

WESTERN AUSTRALIA

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**ELECTORAL LEGISLATION  
AMENDMENT ACT 1996**

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**No. 43 of 1996**

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**AN ACT to amend the —**

- ***Electoral Act 1907;***
- ***Electoral Amendment (Political Finance) Act 1992;***
- ***Equal Opportunity Act 1984; and***
- ***Referendums Act 1983.***

[Assented to 16 October 1996.]

The Parliament of Western Australia enacts as follows:

**PART 1 — PRELIMINARY**

**Short title**

1. This Act may be cited as the *Electoral Legislation Amendment Act 1996*.

**Commencement**

2. (1) Subject to subsection (2) this Act comes into operation on the day on which it receives the Royal Assent.

(2) The provisions of Parts 2 and 4 and 5 come into operation on such day as is, or days as are respectively, fixed by proclamation.



**Section 12 repealed**

5. Section 12 of the principal Act is repealed.

**Section 15A inserted**

6. After section 15 of the principal Act the following section is inserted —

“

**Declarations by officers**

**15A.** (1) A person appointed as an officer under this Act shall make a declaration in the prescribed form before acting in the office and on such other occasions as the Electoral Commissioner may require.

(2) Subject to subsection (3) a declaration under this section shall be made before an officer authorized by section 207 to witness signatures.

(3) A declaration by the Electoral Commissioner, the Deputy Electoral Commissioner, an Acting Electoral Commissioner or a Returning Officer shall be made before a Justice of the Peace.

(4) A declaration under this section (other than one made by the Electoral Commissioner) shall be lodged with the Electoral Commissioner or a Returning Officer.

(5) If a declaration is lodged with a Returning Officer the Returning Officer shall forward it to the Electoral Commissioner.

(6) All declarations under this section are to be filed at the office of the Electoral Commissioner.

”.

**Section 22 amended**

7. Section 22 of the principal Act is amended —

(a) by inserting after the section designation “22.” the subsection designation “(1)”;

(b) by inserting before “such” the following —

“ , subject to subsection (2), ”; and

(c) by inserting the following subsection —

“

(2) The regulations may provide that particulars prescribed for the purposes of subsection (1) may be omitted when rolls are printed under section 24 or supplied under section 112.

”.

**Section 63 repealed and a section substituted**

8. Section 63 of the principal Act is repealed and the following section is substituted —

“

**Clerk of the Writs and Deputy Clerk**

**63.** (1) There is to be a Clerk of the Writs.

(2) The holder of the office of Electoral Commissioner or Acting Electoral Commissioner is, by virtue of holding that office, the Clerk of the Writs.

(3) Writs for elections in regions and elections in districts are to be issued by, and returned to, the Clerk of the Writs.

**s. 9**

(4) There is to be a Deputy Clerk of the Writs.

(5) The holder of the office of Deputy Electoral Commissioner is, by virtue of holding that office, the Deputy Clerk of the Writs.

(6) The Deputy Clerk of the Writs shall act as Clerk of the Writs —

- (a) if the Electoral Commissioner's functions as Clerk of the Writs are delegated to the Deputy Electoral Commissioner under section 5G; or
- (b) if the Deputy Electoral Commissioner is acting in the office of the Electoral Commissioner under section 5H (2).

”.

**Section 81 repealed and a section substituted**

**9.** Section 81 of the principal Act is repealed and the following section is substituted —

“

**Nomination paper and deposit**

**81.** (1) No nomination shall be valid unless —

- (a) the nomination paper is received by the Returning Officer after the issue of the writ and before the hour of nomination; and
- (b) at or before the hour of nomination, the required deposit is lodged with the Returning Officer by or on behalf of the candidate in money or by a cheque drawn by a bank upon itself and payable to the Electoral Commissioner.

(2) Unless a greater amount is prescribed, \$250 is the “**required deposit**” for the purposes of subsection (1) (b).

”.

