p. 6265; SL 2022/195 r. 19(11).]*

**Form 26**  
Western Australia  
*Electoral Act 1907 (s. 90)*

**APPLICATION FOR AN EARLY BALLOT PAPER**

ELECTOR TO COMPLETE — PLEASE PRINT CLEARLY IN BLACK INK

SURNAME OR FAMILY NAME		
GIVEN NAMES		
ADDRESS AS ENROLLED OR FOR WHICH ENROLMENT IS CLAIMED		
	Postcode	
PHONE NUMBERS	Home	Work
DATE OF BIRTH	/ /	

I am an elector for the

District

and am entitled to apply for an early ballot paper. I request that voting material be sent to me at:

Postcode

(If the same as your address as enrolled, print "As above")

**Signature or mark of applicant**

Date

Signature of authorised witness  
(only if applicant makes a mark)

Date

FOR ISSUING OFFICERS USE ONLY

DATE RECEIVED		NO.	
SIGNATURE			
PLACE OF ISSUE			

*[Form 26 amended: Gazette 10 Nov 2000 p. 6177-8.]*

**Form 27**

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**Form 27**  
Western Australia  
*Electoral Act 1907 (s. 90(7))*  
**REJECTION OF WRITTEN APPLICATION FOR EARLY  
BALLOT PAPER**

To .....

I refer to your application for an early ballot paper for .....

.....  
(nature and date of election to be inserted)

Your application has been rejected for the following reasons:

.....  
.....  
.....  
.....

.....  
ISSUING OFFICER

.....  
DATE

*[Form 27 inserted: Gazette 10 Nov 2000 p. 6178.]*

**Form 28**

Western Australia

*Electoral Act 1907 (s. 90(4)(c) and (4c)(b))*

<b>DECLARATION FOR EARLY VOTE</b>	
Electoral District of:	
<b>Please use BLOCK LETTERS when completing this form.</b>	
<b>ELECTOR to complete.</b>	
Family name:	Given name:
Address as enrolled:	
Date of birth:	Former family name:
<i>To the Electoral Commissioner,</i>	
<i>I declare that:</i>	
<ul style="list-style-type: none"><li><i>I am the elector who applied for and was issued the enclosed ballot paper(s) for the election on Saturday ...../...../.....; and</i></li><li><i>I have not already voted at this election.</i></li></ul>	
Elector to sign: .....	
<b>If you need assistance you may appoint a person, other than a candidate in this election, to fill in this form and mark the ballot paper(s). The person must complete the following section.</b>	
ASSISTANT to complete.	
Family name:	Given name:
Address:	
<i>I have been appointed by the elector to mark the enclosed ballot paper(s) and I have marked the ballot paper(s) in the way he/she has instructed.</i>	
Assistant to sign:	Date:
<b>AUTHORISED WITNESS to complete.</b>	
<b>A witness must be more than 18 years of age and must not be a candidate in this election.</b>	
Family name:	Given name:
Address:	
Witness to sign:	Date:

*[Form 28 inserted: Gazette 11 May 2007 p. 1998; amended: Gazette 4 Dec 2012 p. 5914.]*

**Form 29**

Western Australia

*Electoral Act 1907 (s. 92(6))*

**DECLARATION OF AN ELECTOR WHO HAS NOT RECEIVED AN  
EARLY BALLOT PAPER**

I, .....  
(name in full)

of .....  
(address)

declare that I have not received an early ballot paper for which I applied for the election being held on ..... and I now wish to vote personally at this polling place.

.....  
Signature of elector

Declared before me on .....  
(date)

at ..... polling place in the ..... District.

.....  
Signature of presiding officer

*[Form 29 inserted: Gazette 10 Nov 2000 p. 6180.]*

*[Form 30 deleted: Gazette 11 May 2007 p. 1998.]*

**Form 31**

Western Australia

*Electoral Act 1907* (s. 99A, 119(4), 122(1), 122A)

[r. 14(1)(b)(i), 15(a)]

<b>DECLARATION FOR:</b>	
<input type="checkbox"/> <b>ABSENT VOTE;</b>	
<input type="checkbox"/> <b>PROVISIONAL VOTE.</b>	
Electoral District of:	
<b>Please use BLOCK LETTERS when completing this form.</b>	
<b>ELECTOR to complete.</b>	
Family name:	Given name:
Address as enrolled:	
Date of birth:	Former family name:
<i>To the Electoral Commissioner,</i>	
<i>I declare that:</i>	
<ul style="list-style-type: none"><li>• <i>I enrolled to vote before the close of the roll for this election; and</i></li><li>• <i>I have not already voted at this election.</i></li></ul>	
Elector to sign: .....	
<b>Presiding Officer/Assistant Presiding Officer/Poll Clerk to complete.</b>	
Polling place at which vote claimed:	
Presiding officer to sign:	Date:

