

# ELECTORAL.

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No. 31 of 1982.

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AN ACT to amend sections 42, 44, 190, 194 and 211  
of the Electoral Act 1907-1980.

[Assented to 27 May 1982.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Electoral Amendment Act 1982*. Short title and citation.

(2) In this Act the Electoral Act 1907-1980 is referred to as the principal Act. Reprinted as approved 8 December 1981.

(3) The principal Act as amended by this Act may be cited as the Electoral Act 1907-1982.

Commence-  
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Section 42  
amended.

3. Section 42 of the principal Act is amended by inserting after subsection (1) the following subsection—

“ (1a) A claim shall have inserted therein the date on which the claim is made by the claimant and signed by the claimant and the witness to the signature of the claimant. ” .

Section 44  
amended.

4. Section 44 of the principal Act is amended—

(a) in subsection (1)—

(i) by deleting “and” after paragraph (e);

(ii) by deleting “so.” in paragraph (f) and substituting the following—

“ so; and

(g) the date on which the claim is made by the claimant and signed by the claimant and the witness. ” ;

(b) by inserting after subsection (1) the following subsection—

“ (1a) Where in any claim—

(a) there is an insertion or other alteration the insertion or alteration shall be initialled in his own handwriting by the person making the claim and the person who pursuant to the authority of section 42 (1) (b) witnessed the claim;

(b) there is an erasure the words or figures written on the erasure shall be re-written and shall be initialled in

his own handwriting by the person making the claim and the person who pursuant to the authority of section 42 (1) (b) witnessed the claim. ” ;

and

(c) in subsection (4), by inserting after “forty-two” the following—

“ or that is not received by the Registrar within 31 days of the date of the making and signing of the claim by the claimant ” .

5. Section 190 of the principal Act is amended by inserting in the Table of Electoral Offences and Punishments the new offences and punishments in respect thereof to stand before the ultimate offence and punishment in columns one and two of the Table respectively, as follows—

Section 190 amended.

“ Wilfully making a false insertion or alteration in any claim.	Penalty not exceeding one hundred dollars.
Wilfully inserting in a claim a date other than the date on which the claim was made.	Penalty not exceeding one hundred dollars.
	” .

6. Section 194 of the principal Act is amended by inserting after “Registrar” in line six the following—

Section 194 amended.

“ so as to enable him to receive the claim within the period referred to in section 44 (4) of this Act ” .

7. Section 211 of the principal Act is amended—

Section 211 amended.

(a) by deleting “Any” and substituting the following—

“ (1) Any ” ; and

(b) by inserting the following subsection—

“ (2) Where—

(a) pursuant to this Act any insertion, alteration or erasure on a claim is required to be initialled by the person making the claim; and

(b) the person making the claim is unable to write and has pursuant to subsection (1) of this section made his distinguishing mark on the claim,

the person making the claim shall make his distinguishing mark against each insertion, alteration or erasure on the claim and such distinguishing mark when witnessed by the attesting witness to the claim shall be deemed to be the initials of the person making the claim. ” .

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