**Section 90 amended**

**10.** After section 90 (4) of the principal Act the following subsection is inserted —

“

(4aa) A ballot paper printed on official paper does not have to be initialled by the issuing officer.

”.

**Section 104 amended**

**11.** Section 104 (2) of the principal Act is repealed.

**Section 112 repealed and a section substituted**

**12.** Section 112 of the principal Act is repealed and the following section is substituted —

“

**Supply of rolls**

**112.** (1) As soon as is practicable after the close of the roll for an election the Registrar shall provide the Electoral Commissioner with a roll for use in the election.

(2) The roll so supplied shall contain any marks required by section 47 (3) (g).

(3) The Electoral Commissioner shall cause a sufficient number of copies of the roll to be delivered to the Returning Officer and, before the hour of opening of the poll, the

**s. 13**

Returning Officer shall cause a sufficient number of copies of the roll to be delivered to each presiding officer.

”.

**Section 113 amended**

**13.** After section 113 (3) of the principal Act the following subsection is inserted —

“

(4) The official paper for use in the printing of ballot papers is paper that either —

(a) has a water mark in it as prescribed; or

(b) incorporates such security features or devices as the Electoral Commissioner approves.

”.

**Section 125 amended**

**14.** After section 125 (2) of the principal Act the following subsection is inserted —

“

(2a) A ballot paper printed on official paper does not have to be initialled by the presiding officer.

”.

**Section 127 amended**

**15.** Section 127 (b) of the principal Act is amended by deleting “, but to disclose the initials of the presiding officer, and exhibit it so folded to the officer.”.



**Section 139 amended**

**16.** (1) Section 139 (a) of the principal Act is amended by deleting “there is a water mark as prescribed by the regulations in the paper of the ballot” and substituting the following —

“ it is printed on official ”.

(2) Section 139 (d) of the principal Act is amended by inserting after “all candidates” the following —

“  
 , but the operation of this paragraph is subject to  
 section 140A  
 ”.

**Section 140 amended**

**17.** Section 140 (2) of the principal Act is amended by deleting “or votes” and “or are”.

**Section 140A inserted**

**18.** After section 140 of the principal Act the following section is inserted —

“  
**Some ballot papers with non-consecutive preferences  
 can be formal**

**140A.** (1) Where a ballot paper in an election in which there are more than 2 candidates —

(a) has the numeral “1” in the square opposite the name of a candidate;

**s. 18**

- (b) has other numerals in the squares opposite the names of the remaining candidates or all but one of the remaining candidates; and
- (c) but for this subsection, would be informal under section 139 (d),

then —

- (d) the ballot paper shall not be informal under section 139 (d);
- (e) the numeral “1” shall be taken to express the elector’s first preference;
- (f) where numerals in squares opposite the names of candidates are in a sequence of consecutive numbers beginning with the numeral “1”, the elector shall be taken to have expressed a preference by the other numeral, or to have expressed preferences by the other numerals, in that sequence; and
- (g) the elector shall not be taken to have expressed any other preference.

(2) In considering, for the purposes of subsection (1), whether numerals are in a sequence of consecutive numerals, any numeral that is repeated shall be disregarded.

(3) If a ballot paper does not have a numeral in the square opposite the name of a candidate but a preference for that candidate is marked on the ballot paper in some other manner that clearly indicates the elector’s intention, the ballot paper shall be regarded, for the purposes of this section, as having the numeral appropriate to that preference marked in the square opposite the name of that candidate.

”.

**Section 144 amended**

**19.** (1) After section 144 (2) (f) of the principal Act the following paragraph is inserted —

“

(fa) A ballot paper shall be set aside as exhausted where on a count it is found that the ballot paper expresses no preference for any non-defeated candidate.

”.

(2) After section 144 (3) of the principal Act the following subsection is inserted —

“

(3a) For the purposes of subsection (3), if at any stage of the count, ballot papers have been set aside under subsection (2) (fa), the whole number of ballot papers, at that stage, shall be taken to be reduced by the number of those ballot papers set aside.