*[Form 31 inserted: Gazette 11 May 2007 p. 1999; amended: Gazette 4 Dec 2012 p. 5914.]*

**Form 32**  
 Western Australia  
*Electoral Act 1907 (s. 150)*  
**STATISTICAL RETURN**

Polling Places	Details of count of valid votes				Total Valid Votes	Ballot papers rejected as informal	Total Votes
	Candidate	Candidate	Candidate	Candidate			
Remote areas							
Special Institutions and hospitals							
Total: Ordinary Votes Postal Votes Absent Votes Provisional Votes							
Total							

.....(District (or Whole of State electorate)).....(Date of

I certify that this return is correct.

[This return may be made in a written or electronic form.]

[This return may be made in a written or electronic form.]

.....  
 Signature of Returning Officer

.....  
 Date

[Form 32 amended: SL 2022/195 r. 19(12).]



**Form 33**

Western Australia

*Electoral Act 1907 (s. 156(6))*

**APPARENT FAILURE TO VOTE — PENALTY NOTICE**

*[insert name and address of elector]*

Dear elector

It appears from the Western Australian Electoral Commission's records that you did not vote at the State election held on *[insert election date]*.

The *Electoral Act 1907* section 156 makes it an offence for an elector to fail to vote at a State election unless the elector has a valid and sufficient reason for not voting.

If you do not want this apparent failure to vote dealt with by a court, you may take the action set out in A, B or C.

- A. If you **did vote** at the State election, please tell us where or how you voted. Do this by completing Part A of Section 1 on the reverse of this notice and returning it on or before the response date.
- B. If you **did not vote** at the State election and you believe you have a valid and sufficient reason for not voting, please tell us your reason. Do this by completing Part B of Section 1 on the reverse of this notice and returning it on or before the response date.
- C. If you **did not vote** at the State election and you do not have a valid and sufficient reason for not voting, please pay the penalty of *[insert amount of penalty]*. Do this in one of the ways described in Section 2 on the reverse of this notice on or before the response date.

Response date: *[insert date]*

If you do not pay the penalty and I am not satisfied that you did vote or that you had a valid and sufficient reason for not voting, you may be issued with an infringement notice or this matter may be dealt with by a court.

If you are unable to respond to this notice because you are away from home or physically incapacitated, you may direct another person who has personal knowledge of the facts to either complete and return this notice on your behalf or pay the penalty on your behalf.

This matter cannot be settled by telephone. However, if you have any questions about how to deal with this notice, please contact the Western Australian Electoral Commission by telephoning *[insert telephone numbers]*.

Thank you for your cooperation.

Electoral Commissioner

Date: *[insert date]*

[Back of Form 33]

<p><b>The address for which you are enrolled is:</b> <i>[insert address]</i>  <b>Please provide your current residential address if different from the above address:</b></p>	
<p><b>SECTION 1</b></p>	
<ul style="list-style-type: none"> <li>• Unless you choose to pay the penalty amount in one of the ways described in Section 2, complete this section and return this notice to the Western Australian Electoral Commission by posting it in the reply paid envelope provided or by delivering it to <i>[insert address]</i>.</li> <li>• Complete either Part A or Part B but not both.</li> <li>• Making a false or misleading statement on this notice is an offence.</li> </ul>	
<p><b>Part A</b></p>	<p>If you <b>did vote</b>, complete this Part by ticking the appropriate box and completing the required details.</p>
	<p>I voted:</p> <p><input type="checkbox"/> by ordinary vote</p> <p><input type="checkbox"/> by absent vote</p> <p><input type="checkbox"/> by provisional vote</p> <p>at the following polling place .....</p> <p><i>or</i></p> <p><input type="checkbox"/> by early vote (obtained by oral application)</p> <p>at the following location .....</p> <p><i>or</i></p> <p><input type="checkbox"/> by early vote (obtained by written application)</p>

<b>Part B</b>	If you <b>did not vote</b> and you believe you have a valid and sufficient reason, complete this Part.
	I did not vote because: ..... ..... ..... ..... .....
<p><b>The person completing Section 1 is to provide the following information about himself or herself:</b></p> <p>Name: ..... Daytime contact phone number: .....</p> <p>Signature of person completing this form .....</p>	
<b>SECTION 2</b>	
<p><b>Penalty:</b> <i>[insert penalty amount]</i> <b>Response date:</b> <i>[insert date]</i></p> <p>If you <b>did not vote</b> and you wish to finalise this matter, please pay the penalty in one of the following ways by the response date.</p>	
Payment with Australia Post	<i>[insert information about payment]</i>
Payment by BPAY	<i>[insert information about payment]</i>
Payment by mail	<i>[insert information about payment]</i>
Payment in person	<i>[insert information about payment]</i>
Payment of the penalty will end this matter. However, if you pay by cheque or credit card and that payment is dishonoured, you will be treated as if you had not paid the penalty.	

