



Western Australia

Electoral Act 1907

Electoral Regulations 1996

As at 02 May 2008

Version 02-a0-05

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Western Australia

Electoral Regulations 1996

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Reprinted under the
Reprints Act 1984 as
at 2 May 2008

Western Australia

Electoral Act 1907

Electoral Regulations 1996

Part 1 — Preliminary

1. Citation

These regulations may be cited as the *Electoral Regulations 1996*¹.

2. Terms used in these regulations

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,

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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 in Gazette 10 Nov 2000 p. 6164;
11 May 2007 p. 1995.]*

3. Application of declaration to a region

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 corresponding region.

4. Application to more than one election

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 for a district or region on the same day as to any other election.

Part 2 — Charges and forms

[5. *Repealed in Gazette 20 Oct 2000 p. 5927.*]

6. Declarations and appointments — Schedule 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) repealed*]

- (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 in Gazette 8 Nov 1996 p. 6267.]

7. Forms — Schedule 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. Rolls

- (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 in Gazette 8 Nov 1996 p. 6267;
20 Oct 2000 p. 5928; 11 May 2007 p. 1995-6.]*

[9. Repealed in Gazette 10 Nov 2000 p. 6164.]

**10. Roll to be marked where objection subject to appeal
(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 in Gazette 10 Nov 2000 p. 6164.]

10A. Recording the issue of a ballot paper

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

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

whichever is appropriate in the circumstances.

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

Part 4 — Early, absent and provisional voting

[Heading amended in Gazette 10 Nov 2000 p. 6164.]

11. Issue of early ballot papers

- (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 in Gazette 10 Nov 2000 p. 6165;
11 May 2007 p. 1996.]*

[12. Repealed in Gazette 18 Apr 2000 p. 1976.]

13. Taking of early ballot papers

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 in Gazette 10 Nov 2000 p. 6165.]

14. Taking of absent votes

- (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 district or region in relation to 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 his or her 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);
 - (b) the authorised person is to give the elector an envelope bearing the name of the region or district in respect of which the ballot paper is issued; and
 - (c) the elector is to indicate his or her 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.

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- (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 in Gazette 10 Nov 2000 p. 6165-6;
11 May 2007 p. 1996.]*

15. Taking of provisional votes

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 district or region for 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 his or her 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 in Gazette 10 Nov 2000 p. 6166-7.]

16. Records of early, absent and provisional votes to be made

- (1) A presiding officer is to maintain records, in a form 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 region as the case requires; or
 - (b) if so directed by the Electoral Commissioner or the Returning Officer for the district or region as the case requires, to the Electoral Commissioner,

by any means approved by the Electoral Commissioner.

[Regulation 16 amended in Gazette 10 Nov 2000 p. 6167; 11 May 2007 p. 1996.]

17. Early, absent and provisional votes to be sorted

- (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 boxes; and
 - (b) cause the envelopes to be sorted into their respective districts or regions.
- (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 region as the case requires; or
 - (b) if so directed by the Electoral Commissioner or the Returning Officer for the district or region as the case requires, to the Electoral Commissioner,

by any means approved by the Electoral Commissioner.

[Regulation 17 amended in Gazette 10 Nov 2000 p. 6167.]

18. Returning Officer to forward early, absent and provisional votes and records to Electoral Commissioner

The Returning Officer is to —

- (a) compile a consolidated record in a form 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 in Gazette 10 Nov 2000 p. 6167.]

19. Scrutiny of declarations relating to early ballot papers and counting of votes

- (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 sealed ballot box for the relevant district or region to await counting in accordance with the relevant provisions of the Act;

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) repealed]*
- (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 in Gazette 10 Nov 2000 p. 6167-8; 11 May 2007 p. 1997.]

20. Scrutiny of declarations relating to absent votes and provisional votes and counting of votes

- (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;
 - (b) examine the roll to ensure that the name of the person claiming to vote is enrolled;
 - (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 sealed ballot box for the relevant district or region to await counting in accordance with the relevant provisions of the Act;
 - 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 in Gazette 10 Nov 2000 p. 6168-9;
11 May 2007 p. 1997.]*

21. Rejection of early, absent and provisional votes

[(1) repealed]

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

[Regulation 21 amended in Gazette 10 Nov 2000 p. 6169.]

Part 5 — Miscellaneous

22. Enrolment procedure

- (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;
 - (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;
 - (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 his or her 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 in Gazette 10 Nov 2000 p. 6169;
11 May 2007 p. 1997.]*

23. Compulsory voting

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.

24. Appointment of scrutineer

The appointment of a scrutineer under section 137 or section 146C of the Act is to be signed by the candidate, or, if the scrutineer is appointed by a group, by any of the candidates in the group, by whom the scrutineer is appointed.