”.

**Section 146E amended**

**20.** Section 146E (1) of the principal Act is amended by inserting after “region” the following —

“

as if the reference in section 139 (d) to section 140A were a reference to section 146E (3)

”.

**Section 146I amended**

**21.** After section 146I (2) of the principal Act the following subsections are inserted —

“

(3) For the purposes of subsection (2) the Returning Officer may, if the Returning Officer thinks fit —

- (a) cause the preferences indicated on ballot papers to be recorded in an automated form; and
- (b) on the basis of the information so recorded, use automated means to carry out the procedures set out in Schedule 1 other than the procedures referred to in clauses 12, 15 and 17 of that Schedule for resolving equalities of votes or surpluses under those clauses.

(4) For proceedings under subsection (3) the requirements of section 134 (4) are met if —

- (a) the recording of preferences in an automated form is subject to the inspection of the scrutineers; and
- (b) the scrutineers have access to the information so recorded and information as to the results obtained by using automated means to carry out the various procedures set out in Schedule 1.

(5) If the result of the election is ascertained in accordance with subsection (3) —

- (a) when transmitting documents to the Electoral Commissioner under

section 151 (d), the Returning Officer shall transmit to the Electoral Commissioner a copy, in an automated form, of the information recorded under subsection (3) (a);

- (b) despite section 152 (b), ballot papers do not have to be preserved or held in custody after the election can no longer be questioned if the preferences on them have been recorded in an automated form;
- (c) section 155 extends to information recorded in an automated form; and
- (d) on any recount, under section 156D, of the votes on the ballot papers used in the counting of votes at the election, the Electoral Commissioner shall, on the basis of the information recorded under subsection (3) (a), use automated means to carry out the procedures set out in Schedule 1 (as modified to give effect to section 156D (5) to (7)) other than the procedures referred to in clauses 12, 15 and 17 of that Schedule for resolving equalities of votes or surpluses under those clauses.

(6) In this section “**automated**” means involving the use of a computer.

”.

**Section 146J amended**

**22.** After section 146J (2) of the principal Act the following subsection is inserted —

“

(3) Section 146I (3) to (5) apply in relation to the recount.

”.

**Section 156 amended**

**23.** (1) Section 156 (4) to (14) of the principal Act are repealed and the following subsections are substituted —

“

(4) Subject to subsection (5), within the prescribed period after the close of each election, the Electoral Commissioner shall send a penalty notice to each elector whose name appears on the list prepared under subsection (2).

(5) The Electoral Commissioner does not have to send a penalty notice to an elector if the Electoral Commissioner is satisfied that the elector —

- (a) is dead;
- (b) was outside the State on polling day;
- (c) was ineligible to vote at the election; or
- (d) had a valid and sufficient reason for failing to vote.

(6) A penalty notice is a notice in a prescribed form notifying the elector —

- (a) that the elector appears to have failed to vote at the election;
- (b) that it is an offence to fail to vote at an election without a valid and sufficient reason for the failure; and
- (c) that if the elector does not wish to have the apparent failure to vote dealt with by a court, the elector may on or before the date

set out in the notice (the “**response date**”) —

- (i) if the elector did vote as required by this Act — give the Electoral Commissioner particulars of the circumstances of the elector’s voting;
- (ii) if the elector failed to vote — give the Electoral Commissioner a valid and sufficient reason for the failure; or
- (iii) pay to the Electoral Commissioner the penalty set out in the notice (the “**modified penalty**”).

(7) The response date set out in a penalty notice shall not be less than 21 days after the day on which the notice is sent.

(8) The modified penalty set out in a penalty notice shall be an amount not exceeding \$20, unless the elector has previously paid a modified penalty under this section or been convicted of an offence against this section, in which case it shall be an amount not exceeding \$50.

(9) If an elector does not respond to a penalty notice in the manner indicated in subsection (6) (c) (i), (ii) or (iii), on or before the response date, the Electoral Commissioner shall send to the elector a second penalty notice in a prescribed form.

