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[1964

Crown Law Department,
Perth, 10th June, 1964.

THE undermentioned regulations made under the provisions of the Marketing of Potatoes Act, 1946, and amended from time to time prior to 15th April, 1964, are reprinted as so amended pursuant to the Reprinting of Regulations Act, 1954, by authority of the Minister for Justice.

R. C. GREEN,
Under Secretary for Law.

MARKETING OF POTATOES ACT, 1946.

REGULATIONS.

Published in the *Government Gazette* on the 16th May, 1947, the 6th June, 1947, and the 1st April, 1955, and incorporating the amendments thereof published in the *Government Gazette* on the 27th June, 1947, the 6th February, 1948, the 4th March, 1949, the 8th July, 1949, and the 24th November, 1950; and reprinted pursuant to the Reprinting of Regulations Act, 1954.

Reprinted pursuant to the Reprinting of Regulations Act, 1954 by authority of the Minister dated 10th June, 1964.

MARKETING OF POTATOES ACT, 1946.

Regulations for the Licensing of Growers.

Regs. 1-5
published
G.G. 16/5/47,
p. 839.

1. These regulations may be cited as the Marketing of Potatoes (Licensing of Growers) Regulations.

2. In these regulations, unless the context shall otherwise require:—

“The Act” means the Marketing of Potatoes Act, 1946.

“The Board” means the Western Australian Potato Marketing Board as constituted by the Act.

“License” means a license granted by the Board to grow or produce potatoes.

“Secretary” means the Secretary of the Board and includes any person appointed by the Board to act as Secretary during the absence of the Secretary.

Reg. 3
amended by
G.G. 6/2/48,
p. 283; G.G.
4/3/49, p. 413.

3. The conditions upon which licenses may be granted are as follows:—

- (a) No license shall be granted unless and until an application to the Board is made therefor in Form A in the Appendix hereto.
- (b) The applicant shall give full written particulars on each and every matter set out in the said form.
- (c) The applicant shall deliver to the Board his application in the said Form A duly completed, and shall, if and when required by the Board, verify the particulars given in, or in support of, such application by statutory declaration delivered to the Board.
- (d) Upon the approval by the Board of an application for a license, the Board shall grant a license to the applicant in the Form B in the Appendix hereto.
- (e) Where the Board grants a license to the applicant, the Board may, by endorsement on or attached to the license, limit and define the area or areas within which potatoes may be sown or produced for sale by or on behalf of the applicant under and by virtue of such license, and the Board may, by the like endorsement, define the period or periods within which the whole or any part of the said area or areas may be so sown with potatoes.
- (f) The Board may from time to time add to, vary or revoke the whole or any of the conditions upon which it shall grant any license to an applicant.

3A. [Inserted by G.G. 6/2/48, page 283. Repealed by G.G. 4/3/49, page 413.]

4. No person shall grow or produce potatoes for sale except in accordance with the conditions of a license issued to him by the Board.

5. Any person committing a breach of any of the foregoing regulations either by act or omission, shall, on conviction, be liable to a penalty not exceeding twenty pounds.

APPENDIX.

Form A.

Western Australia.

Marketing of Potatoes Act, 1946.

APPLICATION FOR A LICENSE.
(Regulation 3(a).)

Surname (block letters).....
Christian Names (in full).....
Address

To The Western Australian Potato Marketing Board.

I, the abovementioned hereby apply for a license under the Marketing of Potatoes Act, 1946, in respect to..... acres of potatoes to be sown and produced for sale in the Early (June-15th July), Mid (15th July-30th November), Late (1st December-31st May) period, in the month or months as hereunder:—

April.....	October.....
May.....	November.....
June.....	December.....
July.....	January.....
August.....	February.....
September.....	March.....

A.—Particulars of land on which it is proposed to sow and produce potatoes, i.e.:—

Situation of Land.....
Name and Address of Owner.....
Particulars of Applicant's interest in the land (owner, lessee, or as the case may be)—
.....
.....

Area of Holding.....
Location Number.....

B.—State present occupation: Full time..... Part time.....

C.—(1) State whether qualified to vote at the election of a member of the Legislative Assembly.....

(2) If so, state for what Electoral District.....

Signature.....
Date.....

Form B.

Western Australia.

Marketing of Potatoes Act, 1946.

POTATO GROWER'S LICENSE.
(Regulation 3 (d).)

This license is issued pursuant and subject to the provisions of the Marketing of Potatoes Act, 1946, to..... of....., for the sowing and production for sale of..... acres of potatoes in the Early (June-15th July), Mid (15th July-30th November), Late (1st December-31st May) period in the months as hereunder:—

April.....	October.....
May.....	November.....
June.....	December.....
July.....	January.....
August.....	February.....
September.....	March.....

