



WESTERN  
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ELECTORAL ACT 1907

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**ELECTORAL REGULATIONS  
1996**



WESTERN AUSTRALIA

**ELECTORAL REGULATIONS 1996**

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ELECTORAL ACT 1907  
ELECTORAL REGULATIONS 1996

Made by His Excellency the Governor in Executive Council.

**PART 1 — PRELIMINARY**

**Citation**

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

**Interpretation**

2. In these regulations, unless the contrary intention appears —

**“authorized 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;

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

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

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

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

**Application of declaration to a region**

3. 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.

**Application to more than one election**

4. 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**

### **Charges in Schedule 1**

5. The charges specified in Schedule 1 are charges to be paid in relation to the matters specified in that schedule.

### **Declarations and appointments — Schedule 2**

6. (1) The declaration by a returning officer prescribed for the purposes of section 12 of the Act is the declaration in Form 1 in Schedule 2.

(2) The declaration by a presiding officer, assistant presiding officer, poll clerk or doorkeeper prescribed for the purposes of section 104 (2) of the Act is the declaration in Form 2 in Schedule 2.

(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.

### **Forms — Schedule 3**

7. (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**

#### **Rolls**

**8.** 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.

#### **Registrar to produce certified roll**

**9.** The Registrar for a district, whenever so directed by the Electoral Commissioner, is to produce to the Electoral Commissioner a roll certified by the Registrar to be the roll for the district.

#### **Roll to be marked where objection subject to appeal (s.47 (3) (g))**

**10.** If the Registrar objects to any claim for enrolment, and is required under section 47 (3) (g) of the Act to enrol the claimant, the Registrar is to enter the notation “47 (3) (g)” against the claimant’s name on the roll.

## **PART 4 — POSTAL, ABSENT AND PROVISIONAL VOTES**

### **Issue of postal votes**

**11.** (1) An oral application for a postal 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) When an oral or written application for a postal vote is made to an issuing officer, the issuing officer is to make a record of the name of the applicant and the address for which the applicant is enrolled as specified in the application.

(3) The issuing officer is to —

(a) assign an identifying number to each oral or written application for a postal vote at the time it is received; and

(b) record the number on the application in the case of a written application and on the record made under subregulation (2) in the case of an oral application.

(4) Each issuing officer is to forward the records of applications compiled by the issuing officer under subregulation (2) to the Electoral Commissioner at intervals directed by the Electoral Commissioner.

(5) Immediately after 6.00 p.m. on the day preceding the day fixed for polling, each issuing officer is to forward to the Electoral Commissioner —

(a) every record not yet forwarded under subregulation (4); and

(b) a consolidated record of all applications received and postal ballot papers issued by the issuing officer.

### **Postal ballot paper**

**12.** A postal ballot paper is to be endorsed with the words “Postal ballot paper”.

### **Taking of postal ballot papers**

**13.** Where an envelope containing a postal 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.

**Taking of absent votes.**

14. 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 within 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 authorized person is to sign a statement in the form of Form 30 in Schedule 3 declaring that the person is enrolled on the electoral roll for the district claimed and entitled to vote for that district; and
    - (ii) the authorized person is to attest the signature of that person to the statement;
  - (c) the statement 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 statement 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.

**Taking of provisional votes**

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

- (a) before a person is issued with a ballot paper for the purposes of casting a provisional vote —
  - (i) the person, in the presence of an authorized person, is to sign a statement in the form of Form 31 in Schedule 3; and

- (ii) the authorized person is to attest the signature of that person to the statement;
- (b) the statement 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 statement made by the person under paragraph (a), and deposit the fastened envelope and attached statement in a sealed ballot box in use at the polling place where the vote was cast.

**Records of postal, absent and provisional votes to be made**

**16.** (1) A presiding officer is to maintain records, in a form approved by the Electoral Commissioner, of —

- (a) all postal votes received at the polling;
- (b) the particulars of every person issued with a ballot paper for absent voting at the polling; and
- (c) the particulars of every person issued with a ballot paper for 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.

**Postal, absent and provisional votes to be sorted**

**17.** (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 postal votes, 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.

**Returning Officer to forward postal, absent and provisional votes and records to Electoral Commissioner**

**18.** 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 postal votes, absent votes and provisional votes and the records, by any means approved by the Electoral Commissioner.