(10) Subsections (5) to (8) and (11), (12), (14a), (14b) and (16) (b) apply, with any necessary modifications, to a second penalty notice.

(11) If, on or before the response date —

(a) an elector responds to a penalty notice in the manner indicated in subsection (6) (c) (i) or (ii) and the Electoral Commissioner is satisfied —

(i) in the case of a response under subsection (6) (c) (i) — that the elector did vote as required by this Act; or

(ii) in the case of a response under subsection (6) (c) (ii) — that the reason for the failure to vote is a valid and sufficient reason;

or

(b) an elector responds to a penalty notice by paying the modified penalty,

proceedings are not to be taken against the elector for a contravention of subsection (16) (a).

(12) If, on or before the response date, an elector responds to a penalty notice in the manner indicated in subsection (6) (c) (i) or (ii) but the Electoral Commissioner is not satisfied —

(a) in the case of a response under subsection (6) (c) (i) — that the elector voted as required by this Act; or

(b) in the case of a response under subsection (6) (c) (ii) — that the reason for the failure to vote is a valid and sufficient reason,

the Electoral Commissioner shall send to the elector a notice in a prescribed form notifying the elector —

(c) that the Electoral Commissioner is not so satisfied; and



- (d) that if the elector does not wish to have the apparent failure to vote without a valid and sufficient reason for such failure dealt with by a court, the elector may, on or before the date set out in the notice (the “**response date**”) pay to the Electoral Commissioner the penalty set out in the notice (the “**modified penalty**”).

(13) Subsections (7) and (8) apply, with any necessary modifications, to a notice under subsection (12).

(14) If in response to a notice under subsection (12) the modified penalty is paid to the Electoral Commissioner on or before the response date, proceedings are not to be taken against the elector for a contravention of subsection (16) (a).

(14a) If an elector is unable, by reason of absence from his place of living or physical incapacity, to respond to a penalty notice or to a notice under subsection (12) on or before the response date, any other elector who has a personal knowledge of the facts may, subject to the regulations, respond to the notice within that time, and that response is to be treated as compliance by the first-mentioned elector with the notice.

(14b) In proceedings for an offence against this section a statement in a certificate signed by the Electoral Commissioner that a person named in the certificate —

- (a) did not vote at an election;
- (b) was sent a penalty notice or a notice under subsection (12);

- (c) did or did not (as the case may be) respond to a penalty notice or a notice under subsection (12) on or before the response date; or
- (d) responded to a penalty notice or a notice under subsection (12) in a particular manner,

is evidence of the facts stated.

”.

(2) Section 156 (15) (a) of the principal Act is amended by deleting “fill up, sign and post to the Electoral Commissioner the form referred to in subsections (6) and (7)” and substituting the following —

“ respond to a penalty notice ”.

(3) Section 156 (16) of the principal Act is amended by deleting paragraphs (b) and (c) and “or” between them and substituting the following paragraph —

“

- (b) makes a statement in response to a penalty notice or to a notice under subsection (12) that is, to the person’s knowledge, false or misleading in a material particular,

”.

**PART 3 — ELECTORAL AMENDMENT (POLITICAL FINANCE) ACT 1992**

**Principal Act**

**24.** In this Part the *Electoral Amendment (Political Finance) Act 1992* is referred to as the principal Act.

[\* *Act No. 75 of 1992.*]

**Section 2 repealed and a section substituted**

**25.** Section 2 of the principal Act is repealed and the following section is substituted —

“

**Commencement**

**2.** The provisions of this Act come into operation on such day as is, or days as are respectively, fixed by proclamation.

”.

**Section 4 amended**

**26.** Section 4 of the principal Act is amended by amending the new Part VI which it inserts into the *Electoral Act 1907* as set out in the Table to this section.