Chairman, Western Australian Potato
Marketing Board.

Regulations for the Election of Elective Members.

Regs. 6-26
added by
G.G. 6/6/47,
pp. 1035-42.

These regulations may be cited as the Marketing of Potatoes (Election of Elective Members) Regulations, and shall be read as one with the Marketing of Potatoes (Licensing of Growers) Regulations numbered 1-5 and published in the *Government Gazette* on the 16th day of May, 1947.

Elective Members—Qualification.

6. No person shall be qualified for election as an elective member of the Board unless at the time when he is nominated as a candidate for election he is a commercial producer within the meaning of that term as contained in section 5 of the Act, and is not—

- (a) of unsound mind; or
- (b) an undischarged bankrupt within the meaning of the laws relating to bankruptcy; or
- (c) a person who has been convicted of an indictable offence for which a sentence of imprisonment for 12 months or longer may be imposed.

Elections.

Reg. 7
amended by
G.G. 8/7/49,
p. 1437.

7. For the purposes of elections of elective members of The Western Australian Potato Marketing Board—

- (a) There shall be a Returning Officer, who shall be such person as the Board may from time to time appoint.
- (b) The Board may cancel the appointment of any person as Returning Officer.
- (c) The Board shall by public notice fix a day for the election by the commercial producers of the first elective members of the Board.
- (d) The day so fixed shall not be less than one month nor more than three months after the date of the publication of the day fixed for the election.
- (e) The nomination day for the nomination of candidates for such election shall be not less than fourteen days nor more than six weeks preceding the day fixed for the said election.
- (f) Only persons who are commercial producers within the meaning of the Act will be eligible to be registered as electors, and unless and until so registered will not be entitled to vote at such election.
- (g) Within seven days after the said publication, the Returning Officer shall by public notice inform commercial producers—
 - (i) of the intention to hold the election;
 - (ii) of the date fixed for the election;
 - (iii) of the nomination day fixed for such election; and
 - (iv) of the address of the Returning Officer.
- (h) As soon as reasonably may be after the said publication, the Returning Officer shall prepare a roll of electors for use at the elections, such roll to be prepared in accordance with the provisions of subsection (3) of section 8 of the Act.
- (i) When the Returning Officer has prepared the roll of electors as aforesaid, he shall sign each page thereof, and thereafter such roll shall be the electoral roll to be used at the said election.
- (j) Only persons whose names appear on the said electoral roll shall be entitled to vote at the said election.

8. When, after the first elective members of the Board have been elected, any extraordinary vacancy arises or any vacancy is about to arise by effluence of time in relation to the membership of an elective member of the Board, the following provisions shall apply:—

Reg. 8
amended by
G.G. 8/7/49,
p. 1437.

- (a) In the case of an extraordinary vacancy, the Returning Officer shall notify the Chairman of the Board thereof by writing under his hand as soon as possible after such extraordinary vacancy has arisen.
- (b) In the case of vacancies occurring by effluence of time, the Returning Officer shall, at least three months before the term of office of an elective member will expire by effluence of time, inform the Chairman of the Board, by writing under his hand of the name of the elective member whose term of office is about to expire, and of the date upon which such term of office will expire.
- (c) As soon as reasonably may be after the receipt of a notification from the Returning Officer under paragraph (a) or paragraph (b) hereof, the Board shall fix the date for the holding of the election to fill the vacancy or vacancies of which it has been notified, and shall forthwith notify the Returning Officer of the date so fixed.
- (d) The date so fixed shall be not less than two months and not more than three months after the date of the publication by the Returning Officer of the notice to be published by him in accordance with paragraph (e) hereof.
- (e) Upon receipt by him of the notice from the Board fixing the day for the holding of the election, the Returning Officer shall by Public Notice inform the commercial producers—
 - (i) of the intention to hold the election;
 - (ii) of the date fixed for the election;
 - (iii) of the nomination day; and
 - (iv) of the address of the Returning Officer.
- (f) The nomination day shall be not less than fourteen days nor more than six weeks prior to the day fixed for the election.

Electoral Roll.

9. (1) For the purposes of elections to be held for the election of elective members of the Board, after the first elective members have been elected, the Returning Officer shall, on the 30th day of September next following the date of the election of the said first elective members, or as soon as reasonably may be thereafter, and on the 30th day of September in each succeeding year, or as soon as reasonably may be thereafter, prepare an electoral roll for use at all elections, whether to fill extraordinary vacancies or ordinary vacancies, during the currency thereof, such roll to be prepared from the register of growers compiled under the Act.