**Scrutiny of declarations relating to postal ballot papers**

**19.** (1) The officer concerned with the scrutiny of declarations relating to postal ballot papers is to —

- (a) open the envelope addressed to the Electoral Commissioner and examine the declaration to ensure that the postal vote should not be rejected under section 92 (9) of the Act;

- (b) if satisfied that the postal ballot paper should not be rejected —
  - (i) make a record of the elector having voted; and
  - (ii) place the envelope in the ballot box for the relevant district or region;
 and
- (c) if satisfied that the postal 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 postal vote was obtained by written application the officer concerned with the scrutiny of declarations relating to postal ballot papers is to check the declaration against the application made by the person applying for that postal vote.

(3) If a declaration cannot be checked against a written application but the Assistant Returning Officer is satisfied from the record of applications for postal votes that the postal vote was obtained by written application, the Assistant Returning Officer is to allow the declaration to be dealt with under subregulation (1).

### **Scrutiny of declarations relating to absent votes and provisional votes**

**20.** (1) The officer concerned with the scrutiny of declarations made under section 119 (4), 122 (1) or 122A (1) of the Act 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 authorized 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) place the envelope in the ballot box for the relevant district or region;
 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 authorized person, the officer conducting the scrutiny of the declarations is not to reject the ballot paper for that reason alone.

**Scrutiny of postal, absent and provisional votes**

**21.** (1) After the declarations relating to postal, absent and provisional votes have been scrutinized under regulations 19 and 20, the envelopes containing the ballot papers of persons whose names are on the roll in relation to which a vote is claimed are to be opened and counted in accordance with the relevant provisions of the Act.

(2) Where a ballot paper in an 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.

## PART 5 — MISCELLANEOUS

### Compulsory enrolment

**22.** (1) A person entitled to enrolment as an elector is to fill in, sign and send to the registrar of the district in which that person is entitled to be so enrolled 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 this 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 officer indicated in the notice, 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 Registrar or on the Registrar'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 Registrar 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.

### **Compulsory voting**

**23.** 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.

### **Appointment of scrutineer**

**24.** 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.

### **Verification of nomination**

**25.** 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.

### **Declaration on a re-count**

**26.** When on a recount 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.

**Prescribed officer under section 162 (1) (ca)**

27. 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.

**Public employees standing for election**

28. (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 Act 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 employer is by this regulation authorized to apply for and take; and
- (b) the employer of the employee is by this regulation authorized 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 subregulations (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.

#### **Transmission and destruction of records**

**29.** (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.

#### ***Electoral Regulations 1988 repealed***

**30.** The *Electoral Regulations 1988\** are repealed.

[\* *Published in Gazette 16 February 1988, pp. 479-519.*  
*For amendments to 4 June 1996 see 1995 Index to Legislation of Western Australia, Table 4, p.66.*]

**SCHEDULE 1**

[Regulation 5, section 33]

**SUPPLY OF PRINTED COPIES OF ROLL**

	\$
<b>1.</b> Complete set of electoral rolls for each district	300
<b>2.</b> Complete set of supplementary rolls	40
<b>3.</b> Roll for an electoral district	6
<b>4.</b> Supplementary roll for an electoral district	3

**SCHEDULE 2**

**FORM 1**

[Regulation 6(1)]

Western Australia  
*Electoral Act 1907* (s.12)

**DECLARATION BY RETURNING OFFICER**

I, .....of .....  
declare that I accept the office of Returning Officer for the .....  
District (or the ..... Region), and that I will  
faithfully and impartially perform the duties of my office to the best of my  
understanding and ability.

.....  
Returning Officer

.....  
District (or Region)

Declared before me on .....  
Date

.....  
Justice of the Peace



**FORM 2**

[Regulation 6(2)]

Western Australia  
*Electoral Act 1907 (s.104 (2))*

**DECLARATION BY PRESIDING OFFICER, ASSISTANT PRESIDING OFFICER, POLL CLERK OR DOORKEEPER**

I, ..... of .....  
declare that I accept the office of .....  
at the ..... Polling Place in the ..... District,  
and that I will faithfully and impartially perform the duties of my office to the  
best of my understanding and ability.