TABLE

*Section 175 amended*

1. In section 175 —

- (a) insert in the appropriate alphabetical positions the following definitions —

“

**“associated entity”** means an entity that —

- (a) is controlled by one or more political parties; or
- (b) operates for the benefit of one or more political parties;

**“broadcast”** means broadcast by radio or televise;

**“election period”**, in relation to an election, means the period commencing on the day of issue of the writ for the election and ending at the latest time on polling day at which an elector in the State could enter a polling booth for the purpose of casting a vote in the election;

**“electoral expenditure”**, in relation to an election, means expenditure incurred (whether or not incurred during the election period) on —

- (a) the broadcasting, during the election period, of an advertisement relating to the election;
- (b) the publishing in a journal, during the election period, of an advertisement relating to the election;

- (c) the display, during the election period, at a theatre or other place of entertainment, of an advertisement relating to the election;
  - (d) the production of an advertisement relating to the election, being an advertisement that is broadcast, published or displayed as mentioned in paragraph (a), (b) or (c);
  - (e) the production of any material (not being material referred to in paragraph (a), (b) or (c)) that is required under section 187 to include the name and address of the person authorizing the material and that is used during the election period;
  - (f) consultant's or advertising agent's fees in respect of —
    - (i) services provided during the election period, being services relating to the election; or
    - (ii) material relating to the election that is used during the election period;
- or
- (g) the carrying out, during the election period, of an opinion poll, or other research, relating to the election;

**“entity”** means —

- (a) an incorporated or unincorporated body;
- (b) the trustee of a trust;

**“financial controller”**, in relation to an associated entity, means —

- (a) if the entity is a company, the secretary of the company;
- (b) if the entity is the trustee of a trust, the trustee;
- (c) in other cases, the person responsible for maintaining the financial records of the entity;

**“journal”** means a newspaper, magazine or other periodical, whether published for sale or for distribution without charge;

”;

- (b) in paragraph (a) of the definition of “public agency” delete “the Schedule to the *Public Service Act 1978*” and substitute the following —

“

Schedule 2 to the *Public Sector Management Act 1994*

”;

and

- (c) insert a full stop after the definition of “specified amount” and delete the semicolon and the definitions of “state trade union” and “trade union”.

*Section 175A amended*

2. After section 175A (6) insert the following —

“

(7) For the purposes of this Part, an advertisement relates to an election if it contains electoral matter, whether or not consideration was given for the publication or broadcasting of the advertisement.

(8) For the purposes of Division 4, electoral expenditure incurred by or with the authority of a division of a political party shall be taken to have been incurred by the party.

”.

*Section 175N amended*

3. (1) In section 175N (1) delete “September” and substitute the following —

“ November ”.

(2) Delete section 175N (3), (4) and (5) and substitute the following —

“

(3) In the case of gifts the details to be set out in the return are as follows —

- (a) the amount or value of all gifts; and
- (b) the relevant details of each gift the value of which equals or exceeds the specified amount.

(4) For the purposes of subsection (3) (b) the sum of the respective amounts or values of 2 or more gifts made to a political party by the same person shall be taken to be one gift but, in calculating that sum, an amount or value that is less than one-third of the specified amount need not be counted.

(5) The agent of a political party may comply with this section by lodging a return or the relevant portion of a return prepared, in relation to the financial year in question, for the purposes of section 314AB of the *Commonwealth Electoral Act 1918*, and a return or portion of a return so lodged is to be regarded as satisfying the requirements of this section even if —

- (a) it does not separate the amounts and values of gifts from the amounts and values of other income received by the party; and
- (b) it does not separate gifts and income referred to in subsection (2) from other gifts and income.

”.

*Section 175NA inserted*

4. After section 175N insert the following —

“

**Annual disclosure of gifts and other income received by associated entities**

**175NA.** (1) If an entity is an associated entity at any time during a financial year the financial controller of that entity shall, by 30 November next following the end of that financial year, lodge a return with the Electoral Commissioner in an approved form setting out details of all gifts and income received by the entity during that financial year.