25. Verification of nomination

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 election in the region; 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.

26. Declaration on a re-count

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. Prescribed officer under section 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 employees standing for election

- (1) In this regulation, unless the contrary intention appears —
 - election* means a Legislative Council election or Legislative Assembly election;
 - 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;

- (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 in Gazette 8 Nov 1996 p. 6267;
20 Oct 2000 p. 5929.]*

29. Transmission and destruction of records

- (1) When transmitting documents to the Clerk of the Council or the Clerk of the Assembly 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.

29A. Articles that can be used for electoral advertising

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 in Gazette 10 Nov 2000 p. 6170.]

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

[Schedule 1 repealed in 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 region in, or 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 in Gazette 8 Nov 1996 p. 6268.]

[Form 2 deleted in 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 for the District (or Region),
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

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
and that part of the Region
in that 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 in Gazette 8 Nov 1996 p. 6269; 20 Oct 2000 p. 5929; 11 May 2007 p. 1997.]

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

1 Surname or family name
All Christian or given names

2 Address
 Postcode
Shire

3 Daytime phone number (if convenient)

4 Postal address
 Postcode

5 Occupation **6** Male
Female

7 Date of birth Day Month Year **8** Town of birth

9 Place of birth

10 I am an Australian citizen NO
YES ► If you are an Australian citizen by naturalisation please supply the following details:
Date of naturalisation Day Month Year
Citizenship Certificate No.

Electoral Regulations 1996
Schedule 3

11	Former surname or family name	<input type="text"/>
	Former Christian or given names	<input type="text"/>

12	Former address	<input type="text"/>
		<input type="text" value="Postcode"/>

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.

Signature or mark of applicant	<input type="text"/>	Date	<input type="text" value="Day Month Year"/>
-----------------------------------	----------------------	------	---

WITNESS

I saw the applicant sign this form.

Signature of witness	<input type="text"/>
Name BLOCK LETTERS	<input type="text"/>
Address	<input type="text"/>

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 State Electoral District of and the related part of the Region 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 in Gazette 10 Nov 2000 p. 6170-1.]

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

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 in 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:

District					
Surname					
Given names					
Residential Address	Street No.		Street Name		
	Suburb			Postcode	
Phone numbers	(Home)			(Work)	
Fax number			E-mail		
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:					
Signature of Claimant				Date	

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

Form 7
Western Australia
Electoral Act 1907 (s. 48(2)(a))
ELECTOR'S OBJECTION TO ENROLMENT

To the Electoral Commissioner:

District					
Surname					
Given names					
Residential Address	Street No.		Street Name		
	Suburb			Postcode	
Phone numbers	(Home)		(Work)		
Fax number		E-mail			
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					
Signature of Objector				Date	

[Form 7 inserted in 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 in Gazette 10 Nov 2000 p. 6174.]

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:

District					
Surname					
Given names					
Residential Address	Street No.		Street Name		
	Suburb			Postcode	
Phone numbers	(Home)			(Work)	
Fax number			E-mail		
<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> <p>.....</p> <p>.....</p>					
Signature of Elector				Date	

[Form 9 inserted in 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 (a) not be entered on the electoral roll.
(Please tick the appropriate box) 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.

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 solemnly and sincerely declare that the risk referred to in **8** above is as follows:

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

And I make this declaration by virtue of section 106 of the *Evidence Act 1906*.

.....
Signature of declarant

Declared at this
day ofbefore me

.....
Commissioner for Declarations
Justice of the Peace
Police Officer
or other person authorised by
the *Declarations and Attestations*
Act 1913

[Form 10 amended in Gazette 10 Nov 2000 p. 6176-7; 11 May 2007 p. 1998.]

Form 11
Western Australia
Electoral Act 1907 (s. 56(a))
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 in Gazette 10 Nov 2000 p. 6175.]

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

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

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

Form 16
Western Australia
Electoral Act 1907 (s. 64(1) and 69)

WRIT

**Writ for elections in all the electoral districts to elect members
of the Legislative Assembly**

To the Electoral Commissioner:

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

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

Last day for the nomination of candidates:

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

Polling day:

Saturday, 20.....

Last day for the return of the writ:

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

Dated 20.....
.....
Governor

(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 in Gazette 20 Oct 2000 p. 5930-1.]

Form 17
Western Australia
Electoral Act 1907 (s. 64(2) and 69)

WRIT

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

To the Electoral Commissioner:

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

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

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

Last day for the nomination of candidates:

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

Polling day:

Saturday, 20.....

Last day for the return of the writ:

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

Dated 20
Governor

(Reverse)
Certificate

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

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

[continue for each region]

Dated 20
Electoral Commissioner

[Form 17 inserted in Gazette 20 Oct 2000 p. 5931-2.]