.....  
Signature of officer

Declared before me on .....  
Date

.....  
Signature of witness being an elector  
or qualified to be an elector for  
Commonwealth or State elections

=====

**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
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**FORM 2**

Western Australia  
*Electoral Act 1907 (s. 42)*

**CLAIM FOR ENROLMENT**

<b>1</b>	Surname or family name	
	All Christian or given names	
<b>2</b>	Address	
		Postcode
	Shire	
<b>3</b>	Daytime phone number (if convenient)	
<b>4</b>	Postal address	
		Postcode
<b>5</b>	Occupation	
		<b>6</b> Male <input type="checkbox"/> Female <input type="checkbox"/>
<b>7</b>	Date of birth	Day    Month    Year
		<b>8</b> Town of birth
<b>9</b>	Place of birth	

**10** I am an Australian citizen  
NO   
YES

If you are an Australian citizen by naturalization please supply the following details:

Date of naturalization	Citizenship Certificate No.
Day Month Year	

**11** Former surname or family name

Former Christian or given names

**12** Former address

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

Date

Day Month Year

**WITNESS**

I saw the applicant sign this form.

Signature of witness

Name  
BLOCK LETTERS

Address



**FORM 3**

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

**NOTICE OF REJECTION OF CLAIM**

To .....  
I give you notice that your claim dated ..... to have  
your name placed on the roll for the .....  
District and that part of the ..... Region  
in that District does not comply with section 44 of the *Electoral Act 1907* in the  
following particulars, namely .....  
.....  
.....  
....., and it is therefore rejected.

.....  
Signature of Registrar

.....  
District

.....  
Address of Registrar

.....  
Date



**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))

**REGISTRAR'S OBJECTION TO CLAIM**

To .....

of .....

Take notice that I object to your claim to be enrolled as an elector for the . . . .  
..... District on the following grounds:

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

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.

.....  
Signature of Registrar

..... District

.....  
Address of Registrar

.....  
Date



**FORM 6**

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

**APPEAL AGAINST OBJECTION TO CLAIM**

To the Registrar

..... District

Take notice that I appeal against your objection to my claim for enrolment as an  
elector for the ..... District  
on the following grounds:

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

.....  
Signature of Claimant

.....  
Full Name of Claimant (Please Print)

.....

.....  
Claimant's Address

.....  
Date



**FORM 7**

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

**ELECTOR'S OBJECTION TO ENROLMENT**

To the Registrar

..... District

Take notice that I ..... object to the  
name of ..... being on the roll  
for the ..... District on the following grounds:

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

I deposit herewith the sum of \$2.

.....  
Signature of Objector

.....  
Address of Objector

.....  
Date

=====

**FORM 8**

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

**REGISTRAR'S OBJECTION TO ENROLMENT**

To:

Elector's Name and Address

You are currently enrolled on the State Electoral roll for the .....  
..... District. As Registrar for that District, I object to your  
enrolment on the following grounds:

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

I formally object to the retention of your name on the roll for the .....  
..... District.

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.

.....  
Signature of Registrar

..... District

.....  
Address of Registrar

.....  
Date

=====



**FORM 10**  
Western Australia  
*Electoral Act 1907 (s. 51B (1), (2))*

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

Please do not show my address on the electoral roll

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

ALL CHRISTIAN or GIVEN NAMES . .

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

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

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

Postcode

**5** OCCUPATION . . . . .

**6** SEX . . . . .

Male                       Female

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

Day                      Month                      Year

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

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

(b)  be removed from the electoral roll.

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

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

**9 DECLARATION**

Please ensure that you have signed the declaration before forwarding it to the Electoral Commissioner.

The relevant risk is as follows —

Day      Month      Year

Date

\_\_\_\_\_  
Signature or mark of applicant .....

=====

**FORM 11**

Western Australia  
*Electoral Act 1907 (s. 56 (a))*

**NOTIFICATION OF DEATHS OF PERSONS NOT UNDER 18 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 12**

Western Australia  
*Electoral Act 1907 (s. 56 (b))*

**WOMEN WHOSE MARRIAGES HAVE BEEN REGISTERED**

To the Electoral Commissioner

List of marriages of women not under 17 years of age which have been registered in Registry Districts in Western Australia during the month of .....

	Surname	Christian or Given Names	Date of Birth	Stated Address	Stated Occupation
Husband					
Wife					

.....  
Date

.....  
Registrar General



**FORM 13**

Western Australia  
*Electoral Act 1907 (s. 57 (1))*

**MENTAL HOSPITAL ADMISSIONS AND DISCHARGES**

To the Electoral Commissioner

1. The following persons have, during the preceding 3 months been admitted to an approved hospital under Division 2, 3 or 6 of Part IV of the *Mental Health Act 1962*.