(2) Gifts and income received by the entity at a time when it was not an associated entity or before the commencement of section 4 of the *Electoral Amendment (Political Finance) Act 1992* do not have to be included in the return.

(3) Subsections (3), (4) and (5) of section 175N apply to and in relation to returns under this section as if any reference in those subsections to —

- (a) a political party, were a reference to an associated entity;



- (b) the agent of a political party, were a reference to the financial controller of an associated entity;
- (c) section 314AB of the *Commonwealth Electoral Act 1918*, were a reference to section 314AEA of that Act.

”.

*Section 175Q amended*

5. In section 175Q (1) insert after “party,” the following —

“ an associated entity ”.

*Section 175R amended*

6. (1) In section 175R (4) (a) insert after “party” the following —

“ or an associated entity, ”.

- (2) In section 175R (4) (d) insert after “party,” the following —

“ an associated entity, ”.

*New Division 4 inserted*

7. After section 175S insert the following —

“

***Division 4 — Disclosure of electoral expenditure***

**Disclosure of electoral expenditure incurred by political parties**

**175SA.** Where electoral expenditure in relation to an election is incurred by or with the authority of a political party, the agent of the party shall, before the expiration of 15 weeks after polling day in the election, lodge a return with the Electoral Commissioner in an approved form setting out details of that electoral expenditure.

**Disclosure of electoral expenditure incurred by candidates**

**175SB.** The agent of a person who is a candidate in an election (not being a person included in a group) shall, before the expiration of 15 weeks after the polling day in the election, lodge a return with the Electoral Commissioner in an approved form setting out details of all electoral expenditure in relation to the election incurred by or with the authority of the candidate.

**Disclosure of electoral expenditure incurred by groups**

**175SC.** (1) Subject to subsection (2), the agent of a group in an election shall, before the expiration of 15 weeks after the polling day in the election, lodge a return with the Electoral Commissioner in an approved form setting out details of all electoral expenditure in relation to the election incurred by or with the authority of persons included in the group.

(2) Where electoral expenditure in relation to an election is incurred by or with the authority of persons included in a group and all the persons included in the group have been endorsed by the same political party, the electoral expenditure shall be taken to have been incurred by or with the authority of the party.

**Disclosure of electoral expenditure incurred by other persons**

**175SD.** (1) Where electoral expenditure in relation to an election was incurred by or with the authority of a person and that expenditure was not incurred with the written authority of a political party, a candidate in the election or a person included in a group in the election, the person shall, before the expiration of 15 weeks after the polling day in the election, lodge a return with the Electoral Commissioner in an approved form setting out details of that electoral expenditure.

(2) A person is not required to furnish a return under subsection (1) in respect of an election if the total amount of the electoral expenditure incurred in relation to the election by or with the authority of the person does not exceed \$500.

**Returns to state that no expenditure, or no other expenditure, was incurred**

**175SE.** (1) Where no details are required to be included in a return under section 175SA, 175SB or 175SC, the return shall nevertheless be lodged and shall include a statement to the effect that no expenditure of a kind required to be disclosed was incurred.

(2) Where details of expenditure are included in a return under section 175SA, 175SB, 175SC or 175SD, the return shall include a statement to the effect that no other expenditure of a kind required to be disclosed was incurred.

**Two or more elections on the same day**

**175SF.** (1) Where —

- (a) the polling at 2 or more elections took place on the same day; and
- (b) a person would, but for this subsection, be required to lodge 2 or more returns under this Division relating to those elections,

the person may, in lieu of lodging those returns, lodge one return, in an approved form, setting out the particulars that the person would have been required to set out in those returns.

(2) Where —

- (a) a return is lodged by a person under subsection (1); and

- (b) particular electoral expenditure details of which are required to be set out in the return relates to more than one election,

it is sufficient compliance with this Division if the return sets out details of the expenditure without showing the extent to which it relates to any particular election.

”.

*Heading amended*

8. In the heading to Division 4 delete “*f*” and substitute the following —

“ **5** ”.