(2) Such electoral roll, when prepared, shall be signed on each page thereof by the Returning Officer, shall be the electoral roll for all elections aforesaid, and shall continue current and in force until the next electoral roll has been prepared in accordance with these regulations: Provided that if during the currency of any electoral roll an extraordinary vacancy arises which renders an election necessary to fill such vacancy, such electoral roll may, for the purposes of such election, but in the manner authorised by these regulations, be amended by the Returning Officer by the enrolment thereon of persons who since the preparation thereof have become eligible for enrolment and registered as electors, and

by the removal therefrom of the names of persons enrolled thereon who since the preparation thereof have ceased to be eligible for enrolment as electors or to vote at an election.

10. (1) Where any commercial producer eligible for enrolment on the electoral roll is a limited liability company or other corporate body, the board of directors or other management authority thereof may authorise any director, trustee, or other member of such board or management authority or its manager, secretary, or other officer (being a person not already enrolled or entitled to be on the electoral roll) to represent the company or other body aforesaid as an elector, and, upon receipt of an application for enrolment from such representative, together with a certificate in writing of such authority aforesaid under the hand of the managing director of the company or the president or chairman of the management authority of such other corporate body, as the case may be, the Returning Officer may, subject to all other requirements of these regulations being satisfied, enrol such representative person on the electoral roll in accordance with his application.

(2) In the case of a partnership, either one of the partners, but not more than one, at any one time may apply for enrolment and be enrolled on the electoral roll upon which the partnership is entitled to be enrolled.

(3) No person shall be entitled to be enrolled on the electoral roll more than once, whether as an elector in his own right or as the representative of a limited liability company or other corporate body, or as a partner in a partnership, or otherwise.

(4) Every authority given under paragraph (1) hereof shall remain effective for all subsequent elections and electoral rolls until written notice of revocation is sent or delivered to the Returning Officer.

(5) Any company or other corporate body may cancel or revoke any authority given by it under this regulation by notice in writing under the hand of the said Board of Directors or other management authority, as the case may be, sent or delivered to the Returning Officer: Provided that any such cancellation or revocation shall not invalidate any vote given by the representative person enrolled and voting by virtue of such authority at an election held previously to such cancellation or revocation.

(6) Upon receipt of notice of cancellation or revocation of authority as aforesaid, the Returning Officer shall forthwith remove from the electoral roll the name of the representative person whose authority has been so cancelled or revoked.

Nominations.

11. (1) Every nomination of a candidate for election as a member of the Board shall be made in writing, in the Form C in the Appendix to these regulations and shall be signed by the candidate himself and also by a proposer and seconder, both of whom shall be persons enrolled on the electoral roll to be used at the election.

(2) Every nomination of a candidate shall be sent or delivered to the Returning Officer so as to be in his hands not later than 12 o'clock noon of the nomination day for the election.

(3) Every nomination form received by the Returning Officer after the time aforesaid shall be rejected by him.

(4) Where any nomination is sent by post, but the postage thereon is wholly unpaid or insufficiently prepaid thereon, the Returning Officer shall refuse to accept such nomination, and such nomination shall be deemed not to have been sent or delivered to the Returning Officer within the meaning of these regulations.

(5) Forthwith, after 12 o'clock noon of the nomination day, the Returning Officer shall examine all the nominations received by him and satisfy himself that the candidates whose names appear

on the nomination forms are eligible for election, and that the persons who have signed the said forms as proposer and seconder are entitled under these regulations so to sign the same.

(6) The Returning Officer shall reject any nomination form which, in his opinion, is not in order as required by these regulations, and any such rejection shall be final and conclusive as against the candidate.

(7) An election shall be held for the first elective members, but in subsequent elections where the number of candidates nominated does not exceed the number of candidates to be elected, the Returning Officer shall forthwith certify that fact, together with the names, addresses and occupations of the candidates nominated in accordance with Form D in the Appendix to these regulations to the Board, and such certificate, when received by the Board, shall be final and conclusive evidence of the election of the said candidates as members of the Board.

(8) As soon as reasonably may be after the receipt by him from the Returning Officer of the certificate mentioned in paragraph (7) hereof, the Chairman of the Board shall cause a copy thereof to be published in the *Government Gazette* and in a newspaper published in Perth.

(9) When the number of candidates nominated exceeds the number to be elected, the Returning Officer shall hold an election in accordance with these regulations, as hereinafter provided.

Polling.