Surname	Christian or Given Names	Date of Birth	Sex	Address Immediately Prior to Admission	Occupation

2. The following persons have been discharged from status as a patient under the *Mental Health Act 1962* during the preceding 3 months.

Surname	Christian or Given Names	Date of Birth	Sex	Address Immediately Prior to Admission	Occupation

.....  
 Date

.....  
 Director, Psychiatric Services

=====

**FORM 14**

Western Australia  
*Electoral Act 1907* (s. 59 (a))

**PERSONS OF THE KIND REFERRED TO IN SECTION 18 (c) (i)-(vi)  
DETAINED IN CUSTODY**

To the Electoral Commissioner

List of persons of the age of 17 years or over who are attainted of treason, are under sentence or sentences of imprisonment of or totalling one year or longer, or are subject to an order, direction or sentence, as the case may be, to be detained or kept in my custody under section 19 (6a), 631, 652, 653, 693 (4), 661 or 662 of the *Criminal Code* and received by me during the 3 months ended .....

Surname	Christian or Given Names	Date of Birth	Sex	Address Immediately Prior to Admission	Occupation

.....  
Date

.....  
Chief Executive Officer,  
Ministry of Justice



**FORM 15**

Western Australia  
*Electoral Act 1907* (s. 59 (b))

**PERSONS SUBJECT TO DIRECTION TO BE DETAINED IN AN  
APPROVED HOSPITAL UNDER SECTION 47 (1) OF THE  
MENTAL HEALTH ACT 1962**

To the Electoral Commissioner

List of persons of the age of 17 years or over who are subject to a direction to be  
detained in an approved hospital under section 47 (1) of the *Mental Health Act*  
1962 and received by me during the 3 months ended .....

Surname	Christian or Given Names	Date of Birth	Sex	Address Immediately Prior to Admission	Occupation

.....  
Date

.....  
Director, Psychiatric Services,  
Department of Health



**FORM 16**

Western Australia  
*Electoral Act 1907 (s.64)*

**WARRANT FOR THE ISSUE OF WRITS FOR ELECTIONS IN ALL  
THE ELECTORAL DISTRICTS TO ELECT MEMBERS OF THE  
LEGISLATIVE ASSEMBLY**

To the Clerk of the Writs

You are directed to issue writs for elections in all the electoral districts to elect one member of the Legislative Assembly for each district.

.....  
Date

.....  
Governor

=====

**FORM 17**

Western Australia  
*Electoral Act 1907 (s.64)*

**WARRANT FOR THE ISSUE OF WRITS FOR ELECTIONS IN ALL  
THE ELECTORAL REGIONS TO ELECT MEMBERS OF THE  
LEGISLATIVE COUNCIL**

To the Clerk of the Writs

You are directed to issue writs for 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.

.....

Date

Governor

=====

**FORM 18**

Western Australia  
*Electoral Act 1907 (s.67 (1))*

**WARRANT FOR THE ISSUE OF A WRIT TO SUPPLY A VACANCY IN  
THE LEGISLATIVE ASSEMBLY**

To the Clerk of the Writs

I, ....., the Speaker of the Legislative Assembly  
acting upon a resolution passed by the Legislative Assembly on ..... 19  
... direct you to issue a writ to supply the vacancy for the District of .....  
..... in the Legislative Assembly.

.....  
Date Speaker



**FORM 19**

Western Australia  
*Electoral Act 1907* (s.67 (2))

**WARRANT FOR THE ISSUE OF A WRIT TO SUPPLY A VACANCY IN  
THE LEGISLATIVE ASSEMBLY**

To the Clerk of the Writs

I, . . . . ., the Speaker of the Legislative Assembly acting under section  
67 (2) of the *Electoral Act 1907* direct you to issue a writ to supply the vacancy  
for the District of . . . . . in the Legislative Assembly.

.....  
Date

.....  
Speaker



**FORM 20**

Western Australia  
*Electoral Act 1907 (s.67 (3))*

**WARRANT OF HIS EXCELLENCY THE GOVERNOR FOR THE ISSUE  
OF A WRIT TO SUPPLY A VACANCY IN THE  
LEGISLATIVE ASSEMBLY**

To the Clerk of the Writs

You are directed to issue a writ for the election of a member to serve in the  
Legislative Assembly for the District of .....