*[Form 33 inserted: Gazette 4 Dec 2012 p. 5914-17; amended: SL 2022/195 r. 19(13).]*

**Form 34**

Western Australia

*Electoral Act 1907 (s. 156(13A))*

**FAILURE TO VOTE — INFRINGEMENT NOTICE**

*[insert name and address of elector]*

Dear elector

On *[insert date]*, you were sent a notice regarding your apparent failure to vote at the State election held on *[insert date]*.

*[insert the wording from whichever of sections A and B applies]*

- A. You did not respond to that notice on or before the response date stated in the notice.
- B. Thank you for returning the notice we sent you regarding your apparent failure to vote at the State election referred to above. In that notice you told us that —

*[insert whichever paragraph applies]*

- you voted at a polling place by ordinary vote, absent vote or provisional vote. The Western Australian Electoral Commission has used that information to re-check its records but remains unable to find any record of you having voted.
- you voted by early vote. The Western Australian Electoral Commission has used that information to re-check its records but remains unable to find any record of you having voted.
- you did not vote and your reason for not doing so. I have considered that reason but am unable to accept it as a valid and sufficient reason for not voting.

I am not satisfied with your response.

I therefore allege that you have committed an offence by failing to vote without a valid and sufficient reason.

If you do not want to be prosecuted in court for this offence, pay the modified penalty of *[insert amount]* on or before the response date.

Response date: *[insert date]*

If you do not pay the modified penalty on or before the response date, you may be prosecuted or enforcement action may be taken under the *Fines, Penalties and Infringement Notices Enforcement Act 1994*.

You may pay the modified penalty in one of the following ways —

Payment with Australia Post	<i>[insert information about payment]</i>
Payment by BPAY	<i>[insert information about payment]</i>
Payment by mail	<i>[insert information about payment]</i>
Payment in person	<i>[insert information about payment]</i>

Payment of the modified penalty will end this matter. However, if you pay by cheque or credit card and that payment is dishonoured, you will be treated as if you had not paid the modified penalty.

If you are unable to respond to this notice because you are away from home or physically incapacitated, you may direct another person who has personal knowledge of the facts to respond to this notice on your behalf.

Thank you for your cooperation.

Electoral Commissioner

Date: *[insert date]*

*[Form 34 inserted: Gazette 4 Dec 2012 p. 5917-18; amended: SL 2022/195 r. 19(13).]*

**Form 35**  
Western Australia  
*Electoral Act 1907* (s. 156C(1)(a))  
**NOTIFICATION OF A VACANCY IN THE  
LEGISLATIVE COUNCIL**

Take notice that a vacancy in the Legislative Council has occurred for the seat to which the Hon ..... had most recently been elected.

This notice is published under section 156C(1)(a) because —

1. I have been informed of the vacancy by His/Her Excellency the Governor; and
2. I am satisfied that it is practicable to fill the vacancy under sections 156C and 156D of the *Electoral Act 1907*.

.....  
Date

.....  
Electoral Commissioner

.....  
Address

[Form 35 inserted: Gazette 6 Dec 1996 p. 6723; amended:  
SL 2022/195 r. 19(14).]

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**Form 36**  
Western Australia  
*Electoral Act 1907* (s. 156C(5))  
**NOMINATION TO FILL A VACANCY IN THE LEGISLATIVE  
COUNCIL UNDER SECTION 156C**

To the Electoral Commissioner

I, the undersigned, being a qualified person as defined in section 156A of the  
*Electoral Act 1907*, by this notice nominate as a candidate for the vacancy in the  
Legislative Council referred to in your notice of .....

Surname .....

Given names .....

Residence .....

Occupation .....

Form of name  
printed on the ballot paper .....