12. (1) When after the receipt of nominations of candidates an election is necessary to elect an elective member or elective members of the Board, the Returning Officer shall, as soon as practicable after the closing time for the receipt of such nominations, but within seven days thereafter, cause ballot papers to be printed in accordance with Form E in the Appendix to these regulations containing the names of all the candidates in alphabetical order.

(2) The ballot paper shall set forth in a space provided for the purpose notice of the day fixed for the closing of the poll.

13. (1) When the ballot papers have been printed as aforesaid, the Returning Officer shall send by prepaid letter post to each person, whose name appears as an elector on the electoral roll, to his postal address as shown on his application for enrolment, one ballot paper, with the initials of the Returning Officer, or of some other person authorised in that behalf by the Returning Officer, indorsed on the back thereof, together with an envelope marked "Ballot Paper Envelope," and another envelope addressed to the Returning Officer and a form of statement in the Form F in the Appendix to these regulations, to be completed and signed by the elector.

(2) The Returning Officer may, before sending the statement aforesaid to an elector, fill in the particulars to be furnished therein so that the same will be ready for signature and completion by the elector when marking his ballot paper.

14. (1) For the purpose of casting his vote at the election, the elector shall mark his vote on the ballot paper received by him as aforesaid in the manner hereinafter provided, and shall then place the same in the envelope marked "Ballot Paper Envelope," and seal the envelope. He shall then sign and complete the statement in accordance with the directions stated therein and then place the sealed envelope, with the ballot paper enclosed therein and the statement signed and completed in the envelope addressed to the Returning Officer, and seal such lastmentioned envelope.

(2) The elector may then send by prepaid letter post or may deliver the envelope addressed to the Returning Officer, with its said enclosures, to the Returning Officer at his address shown

on the envelope, but so that such envelope shall be in the hands of the Returning Officer not later than 12 o'clock noon of the day fixed for the closing of the poll.

(3) Where any envelope containing the ballot paper is sent by post to the Returning Officer, but the postage thereon is wholly unpaid or insufficiently paid thereon, the Returning Officer shall refuse to accept the same, and such envelope, with its enclosures, shall be deemed not to have been sent or delivered to the Returning Officer within the meaning of these regulations.

15. If, prior to the closing of the poll, an elector satisfies the Returning Officer that he has not received a ballot paper and is entitled to vote at the election, or that the ballot paper or envelopes received by him have been lost or destroyed, and that he has not already voted at the poll, the Returning Officer may post or give personally to such elector a ballot paper and envelopes or a further ballot paper and envelopes, as the case may be.

Preferential Voting.

16. (1) Voting shall be by means of a preferential ballot.

(2) When only one candidate is to be elected and there are not more than two candidates, the elector shall mark his vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom he votes.

(3) When only one candidate is to be elected and there are more than two candidates, the elector shall mark his vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom he votes as his first preference, and he shall give contingent votes for all the remaining candidates by placing the numerals 2, 3 and so on (as the case requires) opposite their names, so as to indicate by such numerical sequence the order of his preference.

(4) When two candidates are to be elected, the elector shall mark his vote on the ballot paper by placing the numeral 1 opposite the name of the candidate for whom he votes as his first preference and the numeral 2 opposite the name of the candidate for whom he votes as his second preference, and he shall give contingent votes for all the remaining candidates by placing the numerals 3, 4 and so on (as the case requires) opposite their names so as to indicate by such numerical sequence the order of his preference.

Ballot Papers.

17. (1) The Returning Officer shall keep a locked and sealed ballot box, with the words "Potato Marketing Board Ballot Box" marked thereon, and, as and when the envelope containing the ballot paper and the statement is received by him from an elector, he shall open the outer envelope and extract therefrom the statement and the sealed envelope containing the ballot paper.

(2) He shall thereupon examine the statement and satisfy himself that the same is in order and that the elector who signed the statement is enrolled on the electoral roll and entitled to vote.

(3) If and when he is so satisfied, he shall place the statement in some place of security for safe keeping and shall immediately place the envelope containing the ballot paper unopened in the said ballot box and so leave the same until the close of the poll.

(4) If, upon examining the statement as aforesaid, the Returning Officer is not satisfied that the statement is in order, or that the person who signed the same is enrolled on the electoral roll and entitled to vote, he shall retain such statement and the envelope containing the ballot paper unopened in a safe place and at once notify the elector in writing that his ballot paper has not been accepted for the reasons to be stated in the notice.

(5) If, before the closing of the poll, a voter who has received notice as provided for in paragraph (4) hereof satisfies the Returning Officer that he is an elector and entitled to vote at the election,

the Returning Officer shall forthwith place the sealed envelope containing such voter's ballot paper unopened in the said ballot box and so leave the same until the closing of the poll.