.....  
Date Governor

=====

**FORM 21**

Western Australia  
*Electoral Act 1907 (s.67 (4) (a))*

**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 . . .  
..... District, died on the ..... (date),  
and we give you this notice to the intent that you may issue a warrant directing  
the Clerk of the Writs to issue a writ for the election of a member to supply the  
vacancy caused by the death of that member.

..... Date	..... Member for the
	..... District
	..... Member for the
	..... District

=====

**FORM 22**

Western Australia  
*Electoral Act 1907 (s.156E)*

**WARRANT FOR THE ISSUE OF A WRIT FOR AN ELECTION TO FILL  
A VACANCY IN THE LEGISLATIVE COUNCIL**

To the Clerk of the Writs

You are directed to issue a writ for an election in the .....  
Region to fill the vacancy in the Legislative Council.

.....  
Date Governor

=====

**FORM 23**

Western Australia  
*Electoral Act 1907* (s. 69)

**WRIT**

To .....

Returning Officer for the .....  
(District or Region).

I authorize and require you to cause an election to be held of .....  
member (or members) for the ..... District (or  
Region) to serve in the Legislative Assembly (or Council).

I appoint the following dates for the purposes of the said election —

For Nomination — ..... (day),  
..... (date), at 6 p.m.

For Polling — Saturday, ..... (date)  
For Return of the Writ — ..... (day),  
..... (date).

.....  
Date Clerk of the Writs

**ENDORSEMENTS**

I certify that I have received this writ on the ..... (date).

.....  
Returning Officer

I certify that on ..... (date of nomination or election as appropriate)  
.....  
.....  
was (or were) duly elected to serve in the Legislative Assembly (or Council) for  
the ..... District (or Region).

[The poll was declared at . . . . . (place) at . . . . . (time) on . . . . . (date).

(to be deleted if election was not contested).]

.....  
Returning Officer

.....  
District (or Region)

=====

**FORM 24**

Western Australia  
*Electoral Act 1907 (s.78)*

**NOMINATION PAPER**

To the Returning Officer for the \* .....  
+ .....  
I, the undersigned, being duly qualified to be elected, nominate myself as a  
candidate to serve in the Legislative # ..... for the \* .....  
.....+ .....  
for the election to be held on Saturday ..... and supply the  
following particulars relating to myself.

Surname: .....  
Christian or given names: .....  
Place of residence: .....  
Postal address: .....  
Telephone: .....  
Occupation: .....

**FORM OF NAME TO BE PRINTED ON  
BALLOT PAPERS**

.....

.....  
Date

.....  
Signature of Candidate

\* here insert name of district or region  
+ here insert district or region  
# here insert Assembly or Council



**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 \$100 cash/bank cheque payable to me\* and  
a nomination paper in respect of .....  
(name of candidate)

.....  
Date

.....  
Returning Officer

.....  
District or Region

\* Strike out whichever is not applicable



**FORM 26**

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

<b>APPLICATION FOR A POSTAL BALLOT PAPER</b>
--

ELECTOR TO COMPLETE — PLEASE PRINT CLEARLY

SURNAME OR FAMILY NAME	
FULL CHRISTIAN OR GIVEN NAMES	
ADDRESS AS ENROLLED	
	Postcode
DATE OF BIRTH	/ /

I am an elector for the

--

District

who is entitled to apply for a postal ballot paper, and request that voting material be sent to me at:

Postcode

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

--

**Signature or mark of applicant**

/ /
-----

**Date**

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

Date

---

FOR ISSUING OFFICERS USE ONLY

DATE RECEIVED		NO.	
SIGNATURE			
PLACE OF ISSUE			

=====

**FORM 27**

Western Australia  
*Electoral Act 1907 (s.90 (7))*

**NOTIFICATION OF REJECTION OF APPLICATION FOR POSTAL  
BALLOT PAPER**

You are advised that your application for a postal ballot paper for the . . . . .  
election to be held on . . . . . has been rejected for the following reasons:

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

.....  
Date

.....  
Issuing Officer



**FORM 28**

Western Australia  
*Electoral Act 1907 (s.90 (4) (c))*

**POSTAL BALLOT — DECLARATION OF ELECTOR**

**ELECTOR MUST SIGN BELOW**

Surname Given Names	
Address as Enrolled	
Date of birth	
<p>I declare that —</p> <p>I am the elector on whose application this postal ballot paper(s) was issued for the election on Saturday; ;</p> <p>I am entitled to apply for a postal ballot paper(s);</p> <p>I have not already voted at that election;</p> <p>I live at, or have, within the 3 months prior to election day, lived at the above enrolled address.</p>	
SIGNATURE of Elector	