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 in 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 in 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 in Gazette 20 Oct 2000 p. 5935-6.]

Form 21
Western Australia
Electoral Act 1907 (s. 156E and 69)

WRIT

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

To the Electoral Commissioner:

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

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 in Gazette 20 Oct 2000 p. 5936-7.]

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 in 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 an electoral region when an election
is deemed to have wholly failed under section 88(2)**

To the Electoral Commissioner:

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

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

Last day for the nomination of candidates:

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

Polling day:

Saturday, 20.....

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 23 inserted in Gazette 20 Oct 2000 p. 5939-40.]

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 in 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 an electoral region when
an election is deemed to have wholly failed under section 89(1)**

To the Electoral Commissioner:

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

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

Last day for the nomination of candidates:

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

Polling day:

Saturday, 20.....

Last day for the return of the writ:

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

Dated 20

Governor

(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 in Gazette 20 Oct 2000 p. 5941-2.]

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

WRIT

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

To the Electoral Commissioner:

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

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

Last day for the nomination of candidates:

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

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 in Gazette 20 Oct 2000 p. 5943-4.]

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 in 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 an electoral region when an election
has been declared absolutely void**

To the Electoral Commissioner:

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

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

Last day for the nomination of candidates:

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

Polling day:

Saturday, 20.....

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 in Gazette 20 Oct 2000 p. 5946-7.]

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 in Gazette 20 Oct 2000 p. 5948.]

[Form 24 deleted in 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 \$250 cash/bank or other financial institution cheque payable to the Electoral Commissioner* and a nomination paper in respect of
(name of candidate)

.....
Date	Returning Officer

	District or Region

* Strike out whichever is not applicable

[Form 25 amended in Gazette 8 Nov 1996 p. 6269; 20 Nov 1998 p. 6265.]

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")

<input type="text"/>	<input type="text"/>
----------------------	----------------------

Signature or mark of applicant

Date

Electoral Regulations 1996
Schedule 3

--

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 in Gazette 10 Nov 2000 p. 6177-8.]

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 in Gazette 10 Nov 2000 p. 6178.]

Form 28

Western Australia

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

DECLARATION FOR EARLY VOTE

Electoral District of:

Please use BLOCK LETTERS when completing this form.

ELECTOR to complete.

Family name: Given name:

Address as enrolled:

Date of birth: Former family name:

To the Electoral Commissioner,

I declare that:

- *I am the elector who applied for and was issued the enclosed ballot paper(s) for the election on Saturday/...../.....; and*
- *I live at, or within the previous 3 months have lived at, the above enrolled address; and*
- *I have not already voted at this election.*

Elector to sign:

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.

ASSISTANT to complete.

Family name: Given name:

Address:

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.

Assistant to sign: Date:

AUTHORISED WITNESS to complete.

A witness must be more than 18 years of age and must not be a candidate in this election.

Family name: Given name:

Address:

Witness to sign: Date:

[Form 28 inserted in Gazette 11 May 2007 p. 1998.]

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 in Gazette 10 Nov 2000 p. 6180.]

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

Form 31

Western Australia

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

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

DECLARATION FOR:	
ABSENT VOTE; PROVISIONAL VOTE.	
Electoral District of:	
Please use BLOCK LETTERS when completing this form.	
ELECTOR to complete.	
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">• <i>I live at, or within the previous 3 months have lived at, the above enrolled address; and</i>• <i>I enrolled to vote before close of the roll for this election; and</i>• <i>I have not already voted at this election.</i>	
Elector to sign:	
Presiding Officer/Assistant Presiding Officer/Poll Clerk to complete.	
Polling place at which vote claimed:	
Presiding officer to sign:	Date:

[Form 31 inserted in Gazette 11 May 2007 p. 1999.]

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 Region)).....(Date of election)

I certify that this return is correct.

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

.....
Signature of Returning Officer
.....
Date

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 requires every elector to vote at a State election unless the elector has a valid and sufficient reason for not voting.

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.

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. If your reason is accepted, you will not need to pay a penalty. If your reason is not accepted, we will tell you and you will need to pay a penalty of *[insert amount of penalty]*.

If you **did not vote** at the State election and you do not have a valid and sufficient reason for not voting and you wish to finalise this matter, 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.

You must either complete and return this notice or pay the penalty before the following date. If you do not, this matter may be dealt with in court or referred to the Fines Enforcement Registry.