(6) If a voter who has received notice as provided for in paragraph (4) hereof fails to satisfy the Returning Officer in the manner required by paragraph (5) hereof, the Returning Officer shall reject the ballot paper received from such voter. Upon such rejection he shall indorse on the envelope containing the ballot paper the word "Rejected," and sign the same, and then place such envelope unopened in some place of security for safe keeping until after the election.

Scrutineers.

18. (1) Each candidate at an election shall be entitled to appoint, in writing, one scrutineer to be present when the envelopes containing ballot papers relating to such election are being opened at the commencement of the scrutiny and to remain during the scrutiny.

(2) Every scrutineer shall, before he acts, make and sign, before the Returning Officer a declaration in accordance with Form G in the Appendix.

The Scrutiny.

19. (1) The counting of the votes cast at an election shall be carried out by the Returning Officer, in the presence of the scrutineers, at the office of the Board, and shall not commence until after 4 o'clock on the election day. The Returning Officer may from time to time adjourn the scrutiny to a day and hour fixed by him and notified to the scrutineers.

(2) The Returning Officer may appoint such officers as he deems necessary to assist in the conduct of an election and count thereof.

(3) Subject as hereunder provided, the method of conducting the count shall be the same as that prescribed under the Electoral Act, 1907-1936,¹ for the counting of the votes taken at an election of members of the Legislative Assembly. Provided that—

- (a) When two candidates are to be elected the count of the votes will proceed until one candidate has received an absolute majority, when he shall be declared elected. The first elected candidate shall then be eliminated from the count, and to proceed with the election of the second candidate, all the ballot papers, including those which have been set aside as exhausted, shall be brought into operation and again sorted into first preference votes. The first preference votes of the eliminated successful candidate shall be distributed according to the second preference markings shown thereon to the remainder of the candidates, and when added to their respective first preference votes shall constitute the first count for the second candidate. The procedure from then on shall be the same as in the counting of votes for the election of one candidate.
- (b) Votes shall not be deemed to be informal except in the case hereinafter mentioned.

(4) As soon as practicable after the closing of the poll, the Returning Officer shall, in the presence of the scrutineers—

- (a) open the ballot box and remove therefrom the envelopes containing the ballot papers; and
- (b) open the envelopes containing the ballot papers and extract the ballot papers therefrom; and
- (c) examine every ballot paper and satisfy himself that the same bears the authorised officer's initials indorsed thereon and decide whether such ballot paper is formal or informal; and

¹ Now Electoral Act, 1907-1962.

(d) count all formal ballot papers and reject all informal ballot papers.

(5) The Returning Officer shall be the sole and final judge as to whether a ballot paper is informal.

(6) Any candidate may attend and be present at the counting of the votes.

20. (1) A ballot paper shall be informal—

- (a) if it is not initialed by the Returning Officer or the other officer authorised in that behalf;
- (b) if, subject as hereinafter provided, it is marked in any other manner than prescribed in regulation (11)¹ of these regulations; or
- (c) if it has upon it any mark or writing not authorised by these regulations, which in the opinion of the Returning Officer will enable any person to identify the elector; or
- (d) if it does not indicate the elector's vote, or, if when there are more than two candidates it is not marked so as effectively to indicate the elector's preference as regards all candidates; or
- (e) if no mark is indicated on it.

(2) A ballot paper shall not be informal for any reason other than the reasons stated in paragraph (1) hereof, but shall be given effect to according to the elector's intention so far as his intention is clear, and, in particular when only one candidate is to be elected and there are only two candidates, a ballot paper shall not be informal by reason only of the elector having indicated his vote or first preference by a cross instead of the numeral 1.

21. As and when the Returning Officer shall have completed the counting of the votes, he shall declare the result of the election in the presence of the scrutineers and of any candidates who may be present at the time.

22. (1) When the result of an election has been ascertained and declared, the Returning Officer shall forthwith furnish to the Board a certificate of such result in accordance with Form H in the Appendix to these regulations, and state therein the names, addresses, and occupations of the candidates who have been elected; and such certificate, when received by the Board, shall be final and conclusive evidence of the election of the said candidates as members of the Board.

(2) As soon as reasonably may be after the receipt by the Board from the Returning Officer of the certificate mentioned in paragraph (1) hereof, the Board shall cause a copy thereof to be published in the *Government Gazette*, and a newspaper published in Perth.