Authorized witness to complete

Name	
Address	
Signature of Witness	
Signed before me on	/ /

Where elector requires assistance — Assistant to complete

I declare that I have been appointed by the elector to mark the Postal Ballot Paper or Papers on his/her behalf.			
Name			
Address			
Signature			
For Use by Issuing Officer Only			No.
Place of Issue		Initials	
District of Elector		Date	/ /



**FORM 29**

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

**DECLARATION BY ELECTOR WHO HAS NOT RECEIVED POSTAL  
BALLOT PAPER**

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

of .....  
(address)

declare that I have not received a postal ballot paper for which I applied for the election being held on ..... and I now desire 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 30**

Western Australia  
*Electoral Act 1907 (s. 99A)*

[Regulation 14 (b) (i)]

<b>DECLARATION OF ABSENT VOTER</b>
--

<b>Electoral District of</b>	
------------------------------	--

TO THE ELECTORAL COMMISSIONER  
 I declare that I am the person enrolled as —

<b>Surname</b>	
----------------	--

<b>Christian or Given Names</b>	
---------------------------------	--

<b>Address</b> (as enrolled, or as claimed to be enrolled)	
---	--

<b>Date of Birth</b>	/ /
----------------------	-----

<b>Former Surname or Family Name</b>	
--------------------------------------	--

for the above electoral district and that I live at, or have, within the 3 months prior to election day, lived at the above enrolled address and am qualified to vote for that district.

---

<b>Signature of Elector</b>	
-----------------------------	--

<b>Signature of (Asst.) Pres. Officer</b>	
---	--

<b>at Polling Place</b>	
-----------------------------	--

<b>Date</b>	/ /
-------------	-----

---

---

**FORM 31**

Western Australia  
*Electoral Act 1907* (ss. 119 (4), 122 (1), 122A)

[Regulation 15 (a) (i)]

<p><b>DECLARATION OF          PROVISIONAL          VOTER</b></p>
--

<b>Electoral District of</b>	
------------------------------	--

TO THE ELECTORAL COMMISSIONER

<b>I</b>	<b>Surname</b>	
	<b>Former Surname or Family Name</b>	
	<b>Christian or Given Names</b>	

<b>of</b>	<b>Address</b> (as enrolled, or as claimed to be enrolled)	
-----------	---	--

<b>Date of Birth</b>	/ /
----------------------	-----

Declare that I have claimed to be enrolled and am entitled to be on the roll and to vote for the above electoral district and that I live at, or have, within the 3 months prior to election day, lived at the above address and accordingly claim a vote pursuant to —

**TICK APPLICABLE BOX**

- SECTION 122A — Name not on roll
- SECTION 122A — Name marked off in error, etc
- SECTION 122 (2) — Marked for objection — 47 (3) (g)
- SECTION 119 (4) — Objection by a Scrutineer — On the grounds that:  
.....

<b>Signature of Claimant</b>	
------------------------------	--

<b>Signature of Presiding Officer</b>	
---------------------------------------	--

<b>Polling Place</b>	
----------------------	--

<b>Date</b>	/ /
-------------	-----

=====

**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	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 (4))*

**NOTICE OF APPARENT FAILURE TO VOTE**

To:

Dear Elector

**ELECTORAL DISTRICT**

It appears from an examination of electoral records for the recent election, the details of which are printed adjacent, that you failed to vote.

The information on the reverse of this form provides an explanation to the matter. Please read this carefully.

**ELECTION DATE**

Please write your name and address together with the details required at **(A)** or **(B)**, sign the form and return it so as to reach me by .....

Date of Notice

**ELECTORAL COMMISSIONER**

*Return this form intact*

**TO: THE ELECTORAL COMMISSIONER**

I .....  
of ..... phone: <sup>(H)</sup>  
<sub>(W)</sub>

declare that (Fill in **(A)** or **(B)**):—

**(A)** I voted at .....  
(time and polling place)  
..... for the above election.

or

**(B)** The true reason that I failed to vote at the above election was that:  
.....  
.....  
.....  
.....  
.....  
.....  
.....