Due date for return of notice or payment of penalty: <i>[insert date]</i>
--

If you are away from home or physically incapacitated at the time this notice is delivered then you may direct another person 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>The address for which you are enrolled is: <i>[insert address]</i> Please provide your current residential address if different from the above address:</p>	
SECTION 1	
<ul style="list-style-type: none"> • 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>. • Complete either Part A or Part B but not both. • Making a false or misleading statement on this notice is an offence. 	
Part A	<p>If you did vote, 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><input type="checkbox"/> by early vote</p> <p>at the following polling place*.....</p> <p>(*not applicable if early vote obtained by written application).</p>
Part B	<p>If you did not vote and you believe you have a valid and sufficient reason, complete this Part.</p> <p>I did not vote because:</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p> <p>.....</p>

The person completing Section 1 is to provide the following information about himself or herself:

Name: Daytime contact phone number:

Signature of person completing this form:

SECTION 2

Penalty: *[insert penalty amount]* **Due date:** *[insert date]*
 If you **did not vote** and you wish to finalise this matter, please pay the penalty in one of the following ways by the due date.

Payment with Australia Post	<i>[insert information about payment]</i>
Payment by mail	Using the reply paid envelope provided, return this notice with a cheque or money order made payable to the Western Australian Electoral Commission. Do not send cash in the mail.
Payment in person	Cash or cheque payments can be made at the Western Australian Electoral Commission <i>[insert address]</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 in Gazette 11 May 2007 p. 1999-2001.]

Form 34

Western Australia

Electoral Act 1907 (s. 156(12))

FAILURE TO VOTE — INFRINGEMENT NOTICE

[insert name and address of elector]

Dear elector

Thank you for returning the notice we sent you regarding your apparent failure to vote at the State election held on *[insert date]*.

In that notice you told us that

[insert whichever paragraph applies —

- *you voted at [insert polling place]. 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 absent/provisional/early [insert whichever applies] 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 told us that you did not vote and you told us your reason for not doing so. The Electoral Commissioner has considered that reason but is unable to accept it as a valid and sufficient reason for not voting.]*

The Electoral Commissioner therefore considers that you have committed an offence by failing to vote without a valid and sufficient reason. The penalty for this offence is *[insert penalty amount]*.

You must pay the penalty before the following date:

Due date for payment of penalty: <i>[insert date]</i>

If you do not pay the penalty before this date, this matter may be dealt with in court or referred to the Fines Enforcement Registry.

Electoral Regulations 1996
Schedule 3

You may pay the penalty in one of the following ways:

Payment by mail	Using the reply paid envelope provided, return this notice with a cheque or money order made payable to the Western Australian Electoral Commission. Do not send cash in the mail.
Payment in person	Cash or cheque payments can be made at the Western Australian Electoral Commission <i>[insert address]</i> .

Payment of the penalty will end this matter. However if you pay by cheque and your cheque is dishonoured, you will be treated as if you had not paid the penalty.

Thank you for your cooperation.

Electoral Commissioner

Date: *[insert date]*

[Form 34 inserted in Gazette 11 May 2007 p. 2001-2.]

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 in the.....Region 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 in Gazette 6 Dec 1996 p. 6723.]

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 consent to act as a member of the Legislative Council in the.....Region 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

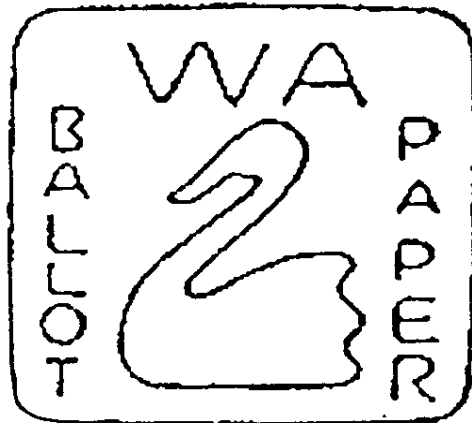
Signature of Candidate

.....
Date

[Form 36 inserted in Gazette 6 Dec 1996 p. 6724.]

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

WATERMARK



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

Notes

- ¹ This reprint is a compilation as at 2 May 2008 of the *Electoral Regulations 1996* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

Compilation table

Citation	Gazettal	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)
Reprint of the <i>Electoral Regulations 1996</i> as at 1 Dec 2000 (includes amendments listed above)		
<i>Electoral Amendment Regulations 2007</i>	11 May 2007 p. 1995-2002	11 May 2007
Reprint 2: The <i>Electoral Regulations 1996</i> as at 2 May 2008 (includes amendments listed above)		

Defined Terms

[This is a list of terms defined and the provisions where they are defined.

The list is not part of the law.]

Defined Term	Provision(s)
authorised person	2
ballot paper envelope	2
election.....	28(1)
election period.....	28(1)
issuing officer	2
member	28(1)
prescribed body.....	28(1)
public employee	28(1)
record	2