23. Where any person whose name appears on the electoral roll to be used at any election has since such enrolment ceased to be a commercial producer within the meaning of the Act, such person shall not be entitled to vote at any election held subsequently to his ceasing to be a commercial producer as aforesaid merely because his name appears as an elector on the said electoral roll, and in any such case the Returning Officer, upon it coming to his knowledge that the person is no longer a commercial producer shall cause his name to be struck off such roll.

24. The Returning Officer shall retain all ballot papers and statements received by him in connection with any election held under these regulations until the expiration of three months after the declaration of the result of such election, and may then cause the same to be destroyed.

¹ Regulation (11) does not prescribe the manner of marking ballot papers. The regulation cited here should apparently be regulation (13).

25. Any person who, not being entitled to be enrolled as an elector for the purpose of an election held under the Act and these regulations, makes a claim to be enrolled, and any person who makes any statement which is to his knowledge false in any application for enrolment, or in any statement accompanying a ballot paper verifying the voter's right to vote, shall be guilty of an offence against these regulations and shall be liable to a penalty not exceeding twenty pounds.

26. Subject to subsection (2) of section 8 of the Act, all costs, charges, and expenses as incurred by the Returning Officer in connection with the publication of notices, the receipt of nominations of candidates for election, preparation of electoral rolls, and the conduct of elections, including any fee that may be allowed, or in connection with any other matters incidental thereto and as certified in writing by the Returning Officer under his hand, and communicated by the Returning Officer to the Board, shall be borne and paid by the Board or reimbursed to the Returning Officer by the Board out of moneys from time to time in its hands: Provided that the Board may at its own expense have the accounts of the Returning Officer audited by the Auditor General, whose decision thereon shall be final as between the parties concerned.

The Appendix.

Marketing of Potatoes Act, 1946.

Form C.

(Regulation 11 (1).)

NOMINATION FORM FOR NOMINATION OF CANDIDATE FOR AN ELECTION.

We, (a)....., of (b)....., in the State of Western Australia, (c)....., and (d)....., of (b)....., in the State of Western Australia (c)....., being electors duly enrolled upon the electoral roll of commercial producers, do hereby, as proposer and seconder respectively, nominate (e)....., of (f)....., in the State of Western Australia, (g)....., as a candidate for election under section 8 (1) of the Marketing of Potatoes Act, 1946, as an elective member of The Western Australian Potato Marketing Board, for the purpose of and in connection with the election to be held on the..... day of....., 19....., for the election of elective members of the said Board under the said Act.

Dated the..... day of....., 19.....

(h)Proposer.

(i)Seconder.

I, the abovenamed (e)....., do hereby consent to the above nomination, and do hereby state that I am a person eligible for such nomination within the meaning of the said Act and the regulations made thereunder for the following reasons, namely:—

(j)

Dated the..... day of....., 19.....

(k)Candidate.

(a) Full name of proposer; (b) address; (c) occupation; (d) full name of seconder; (e) full name of candidate; (f) his address; (g) his occupation; (h) signature of proposer; (i) signature of seconder; (j) here state grounds upon which the candidate claims to be eligible for nomination as a candidate; (k) signature of candidate.

Form D.

Marketing of Potatoes Act, 1946.

(Regulation 11 (7).)

CERTIFICATE OF ELECTION OF CANDIDATE WHERE NUMBER
OF CANDIDATES NOMINATED DOES NOT EXCEED
NUMBER TO BE ELECTED.

To The Western Australian Potato Marketing Board, Perth:

I, (a)....., being the Returning Officer duly appointed under and for the purposes of the regulations made under the Marketing of Potatoes Act, 1946, do hereby certify:—

- (1) That in connection with the nomination of candidates for election as Members of The Western Australian Potato Marketing Board received up to 12 o'clock noon of (b).....the.....day of....., 19....., being the last day for the nomination of candidates for such election to be held on the.....day of....., 19....., under section 8 (1) of the said Act the following candidate (or candidates) was (or were) nominated, namely:—

(c)
.....

- (2) That the nomination form (or forms) of the said candidate (or candidates) was (or were) in order as required by the regulations; that the candidate (or candidates) was (or were) eligible for nomination and election, and that the persons who signed the nomination form (or forms) as proposer and seconder were competent so to sign the same.
- (3) That the number of candidates so nominated did not exceed the number of candidates to be elected as Members of the said The Western Australian Potato Marketing Board; and
- (4) That the said (d).....is (or are) the person (or persons) now elected as such elective members as required by the said Act for appointment by the Governor as a member (or members) of the said Board.

Dated the.....day of....., 19.....

.....
Returning Officer.