.....  
Signature of witness who  
must be an elector

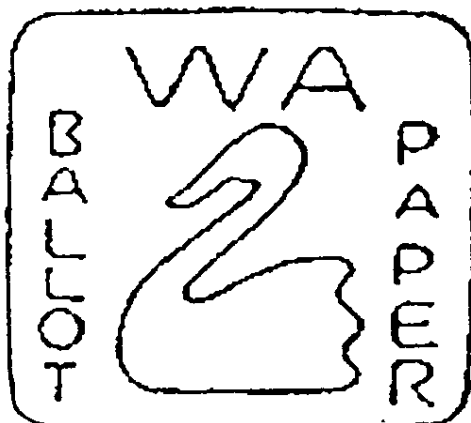
.....  
Signature of Candidate

.....  
Date

*[Form 36 inserted: Gazette 6 Dec 1996 p. 6724; amended:  
SL 2022/195 r. 19(15).]*

**Form 37**  
Western Australia  
*Electoral Act 1907 (s. 113(4)(a))*

**WATERMARK**



*[Form 37 amended: Gazette 8 Nov 1996 p. 6277.]*

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## Notes

This is a compilation of the *Electoral Regulations 1996* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

### Compilation table

Citation	Published	Commencement
<i>Electoral Regulations 1996</i>	10 Oct 1996 p. 5321-91	10 Oct 1996
<i>Electoral Amendment Regulations 1996</i>	8 Nov 1996 p. 6267-77	9 Nov 1996 (see r. 2 and <i>Gazette</i> 8 Nov 1996 p. 6265)
<i>Electoral Amendment Regulations (No. 2) 1996</i>	6 Dec 1996 p. 6723-4	6 Dec 1996
<i>Electoral Amendment Regulations 1997</i>	12 Dec 1997 p. 7259	12 Dec 1997
<i>Electoral Amendment Regulations 1998</i>	20 Nov 1998 p. 6264-5	1 Dec 1998 (see r. 2)
<i>Electoral Amendment Regulations 2000</i>	18 Apr 2000 p. 1976	18 Apr 2000
<i>Electoral Amendment Regulations (No. 2) 2000</i>	20 Oct 2000 p. 5925-48	21 Oct 2000 (see r. 2 and <i>Gazette</i> 20 Oct 2000 p. 5899)
<i>Electoral Amendment Regulations (No. 3) 2000</i>	10 Nov 2000 p. 6161-80	11 Nov 2000 (see r. 2 and <i>Gazette</i> 10 Nov 2000 p. 6193)
<b>Reprint of the <i>Electoral Regulations 1996</i> as at 1 Dec 2000</b> (includes amendments listed above)		
<i>Electoral Amendment Regulations 2007</i>	11 May 2007 p. 1995-2002	11 May 2007
<b>Reprint 2: The <i>Electoral Regulations 1996</i> as at 2 May 2008</b> (includes amendments listed above)		
<i>Electoral Amendment Regulations 2008</i>	21 Nov 2008 p. 4922	r. 1 and 2: 21 Nov 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 22 Nov 2008 (see r. 2(b))

## **Electoral Regulations 1996**

**Notes**                      Other notes

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<b>Citation</b>	<b>Published</b>	<b>Commencement</b>
<i>Electoral Amendment Regulations 2012</i>	4 Dec 2012 p. 5910-18	r. 1 and 2: 4 Dec 2012 (see r. 2(a)); Regulations other than r. 1 and 2: 5 Dec 2012 (see r. 2(b) and <i>Gazette</i> 4 Dec 2012 p. 5907)
<b>Reprint 3: The Electoral Regulations 1996 as at 11 Jan 2013</b> (includes amendments listed above)		
<i>Electoral Amendment Regulations 2016</i>	16 Aug 2016 p. 3470	r. 1 and 2: 16 Aug 2016 (see r. 2(a)); Regulations other than r. 1 and 2: 17 Aug 2016 (see r. 2(b))
<i>Electoral Amendment Regulations 2022</i>	SL 2022/195 18 Nov 2022	r. 1 and 2: 18 Nov 2022 (see r. 2(a)); Regulations other than r. 1 and 2: 19 Nov 2022 (see r. 2(b))

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### **Other notes**

- <sup>1</sup> The *Evidence Act 1906* s. 106 was deleted by the *Oaths, Affidavits and Statutory Declarations (Consequential Provisions) Act 2005* s. 51.

## Defined terms

*[This is a list of terms defined and the provisions where they are defined.  
The list is not part of the law.]*

<b>Defined term</b>	<b>Provision(s)</b>
authorised person .....	2
ballot paper envelope .....	2
commencement day .....	31(1)
election period.....	28(1)
issuing officer .....	2
member .....	28(1)
prescribed body.....	28(1)
public employee .....	28
record .....	2
relevant person .....	22A(1)