.....  
SIGNATURE OF ELECTOR

.....  
DATE

**INFORMATION ABOUT COMPULSORY VOTING*****(Electoral Act 1907 — Section 156)***

It is compulsory in Western Australia for all electors to record their vote at any State election or referendum. Electors however, may be excused from voting if they have a “valid and sufficient reason” for not doing so. For example, an elector may have been absent from the State at the time; or may have been seriously ill or infirm, or incapacitated and was so prevented from attending a polling place.

***If you did vote*** at the recent election, then please write your name and address, together with the details of the time and place of voting at (A) on the reverse, sign the form and return it to the Electoral Commission.

***If you did not vote***, please write your name and address together with the full details of your reason at (B) on the reverse, sign it and return it to the Electoral Commission. This information will be assessed and if the reason is accepted, then the matter will be considered to be finalised. If the reason is not accepted, you will be advised of the penalty to be imposed. The penalty could be up to \$20, or \$50 if you have failed to vote previously or the matter is dealt with by a court.

***This matter cannot be settled by telephone — if you have any information to provide, you must write this on the form and send it to the Electoral Commission.***

If you do not reply, a penalty can also be imposed. Again this will be up to \$20 or \$50 for a subsequent offence or if the matter is dealt with by a court.

It is important to fully detail any reasons that you provide e.g. provide details of dates and locations if you were absent from the State on election day. If you need more space to detail your reasons, use another piece of paper and attach it to the form.

If you provide a false reason on the form, a penalty of up to \$50 can also be imposed.

Do not send any payments at this stage. If a penalty is to be imposed, you will be sent a notice at a later date requiring payment.

Another person can fill in the form on behalf of an elector, if that elector is absent or incapacitated, provided the person filling in the form has personal knowledge of the facts concerned.

---

**FORM 34**

Western Australia  
*Electoral Act 1907* (s.156 (12))

**NOTIFICATION TO AN ELECTOR**

To:

You are notified that:

1. It is an offence under the *Electoral Act 1907* to fail to vote at an election without a valid and sufficient reason for such failure.
2. The reason that you have given to me for failing to vote at the election, the details of which are printed adjacent, is in my opinion, not a valid and sufficient reason for failure to vote.
3. You have the option of having the matter dealt with by me or by a court of summary jurisdiction.

**ELECTORAL DISTRICT**

**ELECTION DATE**

**PENALTY**

**DATE TO BE PAID BY**

If you accept my decision, you must sign the attached form and return it, with the required penalty, before the date stated. In this case, no further proceedings will be taken against you.

**If you do not accept my decision or you do not pay the penalty within the period stated, it will be taken that you wish to have the matter dealt with by a court of summary jurisdiction.**

Date of Notice

ELECTORAL  
COMMISSIONER

Payment should be by <b>Cheque or Money Order</b> made payable to "The WA Electoral Commission"
--

=====

**FORM 35**

Western Australia  
*Electoral Act 1907* (s.156 (12))

**NOTIFICATION TO AN ELECTOR**

To:

You are notified that:

**ELECTORAL DISTRICT**

1. You have failed to fill in, sign and return to me a notice stating your reason for failing to vote at the election, the details of which are printed adjacent.

**ELECTION DATE**

2. You have the option of having the matter dealt with by me or by a court of summary jurisdiction.

**PENALTY**

If you accept my decision, you must sign the attached form and return it, with the required penalty, before the date stated. In this case, no further proceedings will be taken against you.

**DATE TO BE PAID BY**

**If you do not accept my decision or you do not pay the penalty within the period stated, it will be taken that you wish to have the matter dealt with by a court of summary jurisdiction.**

Date of Notice

ELECTORAL  
COMMISSIONER

Payment should be by  
**Cheque or Money Order**  
made payable to "The WA  
Electoral Commission"

=====

**FORM 36**

Western Australia  
*Electoral Act 1907 (s.156 (12))*

**AGREEMENT BY AN ELECTOR TO ACCEPT A PENALTY IMPOSED**

**TO: THE ELECTORAL COMMISSIONER**

**I,**

**ELECTORAL DISTRICT**

**ELECTION DATE**

having failed to vote without a valid and sufficient reason for such failure at the election, the details of which are printed adjacent, agree to have the matter dealt with by you and agree to accept your decision. I enclose the required payment.

**PENALTY**

.....  
Signature

.....  
Date

Tick box if  
receipt required

**FORM 37**

Western Australia  
*Electoral Act 1907* (s.139 (a))

**WATERMARK**



By His Excellency's Command,

J. PRITCHARD, Clerk of the Council.