- (a) Full name of Returning Officer; (b) the last day for receiving nominations of candidates; (c) set out the full name, address and occupation of each candidate; (d) full name of each candidate.

Form E.

Marketing of Potatoes Act, 1946.
(Regulation 12 (1).)

BALLOT PAPER.

For use in an election of (a).....person (or persons)
to be elected as the elective member (or members) of The Western
Australian Potato Marketing Board under section 8 (1) of the
abovementioned Act.

The Ballot Paper marked and completed in accordance with
the directions hereunder must be received by the Returning Officer
not later than 4 o'clock in the afternoon on (b).....the
.....day of....., 19.....

Names of Candidates (in alphabetical order).		Vote (in order of preference).
(c)	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>
	<input type="checkbox"/>

Directions for Voting.

- (1) Voting shall be by means of a preferential ballot.
- (2) The elector shall mark his vote on the ballot paper by placing in the column headed "Vote" the numeral 1 opposite the name of the candidate for whom he votes as his first preference, by placing in the said column the numeral 2 opposite the name of the candidate for whom he votes as his second preference and he shall give contingent votes for all the remaining candidates by placing the numerals 3, 4, and so on (as the case requires) opposite their names so as to indicate by such numerical sequence the order of his preference.
- (3) The elector shall then place the ballot paper in the envelope marked "Ballot Paper Envelope" and seal the envelope.
- (4) The elector shall then sign and complete the statement according to Form F received by him with the ballot paper.
- (5) The elector shall then place the ballot paper envelope sealed and the completed statement in the envelope addressed to the Returning Officer, and send the same by prepaid letter post or deliver the same to the Returning Officer.
- (6) The envelope, addressed to the Returning Officer, with its contents, must be received by the Returning Officer before the time fixed for the closing of the poll as notified above, otherwise the same and the ballot paper will be rejected.
- (7) If sent by prepaid letter post, the same and the ballot paper will be rejected, if the correct amount of letter post has not been prepaid by the elector.
- (a) One or two, as the case may be; (b) the day fixed for the closing of the poll; (c) insert full names of candidates in alphabetical order.

Form F.

Marketing of Potatoes Act, 1946.
(Regulation 13 (1).)

STATEMENT BY ELECTOR TO ACCOMPANY
BALLOT PAPER.

1, (a)....., of (b)....., in the
State of Western Australia, (c) hereby submit the following facts
in verification of my right to vote, according to the accompanying
ballot paper.

- (1) I am an elector duly enrolled on the electoral roll of
commercial producers and am still a commercial pro-
ducer within the meaning of the Act.
- (2) That as such elector I am entitled to vote in the elec-
tion now being held and closing at 4 o'clock in the
afternoon of the (d).....day of.....,
19....., for the election of (e).....person (or
persons) as the elective member (or members) of The
Western Australian Potato Marketing Board.
- (3) That I have not voted previously in the said election.
- (4) That I make this statement with the full knowledge
of the fact that if it is wilfully false in any particular
I am liable to a penalty under the regulations not
exceeding the sum of twenty pounds.

(f).....
(Signature of Elector.)

(a) Full name of elector; (b) address; (c) occupation; (d) date of
election; (e) one or two, as the case may be; (f) signature of
elector.

Form G.

Marketing of Potatoes Act, 1946.
(Regulation 18 (2).)

DECLARATION BY SCRUTINEER.

I, (full name)....., of (address).....,
do hereby declare that I will faithfully and impartially, according
to the best of my skill and judgment, carry out the duties required
of me as a Scrutineer, in connection with the election of elective
members to The Western Australian Potato Marketing Board, and
I do further declare that I will not at such election attempt to
ascertain how any person shall vote or has voted, and that if in the
discharge of such duties at or concerning the said election I learn
how any person has voted, I will not by word or act directly or
indirectly divulge or discover or aid in divulging or discovering the
same.

Signature.....

Declared before me at.....this.....
day of....., 19.....

.....
Returning Officer.

Form H.

Marketing of Potatoes Act, 1946.
(Regulation 22 (1).)

CERTIFICATE BY RETURNING OFFICER OF
RESULT OF AN ELECTION.