*Section 175T amended*

9. In section 175T insert after “Division 3” the following —

“ or 4 ”.

*Section 175U amended*

10. In section 175U (1), (2), (3), (4), (5) and (6) (a) insert after “Division 3” the following —

“ or 4 ”.

*Section 175W amended*

11. (1) In section 175W (3) delete “authorized person” and substitute the following —

“ authorized officer ”.

(2) After section 175W (13) insert the following —

“

(14) In performing functions under this section the Electoral Commissioner and any authorized officer shall ensure, as far as practicable, that there is no duplication of functions performed or being performed under section 316 of the *Commonwealth Electoral Act 1918*.

”.

*Section 175X amended*

12. In section 175X (1) insert after “Division 3” the following —

“ or 4 ”.

*Section 175Y amended*

13. In section 175Y —

(a) delete “September” and substitute the following —

“ November ”; and

(b) after “175N” insert the following —

“ or 175NA ”.

*Section 175Z substituted*

14. Delete section 175Z and substitute the following —

“

**Verification of information**

**175Z.** Regulations may require information contained in a return lodged with the Electoral Commissioner under Division 3 or 4 to be verified or substantiated in accordance with the regulations.

”.

*Section 175ZB amended*

15. After section 175ZB (2) insert the following —

“

(2a) If the return was lodged by a person as the registered agent of a political party or as the financial controller of an associated entity, a request under subsection (2) may be made either —

- (a) by that person; or
- (b) by the person who is currently the registered agent of the political party or the financial controller of the associated entity, as the case may be.

”.

*Section 175ZC amended*

16. In section 175ZC (1) insert after “Division 3” the following —

“ or 4 ”.

*Section 175ZF amended*

17. Delete section 175ZF (1) (b) and substitute the following —

“

(b) requiring the making, keeping and auditing of records of —

- (i) gifts and other income received by political parties and associated entities;
- (ii) gifts received in respect of elections by candidates, groups and other persons; and
- (iii) electoral expenditure incurred in respect of elections by political parties, candidates, groups and other persons,

and requiring or otherwise providing for the production, examination and copying of those records;

- (ba) facilitating the lodging of returns or portions of returns prepared for the purposes of sections 314AB and 314AEA of the *Commonwealth Electoral Act 1918* in satisfaction of the requirements of sections 175N and 175NA; and

”.

*Section 175ZG*

18. In section 175ZG (1) insert after “175N” the following —

“ and 175NA ”.

**Section 7 amended**

27. Section 7 of the principal Act is amended, in subsection (2) of the new section 199A which it inserts into the *Electoral Act 1907*, by inserting after “political party” the following —

“ or an associated entity within the meaning of Part VI ”.

**PART 4 — *EQUAL OPPORTUNITY ACT 1984***

**Section 66 amended**

**28.** Section 66 (2) of the *Equal Opportunity Act 1984*\* is amended by inserting after “person as” the following —

“

an officer within the meaning of the *Electoral Act 1907*, or as

”.

[\* *Act No. 83 of 1984.*

*For subsequent amendments see 1995 Index to Legislation of Western Australia, Table 1, p. 71.]*



**PART 5 — REFERENDUMS ACT 1983**

**Principal Act**

**29.** In this Part the *Referendums Act 1983*\* is referred to as the principal Act.

[\* *Act No. 83 of 1983.*

*For subsequent amendments see 1995 Index to Legislation of Western Australia, Table 1, p. 188.]*

**Section 2 amended**

**30.** Section 2 (1) of the principal Act is amended by inserting after the definition of “officer” the following definition —

“

“**official paper**” means paper referred to in section 113 (4) of the *Electoral Act 1907*;

”.

**Section 24 amended**

**31.** Section 24 (1) (a) of the principal Act is amended by deleting “there is a water mark as prescribed by the regulations under the *Electoral Act 1907* in the paper of the ballot” and substituting the following —

“ it is printed on official ”.