I, (a)....., being the Returning Officer duly
appointed under and for the purpose of the regulations made under
the Marketing of Potatoes Act, 1946, do hereby certify as follows:—

- (1) That in accordance with the said regulations I have
held an election, which closed at 4 o'clock in the after-
noon on the (b).....day of....., 19.....,
for the election of (c).....person (or persons)
as the elective member (or members) of The Western
Australian Potato Marketing Board under section 8 (1)
of the said Act.
- (2) That the candidates at such election were:—
.....
.....
.....
- (3) That the voting resulted as follows:—
 - (1) On the first count:
(e).....
.....
.....
 - (2) On the second count:
(e).....
.....
.....
 - (3) On the third count:
(e).....
.....
.....
 - (4) On the final count:
(e).....
.....
.....
- (4) That as the result of the said voting the said (f).....
.....was (or were) duly elected as the person
(or persons) to be the elective member (or members)
as aforesaid.
- (5) That I duly declare the said (f).....
to have been duly elected as the elective member (or
members) as aforesaid on the (g).....day
of....., 19.....
- (6) As the result of the said election the said (f).....
is (or are) now the elective member (or members) as
required by the said Act for appointment by the Gov-
ernor as a member (or members) of the said Board.

(7) That the following is a statistical return of the voting at the said election:—

Total number of electors on roll
Number of electors who voted
Number of formal votes counted
Number of votes rejected—	
(a) For informality of ballot paper
(b) Received after close of poll
(c) Insufficient postage

Dated the.....day of....., 19.....
(h).....
Returning Officer.

(a) Full name of Returning Officer; (b) date fixed for closing of poll; (c) one or two, as the case may be; (d) set out the full names, addresses, and occupations of all the candidates in alphabetical order; (e) set out the names of the candidates, with the number of votes gained by them; (f) set out the name of one candidate, or if two required, the two candidates elected; (g) date of declaration of the result of the poll; (h) signature of Returning Officer.

Regulation as to Remuneration of Board Members.

Reg. 27
added by
G.G. 27/6/47,
pp. 1194-5.

This regulation may be cited as the Marketing of Potatoes (Remuneration of Board Members) Regulation, and shall be read as one with the Marketing of Potatoes (Licensing of Growers) regulations, numbered 1-5, and published in the *Government Gazette* on the 16th day of May, 1947, and the Marketing of Potatoes (Election of Elective Members) Regulations, numbered 6-26, and published in the *Government Gazette* on the 6th day of June, 1947.

Remuneration of Members of the Board.

27. [Revoked by G.G. 24/11/1950, page 2599.]

Regulations as to Powers of Inspection.

Regs. 28-31
added by
G.G. 1/4/55,
pp. 606-7.

These regulations may be cited as the Marketing of Potatoes (Powers of Inspection) Regulations and shall be read as one with the Marketing of Potatoes (Licensing of Growers) Regulations number 1-5 published in the *Government Gazette* on the 16th day of May, 1947, the Marketing of Potatoes (Election of Elective Members) Regulations numbered 6-26 and published in the *Government Gazette* on the 6th day of June, 1947, and the Marketing of Potatoes (Remuneration of Board Members) Regulation number 27 (revoked by notice in *Government Gazette* on the 24th day of November, 1950).

Powers of Inspection.

28. (1) An inspector may at all reasonable times enter upon any land or premises on which potatoes are produced, held, stored, graded, packed, or otherwise treated and inspect or impound any stocks of potatoes or potato containers and any accounts, books or documents relating to any potatoes or potato containers, and for the purpose of satisfying himself as to the truth or correctness

of the accounts, books or documents, or of any returns submitted to the Board may make any inquiries or inspect the premises or any potatoes thereon or therein.

(2) Any member, officer, servant, or employee of the Board duly authorised by the Board in that behalf may at any reasonable time during the day enter upon any land or premises where potatoes are produced, held, stored, graded, packed, or otherwise treated for the purpose of inspecting the potatoes, and may take a sample or samples of the potatoes which do not or does not comply with the provisions of these regulations or any of them, and may inspect any books, accounts, invoices, registers, documents, or writings in or upon the premises relating to the potatoes, and may take notes, copies or extracts thereof or therefrom.

29. Any person who obstructs any person so authorised, and a person carrying on any business whatsoever or employed on the land or premises who refuses to produce the books, accounts, invoices, registers, documents, or writings or any returns required to be submitted to the Board, or to answer any question relating to the books, accounts, invoices, registers, documents or writings, or any returns submitted to the Board, or to any potatoes displayed for sale or held in or upon the premises, or who wilfully gives an untruthful answer to any such question is guilty of an offence against these regulations.

30. A person carrying on any business whatsoever or employed on the land or premises in which potatoes are produced, held, stored, graded, packed or otherwise treated shall if requested so to do by a person so authorised, state in writing the name and address of the person from whom potatoes displayed for sale or held on the land or premises were purchased, consigned, or supplied.

31. A person committing a breach of any of the foregoing regulations either by act or omission, shall on conviction, be liable to a penalty not exceeding £20.